

## ~Jesus' view of Marriage and Divorce~

by David B. Curtis

### Mark 10:1-12

Our text has to do with the subject of marriage and divorce. I believe that the reason Mark puts Jesus' teaching against divorce in this context is to portray divorce as an act that causes your brother (spouse) to stumble.

Remember Jesus closed the last section by saying, "Be at peace with one another." That's what this section about not causing a brother to stumble is all about! If you want to be great in God's kingdom, you need to be the servant of all. When you are looking out for the interests of others (Philippians 2:4), serving others, not causing a brother to stumble, there will be peace. Isn't it interesting that from "Be at peace with one another" Mark moves to the subject of divorce? Because divorce causes a brother to stumble and disrupts the peace of the body.

**Mark 10:1** (NASB) "And rising up, He went from there to the region of Judea, and beyond the Jordan; and crowds gathered around Him again, and, according to His custom, He once more began to teach them"

Jesus is moving from the north in Capernaum down south into Judea. He is actually en route to Jerusalem. When we begin chapter 11, we begin the last week of the life of Jesus, so we are getting very close to the cross. Mark records these events to show how the Lord was teaching and preparing the disciples. Every thing that happens, even when it included others, was designed to train the twelve.

**Mark 10:2** (NASB) "And some Pharisees came up to Him, testing Him, and began to question Him whether it was lawful for a man to divorce a wife."

"Testing Him" may not necessarily mean in a bad sense. Testing is from the Greek word peirazo, which can mean: "to scrutinize, entice, discipline, examine, prove or tempt." They may simply have wanted to know His position on divorce.

There were two schools of thought in Jesus' day concerning divorce, and they were propagated by two Rabbis: **Rabbi Hillel** and **Rabbi Shammai**. Rabbi Shammai had taught that divorce was only permissible on the grounds of some sexual impropriety. His was the stricter view. Rabbi Hillel, on the other hand, had a more liberal view and taught that a man could divorce His wife for any reason. If she burned his breakfast, put too much salt on his food, showed disrespect to him, spoke disrespectfully of her husband's parents in his presence, spoke to a man on the street, or even let her hair down in public, he could divorce her. The view of Rabbi Hillel was the view that was popular in Jesus' day.

The Roman view of divorce must be considered because not only is Jesus living in a Roman occupied country, but Mark, remember, is writing to Roman Christians. Under Roman law either spouse could write a bill of divorcement for almost any reason and merely had to be stated in the presence of seven adult citizens of Rome.

You have to remember, too, this is down in the South under the jurisdiction of Herod the king. You remember Herod divorced his wife and married his sister-in-law. John the Baptist confronted him, and because of that John the Baptist's head was cut off. It may be that their intention was to see if He would dare condemn Herod. By speaking out boldly on divorce in Peraea, he could be represented as an enemy of Herod.

So with these differing views of divorce, they approach Jesus to find out what His view is. That's a great idea. We all should be asking, 'What is Jesus' view of divorce?'

Divorce is an issue in our society. Each year about 2.3 million marriages take place with about 1 million divorces recorded in the same period. Divorce rates for all marriages hover around 40 percent with divorce rates for second marriages being much higher. It is sad to say that the divorce rate among Christians is virtually identical to the divorce rate among the unsaved.

So we should be as curious about Jesus' view of divorce as were the Pharisees of His day. As we study this text, we learn Jesus' view of marriage and divorce.

**Mark 10:3** (NASB) "And He answered and said to them, 'What did Moses command you?'"

In typical rabbinic fashion, Jesus answers their question with a question. What is Jesus' question here? What is it that He is really asking them? Jesus is using Moses here as metonymy (a word or expression used as a substitute for something with which it is closely associated) for the Torah:

**2 Corinthians 3:15** (NASB) "But to this day whenever Moses is read, a veil lies over their heart;"

Jesus is asking them, What does God's Word say? When Jesus asked them what the Torah said about divorce, they immediately responded:

**Mark 10:4** (NASB) "And they said, 'Moses permitted a man TO WRITE A CERTIFICATE OF DIVORCE AND SEND her AWAY'."

If we look at the parallel account in Matthew, we see that they saw this as a command.

