

The Cure for Divorce In the Kingdom of God

Michael S. Sayen

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Second edition (formal titles may include: *Remarriage & Adultery: In the Bible*, *Divorce: In the Bible*, or *The Cure for Divorce: In the Church*)

This book is to help stop the epidemic of divorce in the church. It is a compilation of two books: *Divorce (In the Bible)*, and *Remarriage & Adultery (In the Bible)*.

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Testimonials

"This well-researched work, especially from Jewish sources, sheds light on the divorce/remarriage issue that today has been neglected by the church due to cultural assimilation. Re-examining the crucial biblical texts is a necessary spiritual concern for believers in an age where such examination is dismissed on grounds that since pastors disagree, no one can attempt to apply these texts today. This work answers this need in a direct and easy to understand approach." – Dr. Randall Price, Distinguished Research Professor, Liberty University

"Michael Sayen's study on marriage and remarriage is one of the most thoughtful and challenging pieces of research that I have seen on this topic." – Gary R. Habermas, Philosophy Department, Liberty University. One of the world's leading experts on the Resurrection of Christ.

"Michael Sayen has dug deeply into Scripture to uncover the biblical teaching on divorce and remarriage. It takes a courageous and openminded scholar to take on such a task. I have appreciated Michael's careful research, clarity of presentation and willingness to modify his personal view based on new information. I recommend this book for those who want to take a serious look at this most important, but often perplexing subject." – Dr. J. Carl Laney, author of "The Divorce Myth: A Biblical Examination of Divorce and Remarriage"

"Sometimes it seems that the Church is as confused as the Pharisees regarding the matter of divorce. Here is a great study on what the Bible actually says including what Jesus taught." – Dr. James R. Russom, DMin., Nazarene Bible College, Director Pastoral Ministries Programs

"I could find no theological errors in your work, and your reasoning from scripture seems ironclad, however, there must be room for grace and forgiveness for past sins." – Dr. William Watson, Colorado Christian University, Professor of Global History

"This book is well written; the academic prose should not put anyone off, as this is a serious subject matter. I found the discussion helpful and the conclusions put forward respectfully and with further discussion in mind. Recommended!" – **Rev. Robert Saler Ph.D, Christian Theological Seminary, Executive Director of the Center for Pastoral Excellence**

"I thought it was especially relevant to emphasize how counter-cultural the Biblical view of marriage would have been to the Gentiles as the Judeo-Christian ethic challenged their assumptions and practices. It seems to me that this background is vital to interpreting Paul's teachings on marriage and divorce. I agree with your analysis of Matthew and Mark's accounts of Jesus' teaching on divorce and adultery particularly as it addresses the exception clause question. I also agree that you have correctly analyzed Paul's teaching in the relevant Corinthian passages." – **M.Div. Ronnie J. Woolard, Mid-Atlantic Christian University, Professor of Bible**

"Well written and documented. A great resource for pastors and counselors." – **Dr. Daniel A. Berry, Nazarene Bible College, Adjunct Instructor, Pastoral Ministries**

"This is an interesting read. Arguing that Jesus' and other NT writers' teaching on divorce (and the possibility of a remarriage) is based on the Jewish understanding, which places all authority and responsibility for decisions on divorce upon the husband, Sayen's work goes against the grain of most contemporary Christian thought on the issue. After reading this thought provoking and paradigm-shifting work, believers will have a lot to ponder on the issue, the most pertinent question being this: have we misread the Bible on the question of divorce and remarriage?" – **Jeremiah Mutie, Th.M., Ph.D., Southern California Seminary, Professor of Theology and Church History**

"Do Christians get a divorce and remarry? What does the Bible say about divorce and remarriage? This is a must read for those seeking clarity for this perplexing question." – **Dr. Larry Cornine, Midwestern Baptist Theological Seminary, Associate Professor of Pastoral Care and Counseling**

"This book captures the Old Testament theological and civil view on marriage in a way the reader can understand." – **Pastor Brett Peterson, Ph.D., Living Water Community Church, Biblical Studies**

"Such a hard topic in today's culture and climate. Your theology is accurate. I feel the church has an incredible opportunity to minister and provide. It is a time for the church to be the light in the darkness!" – **Jon Moton, Central Christian Church, Campus Pastor, Ahwatukee Campus**

"Fundamentally, I very much appreciate your thoughts and agree with your conclusions. The Christian church, over the centuries, has rendered marriage a caricature of its original intent and potential, with its rampant divorce and remarriage. The secular world looks at this pattern and rightfully wonders what difference a Judeo-Christian value system really makes, let alone what benefit it provides." – **Ingo Sorke, Ph.D., Hospice Chaplain**

"You have written an excellent explanation of Biblical marriage. Every pastor should read this and give it to every couple before marriage." – **Bill Gothard, BillGothard.com**

"Thank you for your studied teaching on this subject. We need sound clear teaching on this subject and you are providing it." – **Dr. Keith J. Wise, History/Religion, Alma College**

"You did a thorough work on the subject, particularly regarding the Jewish background regarding marriage and divorce. In my opinion, that is the strength of your arguments as Jesus and Paul sided with the Jewish view in opposition to the current cultural views of the day." – **Dr. Bob McKay (Missionary) Georgia, Former Soviet Union**

"We cannot allow culture to be the lens through which truth is imparted, otherwise truth is merely the vote of the masses." – **Dr. Joseph Davis (Southeastern University) Professors of Religion**

Introduction

Often wedding customs and traditions assist with setting the foundation for marriage. In the Old Testament, the traditional bride price transferred the authority of a woman living under her father's roof to her new husband (Numbers 30:16). However, in our Western world, we have two young adults making their own bilateral marriage covenant together.

Why would an unbelieving, independent woman submit herself in the twenty-first century? Logically, she would not. Western-style marriages are adopting a complementarian or egalitarian lifestyle—the cultural normative is no longer to see women as barefoot and pregnant in the kitchen—rather than the patriarchal marriage as seen in the Old Testament.

“The intention with the word ‘complementarian’ is to locate our way of life between two kinds error: on the one side would be the abuses of women under male domination, and on the other side would be the negation of gender differences where they have beautiful significance...So complementarians resist the impulses of a chauvinistic, dominating, and abusive culture, on the one side, and the impulses of a sex-blind, gender-leveling, unisex culture, on the other side.” John Piper¹

The Church allows divorce for adultery, abuse, and abandonment. However, the Law of Moses only spoke of man’s ability to put away his wife for uncleanness. The Jews practice a marriage covenant called the ketubah. It established the husband’s unilateral promise to his betrothed wife.

1. John Piper (2012, November 24) “God Created Man Male and Female. What Does It Mean to Be Complementarian?” Paragraph 2-3. Retrieved April 2, 2018, from <https://www.desiringgod.org/messages/god-created-man-male-and-female-what-does-it-mean-to-be-complementarian>

Prologue

In a day when culture has abandoned God’s teachings on women, marriage, and many other cultural issues, it is refreshing to read such work. Current cultural views have become so ingrained that few would listen to a biblical explanation. The issues facing marriage and divorce are not new. Abuse, immorality, and multiple marriages have always been with us. They are now so rampant that they have risen to the level of “new normal.” Returning to a time when marriage was taken seriously and divorce was stigmatized would be difficult, if not impossible. However, the degradation of society is not an excuse to give up. We must teach biblical views in our homes, churches, and Christian schools. The result may create an “Amish-style” subculture, but that has always been the case of godliness in society. The application of this will be daunting.

David Lackey, D.Min., Ed.D.
Dean, School of Theology, Clarks Summit University

Marriage and Divorce

Unilateral vs Bilateral

I wanted to write a few paragraphs about what the Bible said about divorce and why this understanding was so challenging for Gentiles coming to faith in Jesus Christ. Gentiles did not look at Scripture through the eyes of the Jews, but through their own worldview and culture. Since hardness of heart, in part, has occurred to Israel (Romans 9-11), many of the Jewish concepts of marriage have been forgotten.

