

# “No-Exception” For Divorce (Is this true?)

(by George Battey)



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# NO-EXCEPTION FOR DIVORCE

## (Is this true?)

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### Questions:

- 1) Was divorce "for fornication" possible under Mosaic Law?
- 2) Under Mosaic Law, was a man with two living wives an adulterer?
- 3) Did Jesus ever teach New Testament law while He lived on the earth?
- 4) Is the "sermon on the mount" clarifying Mosaic Law or revealing New Testament law?
- 5) When the Pharisees came "testing" Jesus in Matthew 19:3, what was the test?
- 6) At what point did Jesus give an answer to the question of the Pharisees in Matthew 19?
- 7) Why does Mark omit the exceptive clause?
- 8) Do the epistles ever mention the exceptive clause?
- 9) Does 1 Corinthians 6:16 teach that fornication results in a marriage between a man and a woman?
- 10) Why does 1 Corinthians 6:18 say, "Every sin that a man does is outside the body"? What does this mean?
- 11) Are Matthew, Mark, Luke, and John Old Testament or New Testament scriptures?
- 12) What do the miracles of Jesus indicate?
- 13) Can a married person commit fornication?
- 14) When Paul wrote, "To the rest I command, not the Lord," (1 Corinthians 7:12), was he giving his opinion? Do Christians have to follow his instructions?
- 15) When David committed adultery with Bathsheba, was Abigail (David's wife) an "innocent" party? Is there ever a truly "innocent" party?
- 16) Can a woman be a faithful wife without being a perfect wife?
- 17) Did Joseph find Mary to "be with child," or did he find her to "be with child of the Holy Spirit"? What's the difference between those two questions?

These and other questions will be answered in the present booklet.

(Note: All scripture references are taken from the New King James Version unless otherwise noted. All bold print found in Bible passages were added by the writer for emphasis.)

## INTRODUCTION

On November 17, 2013, Brother Malcomb Kniffen preached a sermon at the 12th Street Church of Christ in Moore, Oklahoma, on the subject of divorce and remarriage. Brother Kniffen and the 12th Street church both believe the "no-exception" doctrine – the doctrine that there is absolutely no-exception to ever divorce and remarry.

Brother Kniffen made many arguments in his effort to prove the no-exception position. This study will focus on one of his major arguments relative to Matthew 19.

One of Brother Kniffen's major arguments began with a reading of Matthew 19:3:

**Matthew 19:3** (KJV)

<sup>3</sup> The Pharisees also came unto him, tempting him, and saying unto him, Is it lawful for a man to put away his wife for every cause?

Here the Pharisees are "tempting" Jesus. Supposedly, the temptation was to see if Jesus would teach differently than Moses' Law. Supposedly, if Jesus teaches differently than Moses, He will have sinned, and the Pharisees would have legal grounds upon which to arrest Jesus and put Him to death.

The question posed: "Is it lawful for a man to put away his wife for every cause?"

Brother Kniffen stressed the present tense of the verb. In other words:

- The Pharisees did not want to know if it "will be" lawful in some future dispensation.
- They wanted to know if it was lawful under the current dispensation.

Supposedly, since this is a "present tense question," it would be illogical for Jesus to reference a future law.

Now the search begins for the answer to the question. Brother Kniffen read verse 4:

**Matthew 19:4** (KJV)

<sup>4</sup> And he answered and said unto them, Have ye not read, that he which made them at the beginning made them male and female ...

He asked the audience, "Okay, is that our answer? ... Verse 4 answer that? Not at all. Don't even really ... don't even really cover it." (Time into speech = 27:02 min.)

He then read the next verse:

**Matthew 19:5** (KJV)

<sup>5</sup> And said, For this cause shall a man leave father and mother, and shall cleave to his wife: and they twain shall be one flesh?

He asked the audience, " Does that answer the question? ... No, that don't answer it at all. If anything, I would say that if you tried to stretch as much as you could out of verse 5, you could say actually that says, "No, no reason at all." ... So verse 5 does not answer their question." (Time into speech = 27:19 min.)

He continued with the next verse:

**Matthew 19:6** (KJV)

<sup>6</sup> Wherefore they are no more twain, but one flesh. What therefore God hath joined together, let not man put asunder.

He asked the audience, "We have not found the answer yet – unless I've just completely missed it and blind as a bat we haven't found it yet." (Time into speech = 29:46)

Brother Kniffen never explained why Jesus references a past law to a present tense question. (More about this in a moment.)

Brother Kniffen continued searching for the answer to the present tense question. He went to the next verse:

**Matthew 19:7** (KJV)

<sup>7</sup> They say unto him, Why did Moses then command to give a writing of divorcement, and to put her away?

Brother Kniffen said, "Okay, so verse 7 sure doesn't give us the answer, 'cause this is their rebuttal." (Time into speech = 29:55)

Brother Kniffen has read systematically through the chapter verse by verse. He assures the audience the answer to the question, "Is it lawful to divorce for every cause?" has not been found in verses 4-7. He came to verse 8 and made the following remarks:

So, we go to verse 8: "He said unto them, Moses, because of the hardness of your hearts suffered you to put away your wives, but from the beginning it was not so."

Back to the question. We want to know is it lawful to divorce for every cause. So, how many causes did verse 8 say they had? One? Two? Twenty? You see it still does not answer the question. It acknowledges that, yes Moses does have a law, and yes Moses did give you a right for divorce. He did it for the hardness of your hearts, and so forth. But it wasn't true from the beginning. But it still does not answer the question, 'cause this is the question, "How many causes do we have?" And you cannot look at verse 8 and say, "Oh, that proves how many they had." No it don't. There's no number mentioned there, except for the fact that Moses gave you a precept. Sounds like one actually, but it does not say one there. He did it for the hardness of your heart.

(Malcomb Kniffen, unpublished recorded sermon, 2013. Time = 31:28 min. into speech)

Notice the subtle change to the question. The original question was, "*Is it lawful for a man to put away his wife for every cause?*" This question expects a "yes" or "no" answer. The revised question is now: "*How many causes do we have?*" This question expects a number. This change is necessary to reach Brother Kniffen's pre-planned outcome.

Supposedly, Matthew 19:4-8 does not answer the question ("Is it lawful for a man to put away his wife for every cause?"). Brother Kniffen finally got to verse 9, and here is what he said:

Your answer to this question, "How many causes is lawful?" is verse 9. "And I'm saying to you, whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery, and whoso marrieth her which is put away, doth commit adultery." Alright, there's your answer – the cause of fornication. Can they do it for every cause? No. What cause? Fornication.

(Malcomb Kniffen, unpublished recorded sermon, 2013. Time = 32:32 min. into speech)

In this way, Brother Kniffen reaches his conclusions:

- Matthew 19:9 is explaining Mosaic Law.
- There was only one cause for divorce and remarriage under Mosaic Law – the cause of fornication.
- Later he will teach that "*fornication*," in Matthew 19:9, is limited to premarital sex.

## EXAMINING THIS EXPLANATION

Consider carefully what Brother Kniffen taught. Read Mark 10 using the same technique Brother Kniffen used on Matthew 19 and see the results. Remember while reading Mark's version of this story, the answer to the question ("*Is it lawful to divorce for every cause?*") is supposedly Matthew 19:9 where Jesus gives one exception for divorce and remarriage.

First, read the question asked:

### Mark 10:2

<sup>2</sup> The Pharisees came and asked Him, "Is it lawful for a man to divorce his wife?" testing Him.

Using Brother Kniffen's Matthew 19 technique, read the next verse and see if the answer is found:

### Mark 10:3

<sup>3</sup> And He answered and said to them, "What did Moses command you?"

Brother Kniffen would probably say, "Does this verse answer the question, 'Is it lawful to divorce for every cause?' No – that does not answer the question."

Since verse 3 does not answer the question, the search continues:

### Mark 10:4

<sup>4</sup> They said, "Moses permitted a man to write a certificate of divorce, and to dismiss her."