**Matthew 19:7** (NASB) "They said to Him, 'Why then did Moses command to GIVE HER A CERTIFICATE OF DIVORCE AND SEND her AWAY?'"

*This passage in Deuteronomy was misunderstood because it was mistranslated for years. Even in our King James Bible, the sense of that mistranslation is perpetuated. Listen to Deuteronomy 24:1 from the King James Version:*

**Deuteronomy 24:1** (KJV) "When a man hath taken a wife, and married her, and it come to pass that she find no favour in his eyes, because he hath found some uncleanness in her: *then let him* write her a bill of divorcement, and give it in her hand, and send her out of his house."

The way this reads is that it is a command to divorce a wife when some uncleanness is found in her. Notice it says, "then let him write her a bill of divorcement."

*The New American Standard Version translates this passage accurately. It reads:*

**Deuteronomy 24:1** (NASB) "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 indecency in her, *and he writes* her a certificate of divorce and puts it in her hand and sends her out from his house,"

What is being recounted here is not a command to divorce, but the objective account of one who *does* divorce based on some "uncleanness" or "indecency."

Now the real issue was what constituted "indecency." Shammai said that it was sexual impropriety. Hillel said it was for any reason, such as the ones I have already mentioned. Another rabbi who was of Hillel's school, Rabbi Akiba, took it even farther to its logical conclusion by saying that the "indecency" in her meant that a man could divorce his wife when he found another woman who was more beautiful. Such was the climate in Jesus' day. It is not very much different from the climate in our day.

**Deuteronomy 24:1** is not a command to divorce, but in that verse God, through Moses, *had made provision* for the protection of women who were turned out of the house. They could not just be turned away; they had to be given an official "Bill of Divorce" so that it was clear that they were to be seen as free to marry again.

The issue there was if a man divorced his wife, and she had no way to verify what the situation was then no other Jewish man who was Orthodox could marry her, because he didn't know what her story was; he didn't know if marrying her was a violation of the Law or not. So these divorced women often would remain single; and to remain single in an ancient culture was to have little or no chance for survival.

The idea was that if you were going to divorce your wife, you had to give her this legal document that says she is legally divorced, and therefore she can remarry. So if a Jewish man wanted to know if he could remarry this woman, he would see the certificate, and he would know that under the Law it was permissible to marry this woman. That was the certificate of divorce; they would divorce their wife, give her a certificate of divorcement, and marry another woman. When they tired of that woman, then they would divorce her, give her a certificate of divorcement, and marry another woman. It was this serial monogamy.

So we see here the religious leaders testing Jesus, hoping that He would discredit Himself with the people by adopting an unpopular view concerning divorce. I'm sure all ears were opened as the crowd waited to hear His response.

Jesus did respond. He asked them what Moses had commanded them. This was simply another way of saying, What does the Torah say. They confronted Him with what Moses had said in Deuteronomy 24. Then Jesus did what He was so adept at doing. He cut right to the heart of the issue:

**Mark 10:5** (NASB) But Jesus said to them, "Because of your hardness of heart he wrote you this commandment.

He is interpreting the word of Moses for them, and revealing to us something that the Law itself does not tell us. He is giving us the motive, the reason why Moses permitted divorce. This reason is a very significant and insightful statement, one we want to examine very closely. Our Lord goes behind the written statement of Deuteronomy 24, and says, "Moses gave this because of the hardness of your heart." That was the whole reason divorce was permitted at all. People's hearts had become hard, and they were divorcing their wives for any reason. You must remember that the wife never had the authority to divorce her husband. So Moses wrote the law concerning the writing of a bill of divorcement for the protection of

the woman. Without such a bill, she had no rights at all. It was because of the mercy of God and the hardness of the human heart that this instruction was given. But the Rabbis had taken this as some kind of right to divorce a wife for any reason.