Imagine, if you will, the fall of Jerusalem in AD 70. The primarily Jewish council in Jerusalem, where James and the elders resided (Acts 21:18), dismantled and dispersed abroad. Gentile churches no longer with a Jewish hub, are forced to answer difficult questions on their own. Without an understanding of marriage from its biblical roots, Gentiles relied on their own understanding of divorce and remarriage.

I view and write this from a Judeo-Christian perspective, using both Old and New Testament scriptures. Documentation shows us that ever since the Torah, the Jewish people have primarily allowed men permission to initiate the divorce. Those who are Jewish still practice this tradition around the world, including the State of Israel, according to orthodox Jewish rabbis.¹

The reason Jewish leaders believed a man could divorce, or put away his wife was because Moses permitted it in the law. “When a man takes a wife and marries her and it happens that she finds no favor in his eyes because he has found some uncleanness in her, and he writes her a certificate of divorce, puts it in her hand and sends her out of his house...” (Deuteronomy 24:1). This understanding is from the punishments thrust upon humanity at the fall. That is, the role of woman and the rule of man (Genesis 3:16).

There seemed to be some disconnect between the Jews and early church doctrine. The Jewish people believed a woman with a writ of divorce could marry again. The church

did not.² The Jews considered a put-away woman released from her covenant. “Bring charges against your mother, bring charges; for she is not My wife, nor am I her Husband! Let her put away her harlotries from her sight, and her adulteries from between her breasts...” (Hosea 2:2).

To understand marriage, divorce, and remarriage it is imperative to understand what a covenant is. Contract and covenants share similar meaning, purposes, and rules. When comparing them side-by-side, I believe it offers some clarity to this doctrine. The Bible describes two types of covenants: conditional and unconditional. Bilateral and unilateral are the legal terms. You count the number of promises to determine the type.³

- *Bi-lateral (two sides) = Conditional*
- *Uni-lateral (one side) = Unconditional*

If *two* parties make a promise to each other in a bilateral contract, they are both accountable for their actions in court. However, in a unilateral contract, only *one* person is making a promise for the act of another. Since the recipient did not return promise for promise, this contract is considered unconditional in form (conditions, limitations, or exclusions may apply⁴).

In contractual law, you are considered innocent until proven guilty for breaking (breaching) your agreement. The same goes for marriage. If you do not divorce according to Moses permission (Deuteronomy 24:1), you are still bound to your spouse by covenant and commit adultery in remarriage (Mark 10:11-12). That is why we refer to a spouse as the *innocent* or *guilty* party. God said he divorced Israel and Judah for breaking their covenant. “My covenant which they broke, though I was a husband to them, says the Lord” (Jeremiah 31:32, Heb. 8:9-13).

The Jews believed divorce was “unilateral” because their marriage covenant was unilateral set by the traditional purchase price.⁵ Susan Weiss in *Divorce: The Halakhic Perspec-*

tive, *Encyclopedia* (2009) quoted Professor Zev Falk describing divorce as the “arbitrary, unilateral private act of the husband.” In contrast, the first century Greco-Roman law allowed either spouse to initiate the divorce.⁶

The Sanhedrin integrated a written form of the marriage covenant called the ketubah in the first century BCE.⁷ This was adopted to lower the bride price, while still offering financial security to a wife if she was ever widowed or improperly divorced. Maurice Lamm wrote in *The Jewish Marriage Contract (Ketubah)*, “The *ketubah* is a unilateral agreement drawn by witnesses in accordance to Jewish civil law, in which they testify that the husband guarantees to his wife that he will meet certain minimum human and financial conditions of the marriage” (paragraph 1). The bride did not make a verbal promise to her husband, or sign the ketubah.

Although many customs have changed over the years, the sharing of the cup of wine remained consistent. After the bride price was paid to the father, the groom would take a cup of wine—wine called the blood of the grape—and offer it to his intended bride. If she drank from the cup, that meant she has accepted his proposal for marriage. They were considered betrothed husband and wife. The couple traditionally shared from the same cup of wine.⁸ Jesus, likewise, took a cup of wine,⁹ and gave it to His disciples—the Bride of Christ—and made a unilateral (marriage) covenant with them, saying, “Drink from it, all of you. For this is My blood of the new covenant... for the forgiveness of sins.”

The bride price required for the sins of the world was the blood of a perfect sacrifice. Jesus redeemed us with His blood. The disciples took the cup of acceptance and betrothed us to Christ. “For I have betrothed you to one husband, that I may present you as a chaste virgin to Christ” (2 Corinthians 11:2). The *mystery* of Christ and the church is revealed in the marriage. “For this reason, a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh. This is a great mystery, but I speak concerning Christ and the Church” (Ephesians 5:30). We are waiting for

the rapture (procession) to the marriage supper of the Lamb. “Behold, I tell you a mystery: We shall not all sleep, but we shall all be changed in a moment, in the twinkling of an eye.”

To Cut a Covenant

After a man paid the bride price for his wife, the Jews believe she was acquired by payment.¹⁰ Scripture says, she is betrothed by covenant. “When I passed by you again and looked upon you, indeed your time was the time of love; so I spread My wing over you and covered your nakedness. Yes, I swore an oath to you and entered into a covenant with you, and you became Mine,” says the Lord God” (Ezekiel 16:8-9). The father’s agreement morphs into a unilateral marriage covenant between the groom and bride when she drinks from the cup of acceptance (cup of wine - covenant). However, if she was not offered the cup, then the covenant morphs when she accepts by (sexual) performance.¹¹ The father’s obligation is fulfilled when his daughter freely covenants to her husband. Although the two were considered married by covenant, consummation (one flesh) is essential for completing the marriage (Genesis 2:24). This is symbolized in the breaking of the hymen (blood) at intercourse (Deuteronomy 22:17).

- *Bride Price = Acquired*
- *Betrothal = Covenant*
- *Consummation = One Flesh*

The father could covenant between the groom or his parents by sharing a cup of wine with them. In a patriarchal society, the father had full authority over his daughter’s oaths while she lived under his roof before the marriage. “But if her father overrules her on the day that he hears, then none of her vows or her agreements by which she has bound herself shall stand; and the Lord will release her, because her father overruled her” (Numbers 30:5). Isaac and Rebecca were betrothed by their parent’s authority and representation (Gene-

sis 24:50). Therefore, when Isaac saw Rebekah, he took her into his mother's tent and she became his wife—performance by consummation.^{12 13}

A contract is a this-for-that agreement. There must be a mutual benefit for it to exist. A covenant is different, in that it confirms a promise from one person to another. “Thus God, determining to show more abundantly to the heirs of promise the immutability of His counsel, confirmed it by an oath...” (Hebrews 6:17). The Hebrew word for covenant is *berith* meaning *to cut/cutting*. This is seen in the covenant God made with Abraham when he *cut* the animals in two and the Lord passed between them (Genesis 15-17), or when Abraham cut his flesh in circumcision. In contrast, the bill of divorce (called a *get*) is a *scroll of cutting off*.

- *Berith = To Cut/Cutting*
- *Sefer k'ritut = Scroll of Cutting Off*

Covenants are oaths confirmed with blood. That is why we call it a blood covenant. Life of the flesh is in the blood (Leviticus 17:11). A reference to blood was a testament to death itself. “For where there is a testament, there must also of necessity be the death of the testator. For a testament is in force after men are dead, since it has no power at all while the testator lives. Therefore not even the first covenant was dedicated without blood” (Hebrews 9:16-18). The blood of the animal became a substitution of your (blood) life.

A sign or stone altar in the Old Testament worked like a signature in a contract. Witnesses confirmed a covenant. “One witness shall not rise against a man concerning any iniquity or any sin that he commits; by the mouth of two or three witnesses the matter shall be established” (Deuteronomy 19:15). Since two or three witnesses confirmed every agreement, this act testifies against them. God is a witness to our covenants (Proverbs 2:17, Malachi 2:14), and judge (Joshua 9:20). In many cultures, wine symbolized the cup of

blood shared together (John 6:53). In ancient ceremonies, wine played a key role in the making of a marriage covenant.