This verse corresponds to Matthew 19:7 and Brother Kniffen says Matthew 19:7 does not answer the question. Therefore, Mark 10:4 cannot answer the question either. Therefore, the search must continue.

**Mark 10:5**

<sup>5</sup> And Jesus answered and said to them, "Because of the hardness of your heart he wrote you this precept.

Does this verse answer the question? This verse corresponds to Matthew 19:8 and Brother Kniffen says Matthew 19:8 does not answer the question. Therefore, Mark 10:5 cannot answer the question either. The search resumes:

**Mark 10:6**

<sup>6</sup> But from the beginning of the creation, God 'made them male and female.'

Does this verse answer the question? This verse corresponds to Matthew 19:4 and Brother Kniffen says Matthew 19:4 does not answer the question. Therefore, Mark 10:6 cannot answer the question either. Continue reading:

**Mark 10:7**

<sup>7</sup> 'For this reason a man shall leave his father and mother and be joined to his wife,

Does this verse answer the question? This verse corresponds to Matthew 19:5a and Brother Kniffen says Matthew 19:5a does not answer the question. Therefore, Mark 10:7 cannot answer the question either. Moving on:

**Mark 10:8**

<sup>8</sup> and the two shall become one flesh'; so then they are no longer two, but one flesh.

Does this verse answer the question? This verse corresponds to Matthew 19:5b-6a and Brother Kniffen says Matthew 19:5b-6a does not answer the question. Therefore, Mark 10:8 cannot answer the question either. One more verse to go:

**Mark 10:9**

<sup>9</sup> Therefore what God has joined together, let not man separate."

Does this verse answer the question? This verse corresponds to Matthew 19:6 and Brother Kniffen says Matthew 19:6 does not answer the question. Therefore, Mark 10:9 cannot answer the question either.



That is it. The conversation between Jesus and the Pharisees ended there with no exception mentioned at all. Supposedly, the verse with the exception (fornication) answers the question asked by the Pharisees, but that verse is not in Mark's gospel. Therefore, according to Brother Kniffen, Jesus never answered the question in Mark's gospel. Does this seem reasonable?

## EXAMINING MARK'S GOSPEL

The truth is, Jesus answered the question in Mark's gospel.

### Mark 10:2-5

<sup>2</sup> The Pharisees came and asked Him, "**Is it lawful for a man to divorce his wife?**" testing Him.

<sup>3</sup> And He answered and said to them, "What did Moses command you?"

<sup>4</sup> They said, "Moses permitted a man to write a certificate of divorce, and to dismiss her."

<sup>5</sup> And Jesus answered and said to them, "Because of the hardness of your heart he wrote you this precept.

The Pharisees ask their question in verse 2. The Pharisees answer their own question in verse 4. Having people answer their own question is a tactic Jesus has used before. For example, in Luke 10:25-28 a lawyer asked, "What shall I do to inherit eternal life?" Jesus asked the lawyer to answer his own question, "What is written in the law? What is your reading of it?"

The Pharisees answer their own question in verse 4. In verse 5, Jesus agrees with the answer given. Comparing Mark 10 with Matthew 19 is revealing.

Matthew 19	Mark 10
<sup>3</sup> The Pharisees also came to Him, testing Him, and saying to Him, " <b>Is it lawful for a man to divorce his wife for every cause?</b> "	<sup>2</sup> The Pharisees came and asked Him, " <b>Is it lawful for a man to divorce his wife?</b> " testing Him.

This comparison helps clarify the question found in Mark 10. In Mark 10:2, the question is really: "Is it lawful for a man to divorce his wife *for every cause?*"

Matthew 19	Mark 10
(No equivalent here.)	<sup>3</sup> And He answered and said to them, "What did Moses <b>command</b> you?"

Matthew does not record Jesus turning the question back on the Pharisees. This does not mean Mark is contradicting Matthew. Each one is correctly telling the same story, but each references different details.

Jesus used the word "*command*." This is interesting because no-exception brethren (when reading Matthew 19) emphasize divorce was never commanded by Moses; it was only permitted. They emphasize the word "command" in Matthew 19:7. Mark records the word "*command*" and Jesus is the one using that word. "What did Moses *command* you?"

Matthew 19	Mark 10
<sup>7</sup> [The Pharisees] said to Him, "Why then did <b>Moses command</b> to give a certificate of divorce, and to put her away?"	<sup>4</sup> [The Pharisees] said, " <b>Moses permitted</b> a man to write a certificate of divorce, and to dismiss her."

Notice that "*command*" and "*permitted*" are used interchangeably. No argument can be made because the permission to divorce is given in the form of a command. If someone is going to use the permission, he must follow the command that regulates the permission.

Matthew 19	Mark 10
<sup>8</sup> He said to them, "Moses, because of the hardness of your hearts, <b>permitted</b> you to divorce your wives, but from the beginning it was not so.	<sup>5</sup> And Jesus answered and said to them, "Because of the hardness of your heart he wrote you this <b>[commandment]</b> . (ἐντολή)

Moses regulated the permission to divorce with a command. For other passages translating ἐντολή as "*commandment*," see Matthew 5:19; 15:3, 6; 19:17. This should not surprise anyone. God's commandments always regulate matters of permission (see Romans 14; 1 Corinthians 8-10).

Merging the information from Matthew with the information in Mark produces the following results:

### Mark 10:2-5

<sup>2</sup> The Pharisees came and asked Him, "**Is it lawful for a man to divorce his wife [for every cause]?**" testing Him.

<sup>3</sup> And He answered and said to them, "What did Moses command you?"

<sup>4</sup> They said, "**Moses permitted a man to write a certificate of divorce, and to dismiss her [for every cause].**"

<sup>5</sup> And Jesus answered and said to them, "**Because of the hardness of your heart he wrote you this precept [permitting divorce for every cause].**"

These Pharisees interpreted Mosaic Law as permitting divorce for every cause. In this particular case, Jesus agrees with their interpretation.

Matthew 19	Mark 10
<sup>4</sup> And He answered and said to them, "Have you not read that He who made them at the beginning 'made them male and female,'	<sup>6</sup> But from the beginning of the creation, God 'made them male and female.'
<sup>5</sup> and said, 'For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh'?	<sup>7</sup> 'For this reason a man shall leave his father and mother and be joined to his wife, <sup>8</sup> and the two shall become one flesh';
<sup>6</sup> So then, they are no longer two but one flesh. Therefore what God has joined together, let not man separate."	<sup>8</sup> ... so then they are no longer two, but one flesh. <sup>9</sup> Therefore what God has joined together, let not man separate."
<sup>9</sup> "And I say to you, whoever divorces his wife, <b>except for sexual immorality</b> , and marries another, commits adultery; and whoever marries her who is divorced commits adultery."	(No equivalent found.)

In Mark 10:6-9 Jesus refers to the beginning. Recall the stress placed on the present tense of the question. Since the Pharisees ask, "*Is it lawful under Mosaic Law,*" Brother Kniffen instructed the audience not to expect any reference to a future law. Yet, here is a reference to a past law (the law from the beginning).

Notice also, when Jesus refers to the law "*from the beginning*," He is (a) teaching something contrary to Mosaic Law, (b) about divorce and remarriage, (c) to the Pharisees and (d) not just to His disciples. This hurts the no-exception position.

## **"CONTRADICTION" LAW**

Question #1: Did the marriage law "from the beginning" contradict Mosaic Law?

Answer: Yes, it certainly did.

### **Matthew 19:8**

<sup>8</sup> He said to them, "Moses, because of the hardness of your hearts, permitted you to divorce your wives, but **from the beginning it was not so.**

Question #2: When Jesus refers to the marriage law that was "*from the beginning*," is He teaching a law that contradicts Mosaic Law while Mosaic Law was still in force?

Answer: Yes, He certainly is.

Question #3: If Jesus teaches a law from the past that contradicts Mosaic Law, is He teaching people to break Mosaic Law while it is in force?

Answer: No, He is not.

Question #4: If Jesus can teach a contradictory law from the past, can He go the other direction in time? Can He also teach a contradictory law from the future without causing anyone to break the current law?