When Jesus asked them "What did Moses command you?" I don't think He was referring to Deuteronomy 24. Moses wrote the Torah, so to say, "What did Moses command you?" was the same as saying: What does the Torah say? I think that Jesus wanted them to go further back to the very beginning command on marriage. I believe that this is demonstrated by what Jesus says next:

**Mark 10:6-9** (NASB) "But from the beginning of creation, God MADE THEM MALE AND FEMALE. 7 "FOR THIS CAUSE A MAN SHALL LEAVE HIS FATHER AND MOTHER, 8 AND THE TWO SHALL BECOME ONE FLESH; consequently they are no longer two, but one flesh. 9 "What therefore God has joined together, let no man separate."

Jesus goes back now beyond the Pharisees, beyond Moses, beyond the Law, beyond the whole Hebrew economy, and takes us right back to the dawn of creation, the very beginning of the human race, and points out to us that what happened there is the determinative factor, not what happened with Moses and the Law. The Law came in only to show us the problem that existed.

But the Pharisees missed the point posed by their own question. While they may have wanted to trick Christ, He retorted that the foundational passage for marriage trumped their belief. Common rabbinic hermeneutics declared that the earlier statement always had priority over later ones. In Matthew's account Jesus questions whether or not they had read the creation story!

**Matthew 19:4** (NASB) And He answered and said, "Have you not read, that He who created them from the beginning MADE THEM MALE AND FEMALE, "

"Have you not read" every Hebrew boy would have had the Torah memorized by the time he was twelve. What a blow to the vaunted egos of these religious leaders!

Jesus points to God's original intention back in creation:

**Genesis 1:27** (NASB) "And God created man in His own image, in the image of God He created him; male and female He created them."

**Genesis 2:24** (NASB) "For this cause a man shall leave his father and his mother, and shall cleave to his wife; and they shall become one flesh."

God made one man and one woman. Since we face a national crisis regarding the estate of marriage, it is important to understand that God could have created another man for the first man had that been the divine design for marriage. God didn't create two men; it wasn't Adam and Steve. He didn't create two women; it wasn't Alice and Eve. Nor did God create any extras in case Adam and Eve didn't work out. It was just Adam and Eve one man and one woman. That was God's original intent. And that is still His desire for marriage.

Had polygamy been God's design, He easily could have made 3 or 5 or 10 women for the man. But the single man and single woman, made for each other and joined together by God, established the pattern for every marriage.

The idea that the "two shall become one flesh" is really a statement of the sexual union and reminds us

why sex cannot be a recreational sport. God never intended it that way. It's two people coming together in a covenant relationship before God, sealed for a lifetime.

Mankind finds completeness and fulfillment in the union of male and female through marriage. Make no mistakes about it God's intent is one man married to one woman until they are parted by death.

To "put away" a wife as the Jews were doing would be to reflect a lie about God to society, that God flirts with men for a time, but that He's not eternally committed to them. That position, very simply, is blasphemy because it represents God as being something which He isn't. The Jews had made marriage out to be an easily dissolvable arrangement that could be re-entered into, with little commitment, from either side as to its importance before God, and there is a losing sight of the sanctity of that union as expressed in the first record of marriage in Genesis' opening chapters.

The religious leaders came to Jesus and tested Him by asking, "What do you think about divorce?" He responded to them by saying, "What do you think about marriage?" And then He revealed to them what God thinks about marriage. God sees marriage as two people becoming one, committed to one another, in a covenant relationship which lasts a lifetime. God made His view of divorce clear to the Israelites:

**Malachi 2:14** (NASB) "Yet you say, 'For what reason?' Because the LORD has been a witness between you and the wife of your youth, against whom you have dealt treacherously, though she is your companion and your wife by covenant."

If you are married, you are bound before God in that relationship. The discussion continues in the next two verses:

**Malachi 2:15-16** (NASB) "But not one has done so who has a remnant of the Spirit. And what did that one do while he was seeking a godly offspring? Take heed then, to your spirit, and let no one deal treacherously against the wife of your youth. 16 **"For I hate divorce,"** says the LORD, the God of Israel, "and him who covers his garment with wrong," says the LORD of hosts. "So take heed to your spirit, that you do not deal treacherously."