Contract vs Covenant

In contract law, a unilateral contract is a promise from the offeror in exchange for the act of the offeree (or to refrain from performing a specific act). A unilateral contract can be viewed as a one-sided promise. Example: “If you paint my fence this week I will (promise) pay you \$100.” However, a bilateral contract contains two promises. “If you agree (promise) to paint my fence this week, I will (promise) pay you \$100.”¹⁴

- *Offeror = Makes the Offer*
- *Offeree = Accepts the Offer*

A bilateral contract is in effect the moment both parties agree. They are both obligated to fulfill their *conditional* promise to one another. Example: If the offeree does not paint the fence, then he breaks the promise he made to the offeror and vice versa. The offeror would not be bound to pay the \$100 and the offeree would be in breach of contract. A unilateral contract, however, requires an act of acceptance or performance from the offeree to begin the agreement.

- *Bilateral Contract = Promise for Promise*
- *Unilateral Contract = Promise for Performance*

A unilateral contract is an open offer. That means until the offeree paints the fence there has been no contract made. However, if the offeree paints the fence, the offeror is obligated to pay the \$100. Signs that offer rewards for lost pets are also considered unilateral contracts. A unilateral contract is not in effect until a performance has been completed, but after the act had been completed the offeror owes the offeree *unconditionally*.¹⁵

An offeror makes an offer to the offeree. Example: “If you walk across the Brooklyn State Bridge, I will give you \$100.” In this example, only the offeror made a promise. The offeree is not obligated to walk across the bridge. The offeror, therefore, can revoke his offer at any time because there was no contract made. Nevertheless, if the offeree starts to walk (perform) across the bridge, it shows they are attempting to accept the offer and proper time (legally) should be given to complete the act. A similar thing occurs when a young man offers a cup of wine to his bride. However, after this act of acceptance, the offeror cannot revoke his offer even though the marriage was not completed. The betrothal creates a legal bond between the two, and offers certain guarantees to both parties. If the father accepts the bride price, the daughter is obligated to accept the marriage by contract. However, if the bride refuses the cup of wine, traditionally the contract becomes void and the bride price returned.

- *Offer = Proposal*
- *Acceptance = Assent*
- *Consideration = Mutual Benefit*

For a contract to be binding in a court of law there must be three elements: offer, acceptance, and consideration. The Bible uses signs and symbols that work as a witness and acceptance to the covenant. This testifies of their oath together. When the offeror does not benefit from the agreement, this is considered a gift. A gift cannot be a unilateral contract since there was no mutual benefit (*quid pro quo* – this for that). That is not so with a covenant. When a covenant functions as a gift, the offeror (himself) provided the sign as a testimony e.g. rainbow covenant. “The rainbow shall be in the cloud, and I will look on it to remember the everlasting covenant between God and every living creature of all flesh that is on the earth.’ And God said to Noah, ‘This is the sign of the covenant which I have established between Me and all flesh that is on the earth,’” (Hebrews 6:16-17).

- *Unilateral Covenant + Mutual Benefit = Offeree sign*
- *Unilateral Covenant – Mutual Benefit = Offeror sign*

There are two types of unilateral covenants. One type functions as a no-string attached, unconditional promise that needs no acceptance or performance from the offeree because the offeror did not benefit from the exchange (no promise for performance). The other type of unilateral covenant is dependent on a performance from the offeree (performances work as acceptances); however, this type of covenant needs to display an acceptance (sign/symbol) from the offeree to testify to others that he/she agreed to the exchange (meeting of the minds). When a unilateral contract relies on a *continued* performance from the offeree, the offeree can opt-out at any time.¹⁶ Stopping the performance would not be a *breach of contract* since the offeree is not obligated by a promise. Insurance contracts are usually unilateral allowing minor conditions.¹⁷ Bilateral contracts may have opt-out options; but these clauses need to be in good faith and not based on objective standards¹⁸ like no-fault divorce.¹⁹ Good faith principle — agreements must be kept (*Pacta sunt servanda*).²⁰ On the other hand, if an offeree accepts a covenant then they are bound to the conditions (performance) of that covenant, and cannot opt-out because of the blood (Hebrews 13:20).

- *Contract = Temporary (this for that)*
- *Covenant = Permanent (blood — for life)*

If a man pays a bride price, the father's authority over his daughter binds her to him (purchase price). She is bound by payment (transfer of right, sale) and he is bound to her by promise. Wine covenants the marriage. When the husband brings his betrothed wife into his bed chamber (*chuppah*), he takes final possession of her (consummation of sale) and she becomes his wife. If a virgin was not betrothed but enticed, the father may expect the man to marry her. However, the father has the option to refuse the marriage but still require the

bride price because she was humbled (Exodus 22:16-17). If a man acquired a wife but it was revealed that she is not a virgin when indicated, she was stoned at her father's door for being a harlot. However, if her husband claimed she was not a virgin when he married her but she was, he was fined and could never divorce her (Deuteronomy 22:13-19, 29).

- *Bride Price* = Purchase Price
- *Ketubah* = Promise for Performance
- *Wine* = Act of Acceptance
- *Consummation* = Latin verb "To sum up" or "Finish"

Marriage was a private endeavor. In the Old Testament, the woman was accountable to God for her marriage covenant, "Who forsakes the companion of her youth, and forgets the covenant of her God?" (Proverbs 2:17). The man was also accountable. "Yet you say, 'For what reason?' Because the Lord has been witness between you and the wife of your youth, with whom you have dealt treacherously; yet she is your companion and your wife by covenant" (Malachi 2:14).

The woman remained under her father's roof until marriage. "These are the statues which the Lord commanded Moses, between a man and his wife, and between a father and his daughter in her youth in her father's house" (Numbers 30:16). It was expected that the woman keep her virginity, "...then they shall bring out the young woman to the door of her father's house, and the men of her city shall stone her to death with stones, because she has done a disgraceful thing in Israel, to play the harlot in her father's house" (Deuteronomy 22:21). The father had complete authority over his daughter. "Then Saul said to David, 'Here is my older daughter Merab; I will give her to you as a wife. Only be valiant for me, and fight the Lord's battles...'" (1 Samuel 18:17). "And Caleb said, 'He who attacks Kirjath Sepher and takes it, to him I will give Achsah my daughter as wife'" (Joshua 15:16).

Abraham/Seed vs Moses's Covenant

God made a unilateral, unconditional covenant with Abraham (Genesis 15). We know it was unilateral because Abraham did not reciprocate promise for promise. However, God asked Abraham to perform for the promise. "This is My covenant which you shall keep, between Me and you and your descendants after you: Every male child among you shall be circumcised... it shall be a sign of the covenant between Me and you" (Genesis 17). This covenant was a sign to the Nations.²¹ Contract law says, when an offeror requests an act in return for his promise, this completed performance constitutes sufficient acceptance of the agreement.²²

Although this covenant was to Abraham, the individual needed to respond with his own acceptance. It said, the uncircumcised person was cut-off from his people because he *broke* God's covenant (Genesis 17:14). Scripture points out that Abraham received the sign of circumcision as a seal of the righteousness that he had while he was *still* uncircumcised (Romans 4:11). Paul's point is righteousness did not come after circumcision, but righteousness proceeded the performance (Genesis 15:6). It said, Abraham did not waver in unbelief (Romans 4:20), but believed in God and his belief was accounted to him as righteousness.

God, however, tested Abraham's faith to see if it was genuine. "By faith Abraham, when he was tested, offered up Isaac, and he who had received the promises offered up his only begotten son..." (Hebrews 11:17).²³ Scripture says, works perfected his faith. "Do you see that faith was working together with his works, and by works faith was made perfect?" (James 2:22). Abraham became the father of many nations through faith. Both the circumcised and uncircumcised. It says, without faith, it is impossible to please God (Hebrews 11:6). Abraham and his decedents did not return promise for promise as the Mosaic covenant (bilateral), but they were saved by grace through faith (Ephesians 2:8).

God's covenant was to Abraham and his Seed. Seed meaning one, that is Christ. Not the entire Nation of Israel,

otherwise it would have said “seeds”. Scripture says if we confess, “Jesus is Lord” and believe that He was raised from the dead, we will be saved; for with the heart one believes unto righteousness, and with the mouth confession is made unto salvation in the presence of many witnesses (Romans 10:9-13, Joel 2:32, 1 Timothy 6:12). So, salvation takes faith and acceptance. Christians have a faith-based salvation that is tested and perfected by works just as Abraham’s. We become partakers of Christ if we hold our faith steadfast to the end, and do not turn back like the children of the promise did who fell in the wilderness due to unbelief (Hebrews 3:14, 19).