Answer: Yes, He certainly can.

Question #5: Did Jesus ever do this again? Did He ever clearly teach a future law about marriage while Mosaic Law was in force?

Answer: Yes, He certainly did.

### Matthew 22:30

<sup>30</sup> For in the resurrection they neither marry nor are given in marriage, but are like angels of God in heaven.

Matthew 22:30 is a marriage law that pertains to the very distant future (after the resurrection). Does this future law contradict Mosaic Law? Absolutely. Mosaic Law allowed for marriage; the future law after the resurrection will not allow for marriage. When Jesus teaches this future law, does it cause anyone to break Mosaic Law? No. If Jesus can teach *the post-resurrection law* about marriage, can He teach *the gospel law* about marriage while Mosaic Law is in force? Yes, and that is exactly what He does.

## WHAT WAS THE "TEST"?

What was the test being administered by the Pharisees?

### Matthew 19:3

<sup>3</sup> The Pharisees also came to Him, **testing** Him, and saying to Him, "Is it lawful for a man to divorce his wife for just any reason?"

The no-exception doctrine says the test was to see if Jesus would teach differently than Mosaic Law. Supposedly, if Jesus teaches differently than Mosaic Law, He will have violated Mosaic Law and the Pharisees would then have a just cause to crucify Him.

Suppose the test was not to see if Jesus teaches differently than Moses. Suppose there is a different trap. The NIV Study Bible has an interesting footnote on Mark 10:2:

The question of the Pharisees was hostile. It was for unlawful divorce and remarriage that John the Baptist denounced Herod Antipas and Herodias (see 6:17-18), and this rebuke cost him first imprisonment and then his life. Jesus was now within Herod's jurisdiction, and the Pharisees may have hoped that Jesus' reply would cause the tetrarch to seize him as he had John.

(NIV Study Bible, p. 1511)

This suggestion is very logical. Those Pharisees do not care about the Law of Moses. They are more interested in eliminating Jesus, and if they can get Herod involved, he will solve their problem.

## WHY MARK OMITTS THE "EXCEPTION"

Question: If Matthew 19:9 is an exception for the gospel age, why does Mark's gospel omit this clause?

If Mark's gospel had recorded the exception, Christians would not clearly see the exception applied to the gospel age. The wording of Mark 10 and the omission of the exception helps the reader see two important truths:

- a) The Lord's answer regarding Mosaic Law is seen more clearly by reading Mark's account.
- b) The gospel law is seen more clearly by reading Matthew's account.

If Mark 10 contained the exception, someone might argue the exception answers the question of the Pharisees and, therefore, is actually Mosaic Law. This is, in fact, the argument advanced by Brother Kniffen when he explains Matthew 19. However, when Mark 10 leaves the exception out, the reader clearly sees the answer to the question posed by the Pharisees. The answer to the question comes in Mark 10:4-5. Since Matthew 19:7-8 are parallel, the answer to the Pharisees' question is found in Matthew 19:7-8. Seeing exactly where the answer comes, in turn, helps the reader more clearly see that Matthew 19:9 is New Testament legislation.

## THE EXCEPTION AND THE EPISTLES

### (Part 1)

If the exception of Matthew 5:32 and Matthew 19:9 applies to the church, why is it not mentioned in the epistles to the churches?

Answer: The epistles actually do mention the exception. They mention it both implicitly and explicitly.

The exception is mentioned *implicitly* in 1 Corinthians 7:10.

### 1 Corinthians 7

<sup>10</sup> Now to the married I command, yet not I but the Lord: A wife is not to depart from her husband.

<sup>12</sup> But **to the rest I, not the Lord**, say: If any brother has a wife who does not believe, and she is willing to live with him, let him not divorce her.

When Paul writes, "to the married I command, yet not I but the Lord," he is appealing to the teachings of the Lord Himself. The married people in verse 10 are two Christians married to each other. During His earthly ministry the Lord Himself instructed two married Christians about what to do regarding divorce.

Question: Where did the Lord Himself teach about two married Christians regarding divorce?

Answer: Matthew 5; Matthew 19; Mark 10; Luke 16.

When Paul writes, "to the married I command, yet not I but the Lord," the promise of John 14:26 came true.

#### **John 14:26**

<sup>26</sup> But the Helper, the Holy Spirit, whom the Father will send in My name, He will teach you all things, and **bring to your remembrance all things that I said to you.**

Paul is remembering something the Lord previously taught. The no-exception theory would have people believe Jesus taught only Mosaic Law during His ministry. In turn, the apostles would be helped years later to remember the true interpretation of Mosaic Law that was "nailed to the cross." Does this seem likely?

When Paul writes, "But to the rest I, not the Lord say," (verse 12) he begins instructing a Christian married to an unbeliever. Paul cannot refer back to previous teachings of the Lord regarding this situation. The Lord Himself never taught on this subject. Paul gives new revelation in this verse. This should not surprise Christians.

#### **John 16:12-13**

<sup>12</sup> [Jesus said] "I still have many things to say to you, but you cannot bear them now. <sup>13</sup> However, when He, the Spirit of truth, has come, **He will guide you into all truth**; for He will not speak on His own authority, but whatever He hears He will speak; and He will tell you things to come.

When Paul writes 1 Corinthians 7:12, "to the rest I, not the Lord, say" the promise of John 16:13 is fulfilled. The Holy Spirit is guiding Paul into new truth not previously revealed.

CONCLUSION: 1 Corinthians 7:10 teaches the Lord Himself gave legislation regarding the marriage of two Christians. The Lord's teachings, which include the exception, apply to members of the church. So, 1 Corinthians 7:10 implicitly mentions the exception.

## **THE EXCEPTION AND THE EPISTLES**

### **(Part 2)**

The exception is mentioned *explicitly* in 1 Corinthians 6:15-18.

#### **1 Corinthians 6:15-17**

<sup>15</sup> Do you not know that your bodies are members of Christ? Shall I then take the members of Christ and make them members of a harlot? Certainly not! <sup>16</sup> Or do you not know that he who is joined to a harlot is one body with her? For "the two," He says, "shall become one flesh." <sup>17</sup> But he who is joined to the Lord is one spirit with Him.

Most commentaries flounder on this passage. John Murray alone catches the essence of the passage:

If adultery does not give ground for dissolution of the marriage bond, then a man may not secure dissolution even when his wife has abandoned herself to prostitution. This seems quite contrary to the principle of purity expressed by the apostles (1 Corinthians 6:15-17). It would appear, therefore, that dissolution of the marriage bond must be the proper means and, in some cases, the mandatory means of securing release from a bond that binds so uniquely to one who is thus defiled.

(Murray, Divorce, p. 43)

In other words, 1 Corinthians 6:15-17 is a passage about a Christian whose wife becomes a fornicator. Brother Jerry Cutter was teaching this very point as far back as 1979.



What I want to do for a little while this evening though, is I want to study with you from 1 Corinthians the 6th chapter and again from the 7th chapter and notice what Paul says relative to mixed marriages among other things. And I want to notice what he says about living with an unfaithful spouse.

... Some people have the idea that if one spouse is unfaithful they are going to have to stick with them through thick and thin from now to eternity. I want to say from the outset of our remarks, that the Bible never taught any such corruption. And whenever we become Christians we have a very high and holy calling, and we're to maintain that high and holy calling, but we can never do it and be joined to a fornicator. We can never do it and be joined to a harlot. We are to maintain that calling, and there's one thing God's word strictly forbids, that is, to remain in a relationship with an unfaithful spouse. He will not allow that.

[Paul] says, "*Know ye not that he which is joined to an harlot is one body.*" Now he is not saying that when one goes out and commits fornication they're married to that person. Paul never said any such nonsensical thing. He isn't saying when one goes out and cohabits with another person that that unholy act, that ungodly act, that unrighteous act makes something that is holy, and godly, and pure. He isn't saying that at all. The apostle Paul isn't talking about that. He's talking about being married to an harlot. He's not talking about cohabiting. He's talking about marriage. And it's unfortunate that so many people read this and can't see that point.