The Old Testament starts out in Genesis with God establishing marriage. It closes out in the Book of Malachi with God saying He hates divorce. Even though divorce is being practiced, God's attitude toward it has not changed. From fifteen hundred years before the time of Christ, when Moses wrote the Book of Genesis, down to Malachi's time, God has not changed His position. It is the same in spite of the fact that divorce and remarriage have become a common practice.

There is no relationship on earth more important or more sacred than that which exists between a husband and wife. To trivialize it with crass jokes, to neglect it in favor of jobs or hobbies, to trample on it by indulging in pornography, or to tear it apart by infidelity, undermines the most basic of human relationships and destroys the fabric that holds a nation together. So foundational is marriage as the best of relationships, it fittingly pictures the relationship between Christ and His bride, the Church:

**Ephesians 5:31-33** (NASB) FOR THIS CAUSE A MAN SHALL LEAVE HIS FATHER AND MOTHER AND SHALL CLEAVE TO HIS WIFE; AND THE TWO SHALL BECOME ONE FLESH. 32 This mystery is great; but I am speaking with reference to Christ and the church. 33 Nevertheless let each individual among you also love his own wife even as himself; and let the wife see to it that she respect her husband."

Marriage was, and is, a picture of the relationship of Christ and the church. To divorce is to destroy that picture.

**Mark 10:10** (NASB) "And in the house the disciples began questioning Him about this again."

Once again the disciples require further instruction if they are to understand what Jesus has said publicly; once again they hear what Jesus says, but do not understand it (Mark 4:12, 8:17, 21). Jesus is raising the value of marriage, and I'm guessing these words were quite shocking to the disciples. So when they have a moment alone with Jesus, they bring it back up again.

**Mark 10:11-12** (NASB) And He said to them, "Whoever divorces his wife and marries another woman commits adultery against her; 12 and if she herself divorces her husband and marries another man, she is committing adultery."

Jesus said, "If she herself divorces." Mark was written to a Gentile audience, and the Roman women could divorce their husbands. Jesus' statement reflects that it doesn't matter which way it goes.

The Jewish view, as reflected in the Law, was that the initiative was always with the husband. It was only the husband who could divorce his wife. But in our Lord's words here, they are on an equal basis. The man can commit adultery against the wife, and the woman can commit adultery against the husband.

So Jesus is clearly saying, "Marriage is permanent, NO divorce." God's intention is for one man to join with one woman for a lifetime. Isn't there an exception to this? Matthew gives what is often referred to as the "exception clause" or the biblical grounds for divorce. But it would make absolutely no sense for Jesus to bring that up here, because the issue at hand is not the technicality of the Law. The issue at hand is the Pharisees' hearts and their devaluing of marriage. So Jesus is staying on that point and saying, God values marriage. Make it work.

Is the original intention of God all there is in the Bible by which we judge marriage, divorce, and remarriage? How do we deal with people who get divorced? Are there any biblical grounds for divorce? All these are questions which need answers. In Mark, Jesus expresses the divine intention for marriage, and He stops there. But in the parallel account in Matthew, He goes on to deal with the issue of divorce:

**Matthew 19:9** (NASB) "And I say to you, whoever divorces his wife, except for immorality, and marries another woman commits adultery."

This is the same thing that Jesus had already said in:

**Matthew 5:31-32** (NASB) "And it was said, 'WHOEVER SENDS HIS WIFE AWAY, LET HIM GIVE HER A CERTIFICATE OF DIVORCE'; 32 but I say to you that everyone who divorces his wife, except for the cause of unchastity, makes her commit adultery; and whoever marries a divorced woman commits adultery."

In Matthew 5:31, Jesus is quoting from:

**Deuteronomy 24:1** (NASB) "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 indecency in her, and he writes her a certificate of divorce and puts it in her hand and sends her out from his house,"



The question that Jesus is addressing in Matthew 5:31,32 comes from the statement in Deuteronomy 24:1, "because he has found some indecency in her." What does the word "indecency" mean?