The Pharisees believed a person must be circumcised to be saved. “But some of the sect of the Pharisees who believed rose up, saying, ‘It is necessary to circumcise them, and to command them to keep the Law of Moses’” (Acts 15:5). The Pharisees were correct in believing circumcision was foundational for salvation; however, circumcision is not merely cutting off the foreskin but a matter of righteousness. “For circumcision is indeed profitable if you keep the law; but if you are a breaker of the law, your circumcision has become uncircumcision. Therefore, if an uncircumcised man keeps the righteous requirements of the law, will not his uncircumcision be counted as circumcision?” (Romans 2:26).

Without circumcision of the flesh, a sign of acceptance of God’s covenant was still required. Baptism became that sign. It symbolized not the removal of the filth of the flesh, but an answer of a clear conscience towards God (1 Peter 3:21). It says, those baptized in Christ have put on Christ (Galatians 3:27). In the early church, believers were said to be baptized into the faith. “Then those who gladly received His word were baptized; and that day about three thousand souls were added to them” (Acts 2:41). Baptism acted as the acceptance, and the uncircumcised became seeds of Abraham (in Christ) through faith.

Moses made a covenant between God and the people which was said to have become obsolete, and was vanishing away (Hebrews 8:13). The scriptures said the leaders walked

between the slain halves, and all the people made a promise to obey all that is in the Law to do them. Therefore, there were two promises: one by God—blessings and cursings—and one by the people. “Then he took the Book of the Covenant and read in the hearing of the people. And they said, ‘All that the Lord has said we will do, and be obedient’” (Exodus 24:7). As with covenants that are *quid pro quo*, the offeree needed to perform a sign of acceptance (circumcision). Not that Moses gave them circumcision, but the patriarchs: Abraham, Isaac, and Jacob (John 7:22). Therefore, the bilateral covenant made salvation (righteousness) conditional upon works of the Law.

Faith and acceptance is further said to be required. “He who believes and is baptized will be saved; but he who does not believe will be condemned” (Mark 16:16). Baptism did not replace circumcision, it changed our view of circumcision. The offeree had to perform to receive the promise (*quid pro quo*). Baptism symbolized burying of the sins of our flesh, while circumcision symbolized the removal of our sins. “In Him you were also circumcised with the circumcision made without hands, by putting off the body of the sins of the flesh, by the circumcision of Christ, buried with Him in baptism, in which you also were raised with Him through faith in the working of God, who raised Him from the dead” (Colossians 2:11-12).

Abraham’s covenant was a covenant of faith. A gift from God (unconditional) and not of works in which to boast about (works for wages). Since it was unliteral, Abraham was not bound by a promise of works (saved by grace). Faith was a continuous work which required never ending endurance. Hebrews 6:15 says, “After [Abraham] had patiently endured, he obtained the promise.” In which it says for us, “For you have need of endurance, so that after you have done the will of God, you may receive the promise . . . Now the just shall live by faith; But if anyone draws back, My soul has no pleasure in him.” If we sin willfully after we have received

the knowledge of the truth, there no longer remains a sacrifice for sins (Hebrews 10:26-39).

- *Bilateral Covenant* = Works for Salvation
- *Unilateral Covenant* = No Works Required

God divorced Northern Israel for leaving in unrepentant adultery (Jeremiah 3:8, 2 Kings 17:6). God remained married to Southern Judah because of her act of repentance. God eventually divorces Judah for rejecting Moses' Prophet, but promised to keep a small remnant till the fulness of the Gentiles have been completed (Acts 3:23, Hebrews 8:8-13). When Jesus comes for his elect on a cloud, Israel will see Him whom they pierced, repent, and turn their heart towards him who can save. Jesus marks the beginning of the new kingdom that has no end. "When [David] days are fulfilled and you rest with your fathers, I will set up your seed after you, who will come from your body, and I will establish his kingdom. He shall build a house for My name, and I will establish the throne of his kingdom forever" (2 Samuel 7:12-13, Jeremiah 31:31).

Then vs Now

Jesus said, "Moses, because of the hardness of your hearts, permitted you to divorce your wives, but from the beginning it was not so" (Matthew 19:8).²⁴ The Mosaic Covenant was dependent on man's works. Abraham and Christ's covenant on man's faith. The husband's covenant, however, was dependent on his wife's faithfulness in order to fill the earth with his seed. "...and the priest shall take a handful of the offering, as its memorial portion, burn *it* on the altar, and afterward make the woman drink the water. When he has made her drink the water, then it shall be, if she has defiled herself and behaved unfaithfully toward her husband, that the water that brings a curse will enter her *and become bitter*, and her belly will swell, her thigh will rot, and the woman will become a curse among her people" (Numbers 5:26-27).²⁵

A man paid a bride price for his wife in scripture. This practice was from the belief that a man leaves his father and mother to cleave to his wife (Genesis 2:24). The man had to request a wife from the home of her father while young and living under his roof (Numbers 30:16, English translation). In modern Christian ecclesiastical practice, some customs still remind us of this ancient Jewish tradition. A suitor asks the father for his daughter's hand in marriage and, if accepted, he walks her down the aisle and symbolically "gives her away."

The wedding band later introduced itself into the Jewish society.²⁶ The father traditionally accepted the bride price; however, the Jews allow the bride to accept the wedding ring as payment.²⁷ Modern Jewish proposals say, "With this (item of value) ring, you are consecrated to me according to the Law of Moses and Israel." However, the bride price's design was to establish the transfer of authority from one person to another (purchase price). Therefore, the wedding band was a gift, "Then the servant brought out jewelry of silver, jewelry of gold, and clothing and gave them to Rebekah. He also gave precious things to her brother and to her mother" (Genesis 24:53), rather than a legal payment. The bride price established the husband's authority and "rule over" his wife (Gen. 3:16b).

Since the woman was under the "law of her husband," it was unlawful for her to be married to two husbands at the same time. "Or do you not know, brethren (for I speak to those who know the law), that the law has dominion over a man as long as he lives? For the woman who is under the law to her husband binds herself as long as he lives. However, if the husband dies, she is released from the law of *her* husband. So then, if, while *her* husband lives, she marries another man, she will be called an adulteress; but if her husband dies, she is free from that law, so that she is no adulteress, though she has married another man" (Romans 7:1-4). His authority over her bound her to be under him (Romans 7:2, 1 Corinthians 7:39), not a promise of submission.

Men did not make bilateral covenants with their wife in the Old Testament; therefore, it was not a sin for the men to take on a second wife (Deuteronomy 21:15). The unilateral covenant allowed him to take an additional wife without committing adultery.²⁸ “And in that day seven women shall take hold of one man, saying, ‘We will eat our own food and wear our own apparel; only let us be called by your name, to take away our reproach’” (Isaiah 4:1). Bilateral covenants are conditional making polygamy adulterous. Possibly referring to the husband of one wife in the Greco-Roman Church (1 Timothy 3:2, 12, Titus 1:6).²⁹

Headship seemed to be a foreign concept for the Gentile Church. This becomes evident in Paul’s letters to the church regarding the repeated teaching of man’s authority over his wife and her submission to him (Corinthians, Titus, Peter, Timothy). The father’s bride price and the unilateral covenant became less common, while the engagement ring and bilateral covenant soon took its place. Gentiles thought that since the woman came into the marriage the same way as man (bilateral marriages), divorce was an equal right and the authority of man irrelevant.

Matthew, Mark, and Luke

The Jews asked Jesus if it was lawful for a man to put away his wife for any reason. Jesus did not answer their question directly but rather said that Moses permitted it outside of God’s original design. Later, in private,³⁰ Jesus told His disciples that if the man put away his wife for sexual (one-flesh) immorality that he would not be guilty of adultery if he married another. Matthew’s gospel, written primarily to a Jewish-Christian audience, presented the exception clause.