... Now let's notice this carefully, "*He which is joined,*" meaning married, "*to an harlot is one body. For two saith he shall be one flesh. He that is joined to the Lord is one spirit.*" That's the same word "join" there, and we are joined to the Lord in a spiritual sense too. But, we cannot be joined to an harlot, maintain our relationship with that corrupt woman, and maintain this spiritual relationship with our Lord Jesus Christ. "*He that is joined to the Lord is one spirit.*" So he says, "*Flee fornication.*" That means whether we're living with a fornicator or committing the act – whatever the case may be – it is to be fled from.

(Jerry Cutter, unpublished recorded sermon, 1979)

Question: Should a Christian man continue to live with a wife who has become unfaithful? She is cheating. She has become a harlot. What should the Christian husband do? Should he stay with her "through thick and thin"?

**1 Corinthians 6:16**

<sup>16</sup> Do you not know that he who is joined to a harlot is one body with her? For "the two," He says, "shall become one flesh."

Question: Is this passage teaching that, when a man has a "one-night-stand" with a prostitute, he is now "one flesh" with that prostitute?

Answer: Of course not.

Seven times the Bible uses the expression, "*The two shall become one flesh.*" The six other times this wording occurs refers to marriage between a man and his wife. It would seem unusual for a single passage (1 Corinthians 6) to break traditional usage and speak of something besides legitimate, traditional marriage.

**Genesis 2:24**

<sup>24</sup> Therefore a man shall leave his father and mother and be **joined to his wife**, and they shall become **one flesh**.

**Matthew 19:5**

<sup>5</sup> and said, 'For this reason a man shall leave his father and mother and be **joined to his wife**, and the two shall become **one flesh**'?

**1 Corinthians 6:16**

<sup>16</sup> Do you not know that he who is **joined to a harlot** is one body with her? For "the two," He says, "shall become **one flesh**."

(See also Matthew 19:6; Mark 10:8; Ephesians 5:31.)

In 1 Corinthians 6:16, Paul is writing about a man married to an unfaithful wife. If he continues to live with her, and she does not repent, he is living with a harlot; he is now "one body" with a harlot.

Here is the situation: A faithful brother in Christ has a wife who has become a fornicator, and she will not repent.

Question: Shall the church insist the brother must stay with the unfaithful wife through "*thick and thin*"?

Answer: Absolutely not. "God forbid," the KJV says. If this brother continues to live with the unfaithful wife, he is making himself to be one body with a harlot.

The faithful Christian cannot stay with that fornicating wife.

**1 Corinthians 6:18**

<sup>18</sup> Flee [fornication]. Every sin that a man does is outside the body, but he who commits fornication sins against his own body.

Brother Jerry Cutter correctly observed:

... "*Flee fornication.*" That means whether we're living with a fornicator or committing the act – whatever the case may be – it is to be fled from.

(Jerry Cutter, unpublished recorded sermon, 1979)

J. A. Dennis wrote the following in his debate with W. A. Smith:

What I said on 1 Cor. 6:16-18 is before the readers. Paul said, "What? Know ye not that he which is joined to an harlot is one body." Surely Paul is here speaking of being married to an harlot. If not why did he say. "For two, sayeth he. shall he one flesh." All of this is in the same verse, V. 16. Now the 18th verse, "Flee Fornication." In whom? In the one Joined to. If not, who could it be? All Christians are to flee from fornication, married or single: (But in verse 16 Paul was teaching one married to an harlot,. what to do.) Brother Smith, could not accept Paul here without giving up his unscriptural position. If a Christian man or woman commits fornication with a harlot do they become one flesh? If so does God join them in marriage because of this act? And then does he tell them to flee each other, after they are Joined? If this is not a married case, why did Paul quote Gen. 2:24? When you see this, you will see that, my argument is scriptural and sound.

(J. A. Dennis, Dennis-Smith Debate, p. 56. Note: Punctuation and grammar exactly as written in the original source.)

1 Cor. 6:16-18. Paul says first, "Joined to a harlot," or married to a harlot. He next says, "FLEE FORNICATION." In whom? The one you are joined to. "FLEE" means to "avoid," to "shun," to "escape." Escape means to free one's self; to find a means of discharge. Now where did Paul get the authority to tell a Christian who's wife had become a harlot; a fornicator, to flee? He got it from Christ in Mt. 5:32 and 19:9.

(J. A. Dennis, Dennis-Smith Debate, p. 48. Note: Punctuation and grammar exactly as written in the original source.)

Again:

You deny my statement on 1 Cor. 6:13 which was, "According to Paul in 1 Cor. 6:13 if she or he remains with their fornicator companion, they will be guilty of being fornicators." The verse under consideration is not the 13th, but the teaching from the 13th through the 20th, but the 16th verse will answer you completely. "What? Know ye not that he which is joined to a harlot is one body? For two saith he, shall be one flesh." But the 18th verse gives the remedy. "Flee fornication."

You ask, "Is every one a fornicator that lives with a fornicator. Brother Smith, all I know about it is what Paul said in 1 Cor. 6:13-20.

(J. A. Dennis, Dennis-Smith Debate, pp. 27-28. Note: Punctuation and grammar exactly as written in the original source.)

Clearly: (a) 1 Corinthians 6:15-18 contains instructions for a Christian whose wife has become a fornicator (harlot), (b) this is not a new interpretation.

**"Every sin that a man does is outside the body"** (1 Corinthians 6:18) – What does this mean?

- If a man gets drunk, he uses his body.
- If a man takes illegal drugs, he uses his body.
- If a man kills someone, he uses his body.

How can Paul write that fornication is the one and only sin against the body?

Question: What "body" is Paul discussing?

## 1 Corinthians 6:16

<sup>16</sup> Or do you not know that he who is joined to a harlot is **one body** with her? For "the two," He says, "shall become **one flesh**."

Paul is writing about the "*one-body*" in marriage – the "*one-flesh*" between a husband and his wife. Drinking is a sin, but it does not directly destroy the "*one-flesh*" ("*one-body*") relationship between a man and wife. Taking illegal drugs is a sin, but it does not directly destroy the "*one-flesh*" ("*one-body*") relationship between a man and wife. Only one sin directly strikes at the "*one-body*" relationship between a man and wife: *fornication*.

When a married person commits fornication, he/she is sinning against his/her "body of marriage."

## Ephesians 5:28

<sup>28</sup> So husbands ought to love their own wives as their own bodies; he who loves his wife loves himself.

According to Ephesians 5:28, he who loves his wife loves his own body. According to 1 Corinthians 6:18, he who commits fornication sins against his own body (wife).

### Jerry Cutter:

What does Paul mean? That every sin that we might ever get into is without the body except for fornication. It is against the body. What body? What body has he been talking about my friends? What body has Paul been talking about up to this [point]? He is talking about the "body of marriage."

(Jerry Cutter, unpublished recorded sermon, 1979)

### J. A. Dennis:

Fornication is sin, but for some reason God deals with it, with a special law. Why deal with it in a different way? Because no other sin is in the same class, or has the same effect. Paul said, "Every sin that a man doeth is without the body, but he that committeth fornication sinneth against his own body." 1 Cor. 7:18. Notice what Paul says, "Every sin that a man doeth is without the body." But this sin is against his body, therefore it is against the companion's body, for they are ONE. Under the Law of Moses there ... was no mercy

for a fornicator; no escape; death for both parties. They could get a divorce for every cause but fornication.

(J. A. Dennis, [Dennis-Smith Debate](#), pp. 3-4. Note: Punctuation and grammar exactly as written in the original source.)

### Clarence Johnson:

When a man commits adultery, it is a sin against his wife (Mark 10:11). His body belongs to his wife, and hers belongs to him (1 Corinthians 7:2-5). To sin against one's spouse is to sin against one's own body (Ephesians 5:28-29). "He who commits sexual immorality sins against his own body" (1 Corinthians 6:18).