***There are four words in the Hebrew which are translated "indecency" in the Old Testament.*** The first two refer to dirtiness or contamination; natural or ceremonial. Examples of these are touching a dead body or a person with leprosy. The third word was used to illustrate spiritual uncleanness and is often used to speak about sin. The word "indecency," in Deuteronomy 24:1, is taken from the Hebrew word, "ervah". This word is translated as "indecency" only once in the Old Testament, which is in Deuteronomy 24:1. It is translated: "shame" one time in Isaiah 20:4, and it is translated: "indecent" one time in Deuteronomy 23:14. This same Hebrew word, "ervah", is found fifty-one other times in the Old Testament. All other fifty-one times it is translated "nakedness," and it comes from the root word of nudity.

When **Deuteronomy 24:1** says, "because he has found some indecency in her,"

It means she has disgracefully lowered herself exposing her nakedness to open shame, or sexual uncleanness. This is what Jesus calls "fornication" in Matthew.

***What exactly is "fornication?" Fornication and adultery are synonymous terms in the scriptures, and they are often interchangeable. In the Greek, fornication includes: incest, sodomy, harlotry, perversion, and all sexual sin both before and after marriage. The Greek word for "fornication" is porneia.***

**1 Corinthians 10:8** (NASB) "Nor let us act immorally, as some of them did, and twenty-three thousand fell in one day."

The word, "immorally" here is porneuo. We see here that fornication is not just used for sex outside marriage. Certainly not all 23,000 were unmarried. The word encompasses both sex outside marriages and sex that would be constituted as adultery. Porneia certainly includes everything meant by the word "indecency" as used in Deuteronomy 24:1.

**Matthew 19:9** (NASB) "And I say to you, whoever divorces his wife, except for immorality, and marries another woman commits adultery."

The word "except" has far reaching importance attached to it. The question of remarriage hangs on it. Does it allow divorce but not remarriage? "Except" means: "to take out, outside of, to exclude, to leave out, apart from." When a person hears the word "except," he immediately thinks of "not including." He assumes that whatever is excepted is left out. For example: Every human being ever born will die and spend eternity separated from Christ "except" those who trust Jesus Christ. So, there is an exception to the 'no divorce' rule, and that is sexual immorality. When a divorce is because of immorality, the innocent party is free to remarry.

**Bill Gothard**, who does the **Institute in Basic Youth Conflicts**, tries to raise the biblical standard by saying that "fornication" means: "an incestuous or homosexual marriage." So, he says that only someone in one of those marriages can be divorced. He limits the meaning of the Greek word porneia to fit his view of no divorce.

***The Westminster Confession of Faith puts it this way:***

**24:5** Adultery or fornication committed after a contract, being detected before marriage, gives just

occasion to the innocent party to dissolve that contract (Matt 1:18-20). In the case of adultery after marriage, it is lawful for the innocent party to sue out a divorce (Matt 5:31, 32): and, after the divorce, to marry another, as if the offending party were dead (Matt 19:9; Rom 7:2, 3).

Some may ask, "Is the exception clause valid? It's only in Matthew Luke and Mark give no exception." The synoptic Gospels add and delete different details. There is absolutely no textual ground for doubting the words in Matthew.

So we see there are biblical exceptions to 'no divorce'. Jesus gives us one here: sexual immorality. Sexual immorality would break the marital bond and release the partner. But notice here that Jesus never commanded divorce for sexual immorality, but only permitted it. What Jesus is saying is that if a man divorces his wife for anything less than sexual immorality, he then causes her to commit adultery and commits adultery himself.

It is very important to understand this. If a man puts his wife away for any other cause, he causes her to commit adultery. In other words, that marriage bond has never been broken in the eyes of the Lord, because there has not been uncleanness. Therefore, that woman is still married in the eyes of the Lord, the bond has never been broken. That is what the Lord Jesus is teaching here.

Is divorce permitted in the Scripture for anything other than fornication? No and Yes! For two believers the only ground for divorce is pornea. In 1 Corinthians 7 we find another important passage dealing with divorce and remarriage. Let's look at 1 Corinthians 7. He addresses two Christians married to one another in:

**1 Corinthians 7:10-11** (NASB) "But to the married I give instructions, not I, but the Lord, that the wife should not leave her husband 11 (but if she does leave, let her remain unmarried, or else be reconciled to her husband), and that the husband should not send his wife away."