“And I say to you, whoever divorces his wife, except for sexual immorality, and marries another, commits adultery; and whoever marries her who is divorced commits adultery. His disciples said to Him, ‘If such is the case of the man with his wife, it is better not to marry’” (Matthew 19:9-10).

Mark tells women not to put away their husband. Mark wrote this book for Gentiles living in Rome. Because it emphasized this was a "private" account, we can understand the author is speaking directly to a liberal and more gender-neutral audience. If Jesus had said a man is permitted to put away his wife for adultery, this would have caused some confusion among the Jews who believed in stoning for adultery (John 8:5).

"In the house His disciples also asked Him again about the same matter. So, He said to them, 'Whoever divorces his wife and marries another commits adultery against her. And if a woman divorces her husband and marries another, she commits adultery'" (Mark 10:10-12).

The key to understanding why Mark did not include the exception clause is in one phrase "against her." Although polygamy was allowed in the law, it was not lawful under Greco-Roman Law.³¹ The phrase "against her" pointed out that the wife was the innocent party and the man was the one violating the marriage covenant. This gives place for an exception clause.

"Furthermore it has been said, 'Whoever divorces his wife, let him give her a certificate of divorce.' But I say to you that whoever divorces his wife for any reason except sexual immorality causes her to commit adultery; and whoever marries a woman who is divorced commits adultery" (Matthew 5:31-32).

Matthew 5:32 "he who marries (the/a) put away woman commits adultery." Without the definite article, the author is trying to have us focus on context to understand who this "put away woman" was. Luke 16:18b tells us that if a man marries *any* woman who was put away "from" a husband commits adultery. Luke disassociates the woman from the previous verse so the context is not considered, however, when you look at Matthew 5:27-30 it uses context to define who was committing adultery. Jesus is not saying *any* man who looks at a woman commits adultery, but the married man.

What Jesus is doing in Matthew 5:31-32 is having you, the reader, use the understanding of “adultery” (married person) and put it in the text contextually. Using common sense and reasoning, we can see that just as the reader used context to define who was committing adultery in Matthew 5:27-30, we can use context to define the put away woman, “if a man married any woman who was put away (context—without the knowledge of sexual immorality) he commits adultery.”

Divorce vs Depart

We can see further evidence that only the man was allowed to initiate divorce in 1 Corinthians 7:10-11. “Now to the married I command, yet not I but the Lord: A wife is not to depart from her husband. But even if she does depart, let her remain unmarried or be reconciled to her husband. And a husband is not to divorce his wife.” This divorced woman was not to marry another man. Paul later verifies this concept in 1 Timothy 5:9 when the moral qualifications of a widow was if she “had been” the wife of one husband.

Paul said a divorced woman is not to marry another man because the only way for a woman to separate (Matthew 19:6 Jesus used *separate* to define a divorce) from her husband was to do it outside of scriptural concessions. Paul wanted to make this clear both with the Greek words that he used in this passage and the clear command—giving her only two options—of not allowing her to marry another.

“But even if she does depart, let her remain unmarried or be reconciled to her husband. And a husband is not to *divorce* [emphasis added] his wife” NKJV (1 Corinthians 7:11).

"But and if she depart, let her remain unmarried or be reconciled to her husband: and let not the husband *put away* [emphasis added] his wife” KJV (1 Corinthians 7:11).

The common word *depart* used by Josephus (*from diachwrizw*) is similar in emphasis to Paul’s usage of *depart* in 1 Corinthians 7:10-11a and 15 (*from chwrizw*). However, the less common *divorce* (*aphienai*) used by Paul in 1 Corinthians 7:11b and 12-13 reveals a sense of release (*put away*³² or

*send away*³³), and is similar (in emphasis) to the *put away* (ephiémi) Josephus used.³⁴

- “But some time afterward, when Salome happened to quarrel with Costobarus; she sent him a document and dissolved her marriage (apolumené *from* apoluw) with him, though this was not according to the Jewish laws; for with us it is lawful for a husband to do so; but a wife, if she departs from (diachwristheisé *from* diachwrizw) her husband, cannot of herself be married to another, unless her former husband put her away (ephientos *from* ephiémi)”³⁵ (Antiquities of the Jews 15:259).
- “Therefore what God has joined together, let not man separate (chwrizetw *from* chwrizw),” (Matthew 19:6).
- “And I say to you, whoever divorces (apolusé *from* apoluw³⁶) his wife, except for sexual immorality, and marries another commits adultery” (Matthew 19:9a).
- “Now to the married I command, yet not I but the Lord: A wife is not to depart (chwristhénai *from* chwrizw) from her husband. But even if she does depart (chwristhé *from* chwrizw), let her remain unmarried or be reconciled to her husband. And a husband is not to divorce (aphienai) his wife” (1 Corinthians 7:10-11).

Paul and Josephus’s conclusions seemed to be the same based on the Law of Moses—a woman who separated herself from a husband is not to marry another. Josephus, however, indicates the Jews believed that a woman who was put away by her husband could remarry. Paul answers questions in his letter to the Corinthians that were regarding remarriage. “Now concerning the things you wrote me.” We can tell by Paul’s response that they were questioning him about the

proper application of the law in these unique situations. There were two thoughts about being married to an unbeliever. One suggested to put unbelievers away because of the law in Ezra 10:3. The other to remain married to them based on Moses's requirement from Deut. 24:1.

(Paraphrased/Annotated) "This is what the Lord commands. A wife is not to divorce her husband. But even if she does divorce, let her remain unmarried or reconciled back to him. And a husband is not to put away his wife. To the rest, this is not what the Lord says, but I, that if your unbelieving wife wants to stay in the marriage you must not put her away. Likewise, a wife is not to put away her unbelieving husband if he wants to stay. For the unbelieving spouse is sanctified by the believing spouse; otherwise your children would have been unclean, but now they are holy. However; if the unbeliever is the one who initiates the divorce, then let them have their divorce. The brother or sister is not in bondage to stay married in this situation. For God has called us to live in peace with our unbelieving spouse" (1 Corinthians 7:10-15).

Paul did not command the man to remain unmarried or to be reconciled as he did for the woman (1 Corinthians 7:11a). Paul said that a man loosed from a wife would not sin if he marries. "I suppose therefore that this is good because of the present distress—that it is good for a man to remain as he is: Are you bound to a wife? Do not seek to be loosed. Are you loosed from a wife? Do not seek a wife. But even if you do marry, you have not sinned; and if a virgin marries, she has not sinned..." (1 Corinthians 7:27-28). Paul only speaks about wives and virgins (not divorced women). Men who were divorced or widowed were also not addressed, as this did not seem to be an issue of confusion. He is instructing them on how to apply Moses's law to their culture.

Paul calls the men in these teachings unmarried men, but refers to unmarried women as virgins in verse 34. The singles that burned with passion, due to sexual immorality, were to flee the unbeliever but marry believers (1 Corinthians 2, 8-9, 6:18). Divorced women were to remain unmarried or to be

reconciled back to their husband (1 Corinthians 7:11). Paul gives permission to marry even in their current sufferings and end times philosophy (1 Corinthians 7:28). Paul indicated loosed men could marry. Lastly, Paul frees the widow who felt she was still under her former husband's rule since he did not taste a second death (Genesis 3:16). This was the only time a Christian woman was said to be scripturally loosed from her husband.

Gentile women had a skewed perspective of gender equality (1 Corinthians 11:2-16 and 14:34-36). Jesus spoke about men and women divorcing each other with the Jewish believers (Mark 10:11-12). Therefore, like the other women, they must have felt that they had every right and responsibility to divorce, as a man, in certain scriptural situations. The woman thought she was to put away an unbelieving husband, as the men were to put away an unbelieving wife, in order to keep their seed pure and produce "godly offspring" (Malachi 2:15).

Ezra 10:3 vs 1 Corinthians 7:14

"Now therefore, let us make a covenant with our God to put away all these wives and those who have been born to them, according to the advice of my master and of those who tremble at the commandment of our God; and let it be done according to the law" (Ezra 10:3, the law of Ezra).

"For the unbelieving husband is sanctified by the wife, and the unbelieving wife is sanctified by the husband; otherwise your children would be unclean, but now they are holy" (1 Corinthians 7:14).