(Clarence Johnson, *Genesis 2:18-25, Is It Lawful?*, p. 14)

### Marion Fox:

... **the body**; (ΤΟΥ ΣΩΜΑΤΟΣ ΕΣΤΙΝ. This passage only makes sense if this is the marriage body, which is what the immediate context is discussing.)

(Marion Fox, *The Work Of The Holy Spirit*, Vol. 1, p. 242)

... **his own body**. (ΤΟ ΙΔΙΟΜ ΣΩΜΑ This is the marriage body, not the physical body, or the body of Christ [the church]. When one commits fornication, he is doing something that God reserved for the marriage bed. First, the single person has an obligation [before God] to enter marriage as a virgin. Second, the married person has an obligation [before God] to keep himself for his mate.)

The following syllogism proves that this is the marriage body:

First Premise: If there are sins other than fornication against both the physical body and the body of Christ (the church); then this is not a sin against either the physical body or the church.

Second Premise: There are sins other than fornication against both the physical body and the body of Christ (the church).

Conclusion: This is not a sin against either the physical body or the church.

There is only one sin that is specifically against the marriage body (Mt. 19:3-12).

(Marion Fox, The Work Of The Holy Spirit, Vol. 1, p. 243)

Since fornication is the only sin against the "body of marriage," this is the one exception where Paul will not insist that a Christian stay married:

**1 Corinthians 6:15** (KJV)

<sup>15</sup> ... Shall I then take the members of Christ and make them members of a harlot? God forbid!

This fits with what Jesus taught:

**Matthew 19:9**

<sup>9</sup> And I say to you, whoever divorces his wife, **except for [fornication]**, and marries another, commits adultery; and whoever marries her who is divorced commits adultery."

CONCLUSION: The exception is mentioned explicitly in the epistles.

## **"HARDNESS OF HEARTS"**

Why did the Old Testament allow divorce for "every cause"?

**Mark 10:2-5**

<sup>2</sup> The Pharisees came and asked Him, "Is it lawful for a man to divorce his wife [*for every cause* <sup>Matthew 19:7-8</sup>]" testing Him.

<sup>3</sup> And He answered and said to them, "What did Moses command you?"

<sup>4</sup> They said, "Moses permitted a man to write a certificate of divorce, and to dismiss her [*for every cause* <sup>Matthew 19:3-8</sup>]."

<sup>5</sup> And Jesus answered and said to them, "**Because of the hardness of your heart** he wrote you this precept [*to divorce for every cause* <sup>Matthew 19:3-8</sup>]."

**"Because of the hardness of your heart"** – What does this mean?

The no-exception position interprets this to mean, "Because you Jews are unforgiving and mean-spirited, Moses wrote you this precept." If the no-exception theory is true, here is the result:

- Supposedly, the only reason to divorce and remarry under Mosaic Law was if the wife is a "fornicator."
- Because men were unforgiving and mean-spirited toward their fornicating wives, God allowed them to divorce these defiled women.
- However, from the beginning, God intended that men stay with fornicating, unrepentant, defiled wives and just forgive them, because there is no-exception whatsoever for divorce and remarriage.

Question: Is this the meaning of "*because of the hardness of your heart*"?

Answer: No.

If divorcing an unrepentant, fornicating, defiled wife is "unforgiving" and "mean-spirited," then God Himself was mean-spirited and unforgiving. He divorced His unrepentant wife:

**Jeremiah 3:8**

<sup>8</sup> Then I [God] saw that for all the causes for which backsliding Israel had committed adultery, **I had put her away and given her a certificate of divorce**; yet her treacherous sister Judah did not fear, but went and played the harlot also.

God was neither "unforgiving" nor "mean-spirited." The problem was Israel's adultery and her unrepentant attitude.

**Proverbs 12:4**

<sup>4</sup> An excellent wife is the crown of her husband,  
But she who causes shame is like rotteness in his bones.

A man is not being "unforgiving," or "mean-spirited," when he puts away an unrepentant, fornicating wife. What, then, did Jesus mean, "*Because of the hardness of your heart Moses permitted you to divorce your wives [for every cause]*"?



## THE NATURE OF THE KINGDOM OF ISRAEL

Jesus is speaking about the nature of the kingdom of Israel. To be "*hard-hearted*" is another term for being "*uncircumcised in heart*."

(For more information about "uncircumcised in heart," refer to the 2012 Preachers' Study notes by George Battey on, "*The Law Written on the Heart*." These notes are available at [www.WillOfTheLord.com](http://www.WillOfTheLord.com).)

Israel was a kingdom with infant membership. Every Jew was a member of the kingdom from birth. When people are members from birth they have to be taught to "*know the Lord*" (Hebrews 8:8-12). Some of those people will be taught and will become spiritually minded. Such people police themselves and willingly submit to the law of God. Others will not be taught and grow up to be carnally minded. Carnally minded people will not police themselves, but have to be policed. For these people, threats, fear, physical punishments, and force are the motivations to behave.

Out of necessity, Israel was a combination of both church and state:

- The church part administered *spiritual laws* to the spiritually minded.
- The state part administered *physical laws* to the carnally minded.

In order to control the carnally minded, the state had to have "*an eye for an eye, a tooth for a tooth*" (Exodus 21:23-25).

### 1 Timothy 1:8-10

<sup>8</sup> But we know that the law is good if one uses it lawfully,  
<sup>9</sup> knowing this: that the law is not made for a righteous person, but for the lawless and insubordinate, for the ungodly and for sinners, for the unholy and profane, for murderers of fathers and murderers of mothers, for manslayers, <sup>10</sup> for fornicators, for sodomites, for kidnappers, for liars, for perjurers, and if there is any other thing that is contrary to sound doctrine ...

This passage is referencing those portions of Mosaic Law that administered physical punishments. Those punishments were made for the "*uncircumcised in heart*" or, as Matthew 19:8 would say, "*because of the hardness of heart*."

Blessings from God are not enough to control carnally minded men and women. Fear of death and physical punishment is what gets their attention.

- a) If a man lies with an engaged woman, both he and the woman are put to death (Deuteronomy 22:23-27).
- b) If a man lies with a married woman, both he and the woman are put to death (Deuteronomy 22:22).
- c) If there is suspicion of adultery, a test is administered and, if guilty, the woman dies (Numbers 5:27-28).

Jesus agrees that death is the penalty under Mosaic Law for breaking these sexual laws (John 8:7). He does not recommend divorce for the woman caught in adultery.

Israel had many death-laws because Israel had infant membership. It was a physical kingdom of the world as well as a spiritual nation. It was a theocracy (church and state combined).

Israel also had divorce laws suitable for people with uncircumcised hearts. Men could divorce:

- a) if the wife "does not please her master" (Exodus 21:7-8).
- b) if the husband no longer wanted to provide for the wife (Exodus 21:9-11).
- c) if the husband "has no delight in her" (Deuteronomy 21:13-14).
- d) if the husband finds "some uncleanness" in her (Deuteronomy 24:1-2).
- e) if the husband "hates" her (Deuteronomy 24:3-4).
- f) if the wife was a heathen (Ezra 10:10-12).

All of these laws reflected a citizenry of "uncircumcised hearts" or "hardness of hearts."

"From the beginning it was not so" (Matthew 19:8). God did not give death-penalty laws from the beginning (Romans 5:12-14) nor divorce laws for trivial causes, simply because, "in the beginning," man was spiritual. Adam was not created with an "uncircumcised heart."

## THE NATURE OF THE KINGDOM OF HEAVEN

On Pentecost, the kingdom of God came in a new form – in the form of the church.

- The church is not a kingdom of this world (John 18:36).
- It is called the kingdom "of heaven" because it is not a kingdom "of the world."
- It has no infant membership.
- Men and women are not born into the kingdom of heaven; they are reborn into it (John 3:3).
- Members of this kingdom do not have to be taught to "*know the Lord*" for they all know Him (Hebrews 8:8-12).
- God's people no longer police the uncircumcised in heart. Rather, they police only the circumcised in heart.
- God's people no longer administer "*an eye for an eye*" (Matthew 5:38-48) because the nature of the kingdom changed at Pentecost.