Here we have two Christians married to one another. Paul simply says, "Stay together." There is no reason to leave. If there is no sexual immorality, stay together. It is interesting that he does make a provision for a separation. And in fact, the Bible does not anywhere teach that the wife has an obligation to stay in a home with an abusive man who threatens her physical welfare or the welfare of her children. But if she leaves under those circumstances, she is either to be reconciled unto her husband, or to remain unmarried. The only biblical reason for two Christians divorcing is sexual immorality.

Paul also addresses a mixed marriage a Christian who is married to an unbeliever. These mixed marriages could happen in a couple of ways. Two unbelievers could be married, and then later one becomes a Christian. That, I believe is the most common way a mixed marriage happens. The second way is that a believer could marry an unbeliever in direct contradiction to the Scriptures. The Bible teaches us that we are not to be unequally yoked together with unbelievers. That is the command of God. It is not something put there to make us miserable. In fact, it is something put there for our own good. God is trying to save us the misery of being locked into a marriage with someone who is fundamentally different from us, whose values are different, whose outlook on life is different, whose goals are different.

Here Paul addresses mixed marriages and says:

**1 Corinthians 7:12-15** (NASB) "But to the rest I say, not the Lord, that if any brother has a wife who is an unbeliever, and she consents to live with him, let him not send her away. 13 And a woman who has an unbelieving husband, and he consents to live with her, let her not send her husband away. 14 For the unbelieving husband is sanctified through his wife, and the unbelieving wife is sanctified through her



believing husband; for otherwise your children are unclean, but now they are holy. 15 Yet if the unbelieving one leaves, let him leave; the brother or the sister is not under bondage in such cases, but God has called us to peace."

The teaching here is quite simple: Paul is well familiar with the teaching of Jesus and he, under the inspiration of the Holy Spirit, expands the exception from sexual immorality to include desertion by an unbelieving partner. He says that if you are a believer, married to an unbeliever, stay with them. God may save them. He holds out hope for that to happen.

**1 Corinthians 7:16** (NASB) "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?"

In other words, he's saying, "God may do something. Stay with them as long as they desire to stay with you." But then verse 15 gives us the only other biblical grounds for divorce. When an unbelieving partner leaves a believer, the believer is to let that partner leave. The Scriptures tell us, "the brother or the sister is not under bondage in such cases." Bondage to what? Obviously, bondage to the law of marriage. Let's look at this word bondage in:

**Romans 7:2** (NASB) "For the married woman is bound by law to her husband while he is living; but if her husband dies, she is released from the law concerning the husband."

The word for bound in this verse is from a root form of the Greek word for bondage in 1 Corinthians 7:15. Paul speaks of being released from the bondage of marriage by the desertion of an unbelieving partner. What the Scripture is teaching here is that Christians should stay with non-Christians as long as the non-Christian is willing. But if the non-Christian leaves the Christian and divorces him or her, then the Christian is released from that marriage biblically, and is free to remarry.

To sum up, there are only three things that biblically release a marriage partner from a marriage: (1) the death of one marriage partner; (2) sexual unfaithfulness by a marriage partner; and (3) the desertion and divorce by an unbelieving marriage partner. That is the plain teaching of Scripture.

I want to make clear what Jesus said: Divorce is sin, no if's, and's, or but's about it.

**Mark 10:9** (NASB) "What therefore God has joined together, let no man separate."

Divorce is a violation of God's intention for marriage. It always is and it always involves some form of sin. Remember God's design from creation is: Marriage is permanent, make it work. Anyone who has been through a divorce knows the pain and heartache it brings. It is not merely the eradicating of a legal contract. It is the tearing apart of two people who had become one, and there is tremendous pain and suffering with that.

Remember the larger context of our text in Mark:

**Mark 9:35** (NASB) "And sitting down, He called the twelve and said to them, 'If anyone wants to be first, he shall be last of all, and servant of all'."

Jesus is saying that, greatness is about being last. Greatness is about being a servant. From Jesus' perspective, a great person puts everyone else before himself and takes on the role of a servant. If you do this in your marriage, divorce will never be an issue because your marriage will be great!