We know the issue of keeping a pure seed by putting away pagan spouses derives from the law of Ezra, because Paul argues that their children would have been unclean if not for the sanctification of the unbeliever. Uncircumcised unbelievers were called unclean (Acts 10:28). The believers were to separate from the unbelievers and do not become unequally yoked with them. (Please see 2 Corinthians 6:17 and Isaiah 52:11 where it says "do not touch what is *unclean*...").

Paul's argument is both logical and informative. If you are to divorce your unbelieving spouse for uncleanness, then you must put away your unclean children. This would deter those seeking a divorce. But Paul takes it one step further and declares them holy. Holiness would include all the riches of the inheritance of the saints. God was able to make the unclean, clean (Acts 10:15). Jesus and the disciples also made the unclean, clean (Matthew 10:8, 11:5). Scripture shows us in the Old Testament that if someone touches the unclean, they themselves become unclean. Therefore, the Spirit sanctified our unclean spouse.³⁷

"But if the unbeliever *departs* [emphasis added], let him *depart*; a brother or a sister is not under bondage in such cases. But God has called us to peace. For how do you know, O wife, whether you will save your husband? Or how do you know, O husband, whether you will save your wife?" (1Corinthians 7:15-16).

Paul lays some groundwork before answering questions regarding being married to unbelievers. He reminds the Corinthians of the Lord's command before he gives his own instructions. Paul is not telling the believer to divorce the unbeliever for abandonment, but to separate from them for peace sake. Paul gives his opinion in 1 Corinthians 7:25, 40 and his consent in verse 6, but now Paul is using his authority as an apostle in 1 Corinthians 7:12-24. Paul uses *depart* in the present tense. Paul is saying, if the unbeliever decides to divorce you rather than wishing to remain married to you, this is how you ought to respond (1 Corinthians 7:15).

"If it is possible, as much as depends on you, live peaceably with all men" (Romans 12:18). God has called us to live in peace with unbelievers. Paul referenced the improper use of the Law as bondage or slavery. "But now after you have known God, or rather are known by God, how *is it that* you turn again to the weak and beggarly elements, to which you desire again to be in bondage?" (Galatians 4:9). Paul said a man is *bound* to his wife, and a woman was *bound* to her husband (1 Corinthians 7:27, 39). The *perfect*

tense of bond emphasized the present or ongoing results of a completed action. Bound/loosed was a reference to the Law regarding the covenant of marriage here. Bondage, on the other hand, refers to the believer not bound by law to keep the marriage together or reconcile in case of a divorce.

Bondage is similar to bound in 1 Corinthians 7:27, 39 (e.g. “bonds of holy matrimony”). However, bondage means enslaved and not simply bound (tied). He would never say that we are “enslaved” to a marriage covenant, but instead to a law that prevented us from loving our neighbor and obeying God’s will. Paul saying “in this case,” refers the reader back to the previous context but as an exception to the general rule. Paul wanted the believer to know that they are not bound by law, command, or any moral responsibility to stay married in order to try to save them.

Moses permitted a man to divorce his wife for sexual immorality; however, God’s call for peace superseded the application from the law in this unique situation.³⁸ The believers are no longer responsible for keeping the marriage together. The Greek imperative for depart suggests there was some instruction needed for the believer if the unbeliever wanted to leave the marriage (divorce), rather than to stay with them. If Paul were giving permission for remarriage, he would have used the term loosed or released. Paul did not want to put additional restraints on the believer’s life other than godliness (1 Corinthians 7:35).

The Lord’s command is for us not to divorce one another. Next, if a woman superseded the law and divorced her husband, she cannot remarry until he dies. Thirdly, the law of Ezra is not applicable in this situation due to the sanctification of the unbeliever. Paul’s letter to the Corinthian Church consisted of instructions regarding the proper application of the law under the New Covenant of grace. Paul said we are to remain in the calling that we find ourselves in (slave/free, circumcised/uncircumcised), knowing God saved us there. This gives body to Paul’s message for the believer that we

are “called” to peace and should stay in whatever state of marriage we find ourselves in (1 Corinthians 7:15-24).

Law of the Husband

Paul begins by telling the Jews in his letter to the Romans, “Indeed you are called a Jew and rest on the law, and make your boast in God... you who make your boast in the law, do you dishonor God through breaking the law?” (Romans 2:17, 23). In which speaking about the Law, “Or do you not know, brethren (for I speak to those who know the law), that the law has dominion over a man as long as he lives. For the woman who has a husband is bound by the law to her husband as long as he lives” (Romans 7:1-2).

Paul said a wife is under the “law” of her husband. He was referring to one of the rules of marriage that the woman now finds herself under. This law is a general concept that sets limitations on the wife of a husband stemming from the rule of man in Genesis 3:16. Therefore, the law of the husband could have several applications but Paul uses one.

Paul later says, “...as the Law also says” (1 Corinthians 14:34-36). This is clearly referencing Genesis 3:16. What this law does, in a way, is lock a woman under her husband’s authority and limits her to only having one husband at the same time because she cannot obey both husbands. She will end up loving one, and hating the other. For the Jewish believers were trying to submit themselves to the Law and to Christ.

Furthermore, Paul uses “law of” to explain bondage to something (or someone) by a firm set of rules and guidelines that we refer to as established truths. We use this reference when speaking about the “law of nature,” “law of gravity,” or the “law of physics.” We use this to explain certain limitations that cannot be altered in nature.

He goes on in Romans to state some truths that have dominion over us. Such as “another law” (Romans 7:23), “law of the husband” (7:2-3), “law of sin” (7:23, 25), “law of God” (7:22), “law that evil is present with me” (7:21), “law of my mind” (7:23), “law of the Spirit” (Romans 8:2), “law

of sin and death” (8:3), and briefly spoken of earlier, the “law of faith” (3:26). Paul said a law is something that “lords-over” you (Romans 7:1).

Having studied under Gamaliel, Paul would have been very familiar with the different Laws in the Old Testament (the Ancestral Law). Such as “the law of jealousy” (Numbers 5:29), “law of burnt offering” (Leviticus 6:9), “law of grain offering” (6:14), “law of sin offering” (6:25), “law of the sacrifice of peace offerings” (7:11), “law of the burnt offering” (7:37), “law of leprous plague” (13:59), “law of the one who had a leprous sore” (14:32), “law of leprosy” (14:57).

There is a story of a woman having two husbands at the same time. When David fled King Saul, he left his wife Michal behind. Scripture says, King Saul gave Michal (his daughter) to another man in marriage. When David returned from exile, he found out that his wife was unlawfully given to another man. David had Abner take her back, as the second marriage was invalid to begin with (2 Samuel 3:16).

Scripture says, though we *are made dead to the law* and are *not under law* any longer, we are *not without law to God*, but *in the law of Christ*. That is the *law of liberty*. We fulfill the *righteousness of the law*, that is, the *law of God*. We do not destroy the law through our faith, but rather we *establish the law*. The law was not made for a righteous person but for the lawless, ungodly, and sinner (1 Timothy 1:8).

Spirit, Heart, and Holy

Jesus did not give man permission to divorce his wife for sexual immorality; he only acknowledged that if he did, he would not be guilty of adultery if he were to marry another. Those under the law were unable to accomplish righteousness through the law with their carnal minds (Romans 8:7); however, Paul said we have the mind of Christ and are now able to obey the “righteous requirements of the law” in the Spirit (Romans 8:4). “But if you are led by the Spirit, you are not under law” (Galatians 5:18).

Scripture says, in Ezekiel 36:26 that we have been given a new heart. We no longer have an excuse to put away our wives due to our hardness of heart. Paul tells the husband not to be bitter toward his wife, and Jesus said we are to forgive our neighbor seventy times seven. The same measure we weigh others against, this will be our own measuring stick. If we do not forgive those who seek forgiveness in marriage, how will God forgive us of our greater sins? God gave us this example by remaining married to Judah even though she returned in pretense of heart (Jeremiah 3:9-10).