NOTE: The law of retaliation (eye for eye) is still necessary for civil rulers dealing with the "uncircumcised in heart" (Romans 13:1-6). At one time, God's people administered that law, but no longer.

- When people commit fornication today, they deserve death (Romans 1:29-32), but God's people will no longer administer that deserved punishment.
- Since Christians may not administer the death penalty, when a spouse commits fornication, the only recourse the innocent Christian has is divorce (Matthew 19:9; 1 Corinthians 6:15-16).
- The congregation delivers the unrepentant fornicator to Satan (1 Corinthians 5:5, 11) while the innocent spouse divorces the one who "*broke wedlock*" (see Ezekiel 16:38).

## VARIOUS PROBLEMS

There are various other problems with the no-exception position.

## 1) The no-exception position ignores the mission of John.

The no-exception position states:

- During His earthly ministry, Jesus could not teach anything differently than what Mosaic Law already said.
- Jesus is restricted to clarifying Mosaic Law.
- Jesus spends His entire life calling people back to Mosaic Law without teaching one statute of His soon-coming, new kingdom.

All of the above overlooks John the baptizer.

- John teaches something new that Mosaic Law never taught – "*baptism in water for the remission of sins*" (Mark 1:4). Thus, John is allowed to do what Jesus is supposedly not allowed to do (teaching something new).
- John calls on men to repent and come back to keeping Mosaic Law in preparation for the coming King (Matthew 3:2).
- John was to "*restore all things*" and this he did (Matthew 17:11).

The no-exception theory says, in effect, that John failed. Jesus must now come behind John and re-do the assignment John was originally given. This is a problem for the no-exception theory.

## 2) The no-exception position ignores the new teachings of Jesus.

According to the no-exception position, if the Messiah teaches any new doctrine or commandment, He will be violating Mosaic Law. Teaching new law means the Messiah makes Himself a sinner and thus unable to be a Savior.

Who can believe such a doctrine? Jesus teaches many new doctrines and laws during His ministry that will be part of His soon-coming kingdom.

- Jesus teaches "*the gospel of the kingdom*" to the multitudes (Matthew 4:23).
- He teaches all meats are going to be "clean" and can be eaten (Mark 7:19).
- He teaches Jerusalem will no longer be the place of worship (John 4:21).

- He teaches the typical worship of the temple will no longer be valid (John 4:24).
- He teaches men must be baptized for salvation (John 3:5).
- He teaches how the members of the church will settle disputes between themselves (Matthew 18:15-17).
- He teaches men must believe in Him as the Son of God in order to be saved (John 8:24).
- He teaches the apostles will be the judges in the new kingdom (Matthew 19:28).
- He teaches "*new commandments*" about love (John 13:34).
- He teaches the communion (Matthew 26:26-29).
- He teaches "*mysteries of the kingdom*" in parables (Matthew 13).
- He forgives men of their sins without requiring them to go to the temple and offer sacrifice (Matthew 9:2).
- Jesus identifies His teachings as "*My commandments*" (Matthew 15:12) and "*My sayings*" (Matthew 7:24). These are not Moses' commandments and sayings.
- Jesus tells His apostles, "*I still have many things to say to you ...*" (John 16:12-13) indicating some gospel law has already been taught to them.
- He teaches men to pray to God in His name and states this was something new (John 16:24).
- He teaches the spiritual nature of the kingdom to unbelieving Pilate (John 18:36). This is New Testament doctrine.
- His teachings are like "*new wine*" which must be put into "*new wineskins*" (Luke 5:37-39). He explicitly says His teachings are not the "*old wine*" of Mosaic Law.
- He teaches that, to be His disciple, a man must "*abide in My word*" (John 8:32); but if Jesus only clarified Mosaic Law, His word would produce disciples of Moses – not disciples of Christ.
- He teaches blaspheming the Holy Spirit cannot be forgiven "*in the age to come*" (Matthew 12:32).
- He teaches, "*If you keep My word you will never see death*" (John 8:51). He is not referencing Mosaic Law when He says that.
- He teaches His own words will judge men "*in the last day*" (John 12:48). He is not referencing Mosaic Law.
- He teaches men must "*abide in the true vine*" for salvation (John 15:1-10). He is referring to His own teachings, not Mosaic Law.
- He gives a sermon which must be preached in the church throughout the gospel era (Mark 14:3-9).

- His last instructions are to go make disciples of all nations and "*teach them to observe all things whatsoever I have commanded you*" (Matthew 28:20). Obviously, Jesus taught kingdom-commandments during His earthly ministry which He now requires the apostles to teach to baptized converts.
- He speaks of a time when women can (but should not) divorce their husbands for trivial causes (Mark 10:12). This is shocking, because women are not allowed to divorce their husbands under Old Testament law. What Jesus says here agrees with what Paul quotes from the Lord in 1 Corinthians 7:10-11.
- He teaches, "*Whoever divorces his wife, except for fornication, and marries another, commits adultery*" (Matthew 19:9). He is not clarifying Mosaic Law when He says this.

### 3) **The no-exception position logically changes the canon of both the Old Testament and New Testament.**

If the four gospels (Matthew, Mark, Luke, John) contain no kingdom law for the church, if they contain nothing more than clarification of Mosaic Law, then the four gospels belong to the Old Testament canon – not the New Testament canon. Some no-exception preachers have already reached this conclusion. They teach the New Testament begins with the book of Acts while the four gospels belong to the Old Testament.

Think about the significance of this doctrine:

- If Matthew, Mark, Luke, and John are actually part of the Old Testament, then the Old Testament canon is not completed until long after the Mosaic Law ended with the Lord's death. Matthew, Mark, and Luke wrote their books first, but not until at least 20 years after the Lord's death.
- Worse yet, since John writes his gospel in the late 90s, the Old Testament canon is not actually complete until sixty-plus years after the Mosaic law ends if, indeed, John's gospel is part of the Old Testament canon.

Is this logical? Why would God write four books clarifying Mosaic Law sixty years after replacing that law with the New Testament gospel law? This is the logical conclusion of the no-exception doctrine.

#### 4) The no-exception position ignores the problem of polygamy.

Matthew 19:9 explicitly states that, except for fornication, if a man divorces his wife and marries another, he commits adultery. The no-exception theory argues this is Jesus clarifying Mosaic Law. If so, a problem arises because of polygamy.

The Old Testament allows men to have more than one wife (Exodus 21:10; Deuteronomy 21:15). On occasions, polygamy is even required (see Deuteronomy 25:5; see also 2 Samuel 12:8).

- Under Mosaic Law, a man is not committing adultery by divorcing his first wife and marrying another,
- Because under Mosaic law, a man is not committing adultery by keeping the first wife and marrying another ... and another ... and another.

A divorce law with only one exception works only under a monogamous system. If men have multiple wives, the one exception law will not work.

#### 5) The no-exception position ignores the death penalty of the Old Testament.

The Old Testament clearly teaches engaged or married female-fornicators should be stoned if they are free. (Slaves were treated differently – see below.) There is no divorce on the grounds of fornication under Mosaic law.

- a) Sex with an unmarried, unengaged girl results in a marriage. No divorce can ever take place over this (Deuteronomy 22:28-29).
- b) Sex with an engaged girl results in death. No divorce granted here (Deuteronomy 22:23-27).
- c) Premarital sex discovered in marriage results in death. No divorce granted here (Deuteronomy 22:13-14, 20-21).
- d) Extra-marital sex results in death. No divorce granted here (Deuteronomy 22:22).
- e) Suspected extra-marital sex is dealt with in Numbers 5:11-31. The woman in question dies if she is guilty.

If an engaged slave-woman commits fornication, explicit instructions are given that she should not be stoned:

**Leviticus 19:20**

<sup>20</sup> 'Whoever lies carnally with a woman who is betrothed to a man as a concubine, and who has not at all been redeemed nor given her freedom, for this there shall be scourging; but they shall not be put to death, because she was not free.