God commands us to be holy as He is holy. Jesus tells us to be perfect just as our Father heaven is perfect. The Jews used the Law of Moses as an excuse to put away their wives. However, we are no longer under the bondage of the law, but under Christ alone (Romans 7:4). Those who live by the law are said to be accursed because they cannot keep it. Paul said, “Cursed is everyone who does not continue in all things which are written in the book of the law, to do them” (Galatians 3:10).

Even though Solomon was born to King David, scripture referred to Bathsheba as the wife of Uriah. John the Baptist corrected Herod’s marriage and called his wife the wife of Philip. God still recognized the first marriage as their true husband or wife. These men took their wives unlawfully.

God asks the question, “Where is the certificate of your mother’s divorce?” (Isaiah 50:1-3). He does this to explain to them that because of their (individual) sins they were sold, their mother (Nation) was put away because of her transgressions. God hates divorce (Malachi 2:16). He goes on to ask them the question, “Is God’s hand too short to save?” After Jesus’s disciples heard what Jesus said about the permanence of marriage³⁹ and the exceedingly, high judgement of God regarding divorce,⁴⁰ they declared, “If such is the case of the man and his wife, it is better not to marry.” In which Jesus agreed by responding, “He who is able to accept it, let him accept it” (Matthew 19:9-11).

Divorce done unlawfully will eventually lead to adultery (Matthew 5:31-32). Paul said, “Do you not know that a little leaven leavens the whole lump? Therefore purge out the old leaven” (1 Corinthians 5:6). We are told to confront those who sin against us. If they do not hear us, then we are to bring two or three witnesses against them (Matthew 18:15). However, if they will not hear the witnesses, we are to bring them to the elders of the church. If they refuse to hear the church, they should be expelled and we are to treat them as heathens or a tax collector. Do not hate them as an enemy it says, but admonish them as brothers. “Deliver such a one to Satan for the destruction of the flesh that his spirit may be saved in the day of the Lord Jesus” (1 Corinthians 5:5).

Against popular teachings, a woman does not have permission to put away a husband for adultery, abuse, or abandonment. Scripture never spoke of the woman’s ability to divorce a man other than to admonish it (Mark 10:12, 1 Corinthians 7:10-11a). Jesus did not come to give women permission to divorce, but to prevent men from using the law to put away their wives. Paul said the Lord commands neither to divorce the other (1 Corinthians 7:10-11). The only reason a believer should separate from their spouse is if the unbeliever initiated the divorce, and they are no longer willing to stay in the marriage (1 Corinthians 7:15). God does not want a man to “release” his wife for any reason (1 Corinthians 7:11b). Therefore, he should not be putting her out of the home (Jeremiah 3:8, 1 Corinthians 7:12-13).⁴¹

At one time, neither spouse had the ability to divorce the other (Matthew 19:8). However, Moses permitted a man to put away his wife for uncleanness because of the weakness of his own heart. The Pharisees claimed the matter of uncleanness could be any reason (Matthew 19:3). Jesus answered the question of uncleanness and said it was sexual immorality (Matthew 19:9). Jesus message was not focusing on love or forgiveness, but sin and righteousness. He told them not to separate from one another (Matthew 19:6) but stay married as God originally intended *in the beginning*.

In conclusion: First Corinthians, Chapter 7 was to answer all their questions regarding marriage, divorce and remarriage. They already had all the understanding they needed concerning Deuteronomy 24. The only question left was which law to apply if they were married to unbelievers. That is, should they stay married or divorce them? Paul spoke about judgements, opinions, and commands from the Lord. He also separated men and women doctrines. The only group of people Paul did not speak about were those women who were put away for sexual immorality. Jesus spoke about that. Although Paul's message was essentially the same for the man as it was for the woman regarding divorce (stay married unless the unbeliever wants to separate), he gave different instructions about remarriage (bound/loosed).

Answers: “Bound” or “Loosed”

Question: *If a man divorces his wife inappropriately—if she was the one that was innocent—can she remarry?*

Bound: Matthew 5:31-32 says that a man will cause his wife to commit adultery if he divorced her without first having knowledge of her adultery. Jesus message of correction was for the man; however, this does not free the woman. If she remarries after an unlawful divorce, she will also be guilty of adultery. A Jew could argue and say that divorce is not a sin in itself, however, Jesus points out that it will eventually lead to a horrible sin when you remarry.

Question: *If a man divorces his wife inappropriately and she enters into an unlawful second marriage, can he then marry another woman himself?*

Loosed: Deuteronomy 24:2-4 says if a woman marries another man after her divorce, and that second husband dies or divorces her as well, she cannot return to her first husband. That would be an abomination. If a man divorces his wife, and she remarried, he cannot reconcile back to her after she has been defiled by the second marriage (Numbers 5:13). Therefore, since reconciliation is impossible, he would be able to marry someone without sinning. However, the man who divorced his wife unlawfully would be guilty of causing his first wife to commit adultery and still carry the sin.

Question: *If the wife initiates the divorce, which is against the Law of Moses, can her former husband remarry?*

Bound/Loosed: If the wife divorced her husband, then he should wait until he is scripturally loosed before he marries another. This conduct would allow the divorced couple a chance to reconcile to their original state. At this stage, they are still bound by covenant to one another since the marriage was never abolished by Moses’ permission (Deuteronomy 24:1, Matthew 19:9).

According to the Law, however, scripture states that a man can be married to two women at the same time. Therefore, fundamentally, it would not be unlawful for a man to still be bound to one woman and take on a second wife before she dies. Jennifer Fineman, on her website *A Jewish Divorce*, shared in 2016 about Jewish people who choose a civil divorce and do not divorce properly according to the Law of Moses. "If the woman does remarry (without a "get"), she is considered an adulteress...However, Jewish men who remarry without getting a "get" don't suffer the same consequences. Because traditional Jewish law permitted polygamy, these men are not considered adulterers." (Future Children, part 1)

In Paul's opinion, Jesus indicated already that replacing a wife after an unlawful divorce is committing adultery (Mark 10:11-12). Therefore, the man should first have knowledge of his wife committing sexual immorality in the marriage or after the divorce, while displaying a clear unwillingness to repent, before he marries another. Besides, the Law—multiplying wives—and Paul (1 Timothy 3:2, 12, Titus 1:6) seemed to frown upon the application of polygamy.

Paul indicated that it is not a sin for man to marry when he is loosed from a wife (1 Corinthians 7:26-27). Paul's point is that any man (bachelor, divorced, or widowed) when free according to the law will not sin in getting married. Bound – loosed were common phrases used by the Jews that referred to the Law (Matthew 16:19, Luke 13:16, Romans 7:2, and 1 Corinthians 7:39).

Question: *If the wife initiates the divorce, which is against the Law of Moses for a woman to do, can she remarry?*

Bound: After an unlawful divorce, if the former husband remarried another woman, the divorced woman is still bound by covenant to her first husband and directed by scripture to “remain unmarried” if she is unable to reconcile to him (1 Corinthians 7:10-11). She is bound to her first husband being the covenant was never made void. Therefore, a woman must wait until her first husband (under the law of him) dies in this

unlawful divorce before she is loosed to marry another. “A wife is bound by law as long as her husband lives; but if her husband dies, she is at liberty to be married to whom she wishes, only in the Lord” (1 Corinthians 7:39). A Jewish woman who was civilly divorced but not biblically divorced is called *agunah* (chained woman), according to modern Jewish phraseology.

Question: *Who can remarry if the man divorces his wife for adultery/fornication?*

Loosed: Both would be able to remarry after the ending of a marriage covenant. If the marriage covenant were void according to the Law, there should be no adultery committed in subsequent marriages (Deuteronomy 24:1).

In conclusion: If a wife married in an adulterous (moichatai—present active indicative) remarriage, God does not want this woman to divorce her current spouse in order to return to her first one (Deuteronomy 24:4) as this would be an “abomination.” The man is to honor his lawful covenant. Unless it is considered unlawful such as: homosexual marriages, marriage to children under 12+1 years old, a woman having more than one husband (Romans 7:1-4), and a marriage to your brother’s wife, “It is not lawful for you to have your brother’s wife” (Mark 6:18, Leviticus 18 and 20).

Jesus said adultery can be committed in remarriage. If the man divorces his wife (if not for fornication), then he and the woman he marries commits adultery against her. If a woman is divorced *from* a husband (if not for fornication) and marries another, she and her new husband will commit adultery. Since it is unlawful for a woman to put away her husband, any remarriage while her former husband is still living is considered adultery. Scripture says, “Therefore I judge that we should not trouble those from among the Gentiles who are turning to God, but that we write to them to abstain from things polluted by idols, from sexual immorality, from things strangled, and from blood” (Acts 15:19-20).

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As for my family, I will never leave you or forsake you my daughter Pudah! I pray for you every day. I am coming to bring you back home as God is coming to take back his children. That way, where I am, you may be also (John 14:3). Mommy awake as a bird that has wandered from its nest and come back home (Jeremiah 3:14).

Glossary of Terms

Acceptance – taking or receiving something that is offered
Bilateral – involving both sides
Condition – a situation with respect to circumstances
Condition in form – termination of shape
Condition in substance – termination of body
Conditional – contains at least one clause or terms
Confirmation – the piece of evidence
Confirmed – validation or ratified
Consideration (legal) – both parties intended to perform
Consummation of Sale – (Latin) “to sum up” or “to finish”
Contract – a mutual agreement validated by law
Continued performance – ongoing work, act or deed
Covenant – a formal or ceremonial promise or agreement
Oath – a promise strengthened by an appeal
Offeree – a person who receives the offer
Offeror – a person who makes the offer
Performance – accomplishment of work, act, or deed
Promise – expressed assurance
Quid pro quo (Latin) – this for that
Representation – working on behalf of another
Requirement – expressed obligation or demand
Sign – an action that indicates a meaning
Unconditional – absolute
Unilateral – one-sided

(Glossary of Terms used mostly from Dictionary.com)

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 2. For the first 400 years, Early Church Fathers believed a divorced woman was bound to her husband as long as he lived (1998) *A Dictionary of Early Christian Beliefs*. Jesus said, a man who marries a put away woman commits adultery. Paul said a divorced woman did not have permissions to marry, and a woman was bound to the law of her husband until he dies (1 Cor. 7:11, 39 and Rom. 7:2). Deut. 24:4 said a woman was defiled when she remarried and was put away for hatred instead of uncleanness. Scripture never gave direct permission for a divorced woman to remarry.
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 7. (2017) *The Origins of the Ketubah*.
 8. Cup of wine – Although customs vary, it is important to note both parties shared the same cup of wine. Some customs mixed their blood in the cup. Matt. 1:19 demonstrates that the covenant was made at the betrothal stage by requiring a writ of divorce. A covenant allows the man to “rapture” his betrothed wife and bring her home without requiring additional wedding ceremonies.

9. It is not clear if Jesus drank from the cup of wine with his disciples at the last supper. However, this cup of blood was the cup he asked to pass from him (Matt. 26:39). Jesus eventually drank a cup of wine on the cross fulfilling this blood covenant, “It is finished!”

10. Rabbi J. David Bleich (Bleich 1998) says, “Understanding that the essence of the marriage lies in a conveyance of a ‘property’ interest by the bride to the groom serves to explain why it is that only the husband can dissolve the marriage. As the beneficiary of the servitude, divestiture requires the husband’s voluntary surrender of the right that he has *acquired*.”

11. (1910) “morph” *Minnesota digest* – Dunnell, p. 376. Bilateral contract morphs into unilateral contract because offeree performed.

12. Performance – “Then he shall *confirm a covenant* with many for one week; but in the middle of the week He shall bring an end to sacrifice and offering. And on the wing of abominations shall be one who makes desolate, even until the *consummation*, which is determined, is poured out on the desolate” – Daniel 9:27.

13. Genesis 24:67.

14. (2005) *Contracts* – Professor Gillette.

15. (2016) *Unilateral Contract* – Encyclopedia.com

16. Opt-out clause – A clause that permits signatories to a contract to opt out of a particular provision, or to terminate the contract early. Collins 2019, English Dictionary from: <https://www.collinsdictionary.com/us/dictionary/english/opt-out-clause>

17. (1982-2017) *Insurance Contracts* – Thismatter.com. “However, insurance contracts are unilateral contracts, where only the insurer makes a legally enforceable promise to pay for covered losses. The company cannot sue the insured for breach of contract. However, insurance contracts are also conditional contracts – if the insured fails to pay the premium, or fails to abide by the contract,

then the insurer is not obligated to pay for any of the insured's losses.”

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20. No-fault violates contract law by allowing an implicit, long-term covenant (shifting the burden of proof) to be unilaterally opted-out in bad faith. (September 2019) Scientific Research: *Opt-Out Clause is Not a Blank Check under Good Faith Lens*. “[I]f the contract was freely signed between the parties, the pacta sunt servanda rule prevails, as each of the parties must bear the responsibility assumed in the agreement of wills.” Author(s): Gabriel Soares dos Santos Machado. Copyright 2020 Scientific Research Publishing Inc. Retrieved March 17, 2020 from <https://m.scirp.org/papers/95332>

21. The offer is proof of willingness to be bound – A reasonable person would think responding in a certain way (by accepting the offer or performing a requested act) will create a contract. (2013-2019) *Business Law Basics* – Berger Harris LLP and Samuel D.

22. Acceptance by Performance – (2007-2020) *Quimbee* from: <https://www.quimbee.com/keyterms/acceptance-by-performance>

23. National Paralegal College in Termination of the Power says, it can be [conditional in form but not in substance] (para. 4).

24. When the law came, sin increased (Romans 7:7-12). It is possible, due to the increase of their sinful heart, Moses mediated for his people and God heard his prayer. Man had “rule” over his wife.

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25. For further study see: Numbers 5:26-27 and 1 Timothy 2:15.
26. (n.d.) Chadad.org: *The Marriage Ring* – Maurice Lamm.
27. Mishnah – Kiddusin 1:1.
28. (2009) Divorce: The Halakhic Perspective, *Dispensation to Take a Second Wife* – Susan Weiss.
29. Deuteronomy 17:17 says the Kings are not to multiply wives.
30. Matthew 19:9 is most likely the private account of Mark 10:10-12. There are three reasons why. But, I say to you statements were spoken to believers from Sermon on the Mount. Matthew 19:10 is a private conversation that was continued from verse 9. Finally, Mark 10:11-12 offers no new information to the reader, compared to Matthew 19:9. Matthew 19:9– Jewish, Mark 10:10-12– Gentile.
31. How does polygamy fit into Jesus teaching on divorce and remarriage? It most likely does not. When Jesus addressed the multitude on the Sermon on the Mount (Matthew 5), he was addressing the “sins of the day” that the Jewish religious leaders permitted. Jesus was giving a general teaching on divorce and remarriage according to the law. Polygamy was not lawful in Greco-Roman law.
32. Herodotus 5:39.
33. Thayer’s Greek Lexicon.
34. (2001) “*1 Corinthians 7 In the Light of the Graeco-Roman Marriage*” – David Instone-Brewer pp. 106-107.
35. (2001) “*In the Light of the Graeco-Roman Marriage,*” p. 107.
36. Dr. habil. Christian A. Eberhart suggests this is apoluo.
37. The Holy Spirit cannot be defiled. Paul shows the unbelievers are sanctified because of the one-flesh union. Their seed can be “holy” by the sanctification act (1 Corinthians 7:14) according to

Malachi 2:15 (Godly offspring). The unbeliever loses their sanctification after a divorce, but the children will always remain holy.

38. God has called us to live in peace in every situation that we were originally saved in. Paul's point is that God called us to stay married, or divorced in peace according to the unbeliever's desire.

39. "Do not separate what God has joined together." – Matt. 19:6.

40. Uncleanness – "Therefore, porneia more likely has its basic meaning of either prostitution (a porne is a prostitute) or it refers to the sin of incest." Ben Witherington III (personal correspondence).

41. 1 Cor. 7:15 – Jewish women were not allowed to put away their husband according to the Law, so they would leave the home (Jer. 3:8-9, 1 Tim. 5:12). Gentile women could divorce. God divorced Israel who left to live in adultery (1 Cor. 7:15), but remained married to Judah because she returned (1 Cor. 7:12-13).