Question: Why specify "*they shall not be put to death*" in this particular case?

Answer: Because death was the penalty in all cases involving an engaged girl. The scriptures had to explicitly state an exception in the case of a slave-woman.

NOTE: No-exception brethren argue engaged or married women could be either (a) stoned to death or (b) spared by divorce. If so, the above passage becomes meaningless. If all engaged or married female-fornicators could be spared, why does Leviticus 19:20 explicitly state a slave-woman should not be stoned? The fact is: There was no option to begin with. Since there was no option, explicit instructions were given to spare the slave-woman. She is to be scourged, not stoned. This option did not apply to a free-woman. The engaged, free-woman was "surely put to death" in order to "put away evil from among you."

In spite of all these passages declaring the death penalty for engaged or married fornicators, the no-exception theory insists Deuteronomy 24:1-2 teaches divorce for fornication rather than the death penalty for free-women. Now a contradiction exists. Deuteronomy 22:20-21 says the non-virgin bride is to be stoned to death, but supposedly Deuteronomy 24:1-2 says the non-virgin bride is to live.



Deuteronomy 24:1-2	Deuteronomy 22:20-21
<p><sup>1</sup> "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 <b>writes her a certificate of divorce, puts it in her hand, and sends her out of his house,</b> <sup>2</sup> when she has departed from his house, and goes and becomes another man's wife ...</p>	<p><sup>20</sup> "But if the thing is true, and evidences of virginity are not found for the young woman, <sup>21</sup> then they shall bring out the young woman to the door of her father's house, and the men of her city shall <b>stone her to death</b> with stones, because she has done a disgraceful thing in Israel, to play the harlot in her father's house. <b>So you shall put away the evil from among you.</b></p>

The no-exception brethren give no explanation for the contradiction existing if these two passages are describing identical transgressions on the part of the wife. How will the rulers of Israel know when (a) to administer the death penalty or (b) require a simple divorce? Does the husband alone determine the fate of the wife? Does the husband alone determine (a) when evil should be "put away from among you," or (b) when evil shall be allowed to remain, flourish, and spread? Is the husband alone allowed to decide (a) when the woman is "surely put to death" (Leviticus 20:10) or (b) when the woman should be allowed to live, depart, and become another man's wife?

When the woman caught in adultery is brought to Jesus, He does not recommend divorce. He agrees that death is the correct penalty for the crime (see John 8:1-8). Is this not strange? "Moses commanded that such should be stoned, but what do you say?" the Pharisees ask. If divorce for fornication was a valid, Old Testament option, there would be no dilemma whatsoever. Jesus could easily have said, "Moses also said, 'Let her husband write her a bill of divorcement and send her away.'" However, Jesus could not say that because the Old Testament did not teach divorce for fornication. He did not teach Deuteronomy 24:1-2 was an alternative to Deuteronomy 22:20-21.

There was no divorce "for fornication" under Mosaic Law simply because the death penalty was required "to put away sin from among you" (Deuteronomy 22:20-21).

### Leviticus 20:10

<sup>10</sup> 'The man who commits adultery with another man's wife, he who commits adultery with his neighbor's wife, the adulterer and the adulteress, **shall surely be put to death.**

The words, "*shall surely be put to death*," do not indicate an option for divorce on the grounds of fornication.

**Exodus 21:17**

<sup>17</sup> "And he who curses his father or his mother **shall surely be put to death**."

In the case of cursing father or mother, "*surely be put to death*" meant there was no option available wherein a child could be spared the death penalty. Jesus Himself rebuked the Pharisees because they invented their own exception to this required-death-penalty. (Matthew 15:3-6) Their self-invented-exception to the death penalty made God's word void and did not "put away evil from among you."

The no-exception position commits the same violation. It makes Moses' Law of "no effect" by inventing an option whereby guilty fornicators could be spared by divorce. The no-exception doctrine "makes void the word of God" by its traditions.

**6) The no-exception position ignores the true reasons for divorce under Mosaic Law.**

When Matthew 19 and Mark 10 are compared, it becomes obvious Mosaic Law allowed divorce "for every cause." Jesus Himself agrees with this. (See "*Examining Mark's Gospel*," p. 7.) There were at least six "*hard-hearted*" reasons why Jewish men could divorce their wives under Mosaic Law:

**a) "She pleases not her master."**

**Exodus 21:7-8**

<sup>7</sup> "And if a man sells his daughter to be a female slave, she shall not go out as the male slaves do. <sup>8</sup> "If **she does not please her master**, who has betrothed her to himself, then he shall let her be redeemed. He shall have no right to sell her to a foreign people, since he has dealt deceitfully with her."

Notice, the wife did not deal deceitfully with the husband. No fornication was committed, yet divorce was allowed.

b) **The husband no longer wants to provide for his wife.**

**Exodus 21:9-11**

<sup>9</sup> "And if he has betrothed her to his son, he shall deal with her according to the custom of daughters. <sup>10</sup> "If he takes another wife, he shall not diminish her food, her clothing, and her marriage rights. <sup>11</sup> "And **if he does not do these three for her, then she shall go out free**, without paying money.

To "go out free" means the wife is no longer bound to the husband. She is divorced and free to marry another man even though she did not commit fornication.

c) **If the husband "delights not in [his wife]."**

**Deuteronomy 21:13-14**

<sup>13</sup> "She shall put off the clothes of her captivity, remain in your house, and mourn her father and her mother a full month; after that you may go in to her and be her husband, and she shall be your wife. <sup>14</sup> "And it shall be, **if you have no delight in her**, then you shall set her free, but you certainly shall not sell her for money; you shall not treat her brutally, because you have humbled her.

The woman in this particular case is a P.O.W. which means she is a virgin. Only virgins were spared in war. (Numbers 31:15-18) The husband humbled her (violated her virginity). There is no evidence whatsoever of unchastity on the woman's part. The husband himself took away her virginity, yet he divorces her anyway for a hard-hearted reason – he "has no delight in her."

d) **"Some uncleanness."**

**Deuteronomy 24:1**

<sup>1</sup> "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 ...

What did this word "*uncleanness*" mean back in Bible days?

**"some uncleanness"** (Heb: dabar ervah) – "*a thing offensive*" (Young)

The Hebrews had at least three words meaning fornication:

- *zanah* (Isaiah 23:17)
- *tumah* (Numbers 5:19)
- *taznuth* (Ezekiel 16:29)

None of these words are used in Deuteronomy 24:1. Whatever the "*uncleanness*" was in Deuteronomy 24:1 it was not fornication. The impure bride was to be put to death.

**Leviticus 20:10**

<sup>10</sup> 'The man who commits adultery with another man's wife, he who commits adultery with his neighbor's wife, the adulterer and the adulteress, **shall surely be put to death.**

**Leviticus 27:29**

<sup>29</sup> No person under the ban, who may become doomed to destruction among men, shall be redeemed, but **shall surely be put to death.**

Consider the following syllogism:

First Premise: If all fornicating wives were to be "*surely put to death*," then the "*some uncleanness*" of Deuteronomy 24:1, which allowed the wife to live, was something besides fornication.

Second Premise: All fornicating wives were to be "*surely put to death*" (Leviticus 20:10; 27:29).

Conclusion: Therefore the "*some uncleanness*" of Deuteronomy 24:1, allowing the wife to live, was something besides fornication.

Deuteronomy 24:1 is not teaching divorce for fornication.

e) **"Hate."**

**Deuteronomy 24:3-4**

<sup>3</sup> **"if the latter husband detests her** and writes her a certificate of divorce, puts it in her hand, and sends her out of his house, or if the latter husband dies who took her as his wife, <sup>4</sup> **"then her former husband who divorced her must not take her back to be his wife ...**

This husband simply detests his wife and divorces her. This was a hard-hearted man.

f) **If wife was a heathen.**

**Ezra 10:10-12**

<sup>10</sup> Then Ezra the priest stood up and said to them, "**You have transgressed and have taken pagan wives**, adding to the guilt of Israel. <sup>11</sup> "Now therefore, make confession to the LORD God of your fathers, and do His will; **separate yourselves** from the peoples of the land, and **from the pagan wives.**"

<sup>12</sup> Then all the assembly answered and said with a loud voice, "Yes! As you have said, so we must do.

Here are wives being divorced, not because they are fornicators, but because they are pagans. This divorce-action of Ezra 10 would not be allowed under gospel law (see 1 Corinthians 7:12-15). In all of the above cases, God's Old Testament law allowed divorce for reasons other than fornication. The no-exception doctrine ignores all of these true, hard-hearted reasons. When truly understood, Mosaic Law allowed divorce "for every cause" (Mark 10:1-5).

7) **The no-exception position says a man divorcing an unrepentant-fornicating wife is a "hard-hearted" action.**

This is foolish and unscriptural. It is not hard-hearted to divorce a fornicating wife who will not repent.

**Proverbs 12:4**

<sup>4</sup> An excellent wife is the crown of her husband,  
But **she who causes shame is like rotteness in his bones.**

God Himself divorced His unrepentant, fornicating wife (Israel):

**Isaiah 50:1**

<sup>1</sup> Thus says the LORD:  
"Where is the certificate of your mother's divorce,  
Whom I have put away?  
Or which of My creditors is it to whom I have sold you?  
For your iniquities you have sold yourselves,  
And for your transgressions your mother has been put away.

**Jeremiah 3:8**

<sup>8</sup> Then I saw that for all the causes for which backsliding Israel had committed adultery, I had put her away and given her a certificate of divorce; yet her treacherous sister Judah did not fear, but went and played the harlot also.

**Hosea 2:2-3**

<sup>2</sup> "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 ...

Was God being hard-hearted? Perish the thought – may it never be said. Divorcing an unrepentant, fornicating wife is not the "hard-hearted" reason Mosaic Law allowed for divorce.

**8) The no-exception position creates Bible contradictions.**

The no-exception theory says Matthew 19:9 is clarifying Mosaic Law. If so, notice this chart, which demonstrates a contradiction:

<b>Deuteronomy 24:1-2</b>	<b>Matthew 19:9</b>
The woman is divorced, departs and becomes another man's wife.	"Whoever marries her who is divorced commits adultery."

Deuteronomy 24:1-2 allows the put-away-woman to remarry; Matthew 19:9 does not. Matthew 19:9 is a new law which contradicts the old law. Matthew 19:9 is not an explanation of Mosaic Law.

Again:

<b>Deuteronomy 24:2</b>	<b>Matthew 19:9</b>	<b>Leviticus 20:10</b>
The woman is divorced, departs, and becomes another man's wife.	"Whoever marries her who is divorced commits adultery."	"The man who commits adultery with another man's wife, ... the adulterer and the adulteress, shall surely be put to death.

If Matthew 19:9 is Mosaic Law, why are the divorced woman and her second husband not put to death when they get married? After all, they are committing adultery according to Matthew 19:9 and the penalty for adultery is death (Leviticus 20:10). However Deuteronomy 24 allows for a remarriage without any death penalty. The no-exception doctrine creates a hopeless confusion between these Bible passages.

9) **The no-exception position does not allow the Lord to make His will while He is alive.**

The New Testament is the Lord's new "will" that comes into force after He dies (Hebrews 9:16-17). A last will and testament is made before a man dies. However, the no-exception position says the Lord may not make His will while He is alive. Should He make His will during the Mosaic dispensation, He would supposedly be violating Mosaic Law.

10) **The no-exception position does not allow the "New Moses" to be a lawgiver.**

**Deuteronomy 18:18-19**

<sup>18</sup> I will raise up for them a Prophet like [Moses] from among their brethren, and will put My words in His mouth, and He shall speak to them all that I command Him. <sup>19</sup> And it shall be that whoever will not hear My words, which He speaks in My name, I will require it of him.

Just as Moses delivered a new law, so the Messiah will be a lawgiver – bringing words which the Father puts in the His mouth (John 15:15). The no-exception theory will not allow this to happen.

**Isaiah 52:15**

<sup>15</sup> So shall [the Messiah] sprinkle many nations.  
Kings shall shut their mouths at Him;  
For **what had not been told them they shall see,**  
And **what they had not heard they shall consider.**

**Isaiah 42:4**

<sup>4</sup> [Messiah] will not fail nor be discouraged,  
Till He has established justice in the earth;  
And **the coastlands shall wait for His law.**

The above passages show the prophets predicted the Messiah would bring a new law – things the people "had not heard." When Jesus taught gospel law, He was not violating Mosaic law. He was fulfilling exactly what the prophets predicted would happen.

11) **The no-exception position is in a dilemma about Jesus teaching the gospel publicly or privately.**

There is no unity of thought among advocates of the no-exception doctrine.

- Some say Jesus actually did teach gospel law, but it was only done privately to His disciples.
- Some say Jesus never taught gospel law to anyone – not even His disciples.
- They all agree: If Jesus taught gospel law publicly, He would be sinning and would be unfit or unable to be our Savior.

Whatever it takes, the no-exception doctrine cannot have Jesus teaching gospel law openly because, if He did, perhaps Matthew 5:32 and 19:9 might be gospel law.

First, notice Jesus taught gospel law while He was on earth.

- He teaches Jerusalem will no longer be the place of worship (John 4:21).
- He teaches the typical worship of the temple will no longer be valid (John 4:24).
- He teaches men must be baptized for salvation (John 3:5).

(See the extended list of Jesus' teachings under "2) *The no-exception position ignores the new teachings of Jesus,*" p. 26.)

Second, Jesus taught the gospel openly to all the world.

**John 18:19-20**

<sup>19</sup> The high priest then asked Jesus about His disciples and His doctrine.

<sup>20</sup> Jesus answered him, "I spoke openly to the world. I always taught in synagogues and in the temple, where the Jews always meet, and in secret I have said nothing.



Notice the high priest asking Jesus about "*His doctrine*." These Jewish authorities recognized Jesus was teaching something different than Mosaic Law. Jesus declared, "In secret I have said nothing." Though Jesus spoke "openly to the world," He said this to the apostles when sending them out on the "limited commission":

**Matthew 10:27**

<sup>27</sup> "Whatever I tell you in the dark, speak in the light; and what you hear in the ear, preach on the housetops.

How can Jesus say to the disciples, "[Some things] I tell you [secretly] in the dark and [secretly] in the ear," and later tell the high priest, "I spoke openly to the world and in secret I have said nothing"? Is Jesus a liar? Of course not. On occasions, Jesus did instruct His apostles privately, but He eventually sent them out during the "limited commission" to preach "on the housetops" the gospel message He had taught them. The end result was: Jesus taught His gospel law openly to the world through His apostles and nothing was kept secret."

12) **The no-exception position is in a dilemma with Mark 10 and Luke 16.**

**Mark 10:10-12**

<sup>10</sup> In the house His disciples also asked Him again about the same matter. <sup>11</sup> So He said to them, "Whoever divorces his wife and marries another commits adultery against her. <sup>12</sup> And if a woman divorces her husband and marries another, she commits adultery."

**Luke 16:16-18**

<sup>16</sup> "The law and the prophets were until John. Since that time the kingdom of God has been preached, and everyone is pressing into it. <sup>17</sup> And it is easier for heaven and earth to pass away than for one tittle of the law to fail.

<sup>18</sup> "Whoever divorces his wife and marries another commits adultery; and whoever marries her who is divorced from her husband commits adultery.

There are three noticeable points from these two passages:

- Neither of these passages mention an exception for divorce.
- Mark 10:12 mentions a woman divorcing her husband.
- Luke 16:18 is mentioned just after the statement "Since [John's time] the kingdom of God is preached."

These two passages place the no-exception position in the following dilemma:

On the one hand:

- If Jesus is teaching Mosaic Law, why is no exception mentioned?
- If Jesus is teaching Mosaic Law, why does Mark 10:12 speak of a woman divorcing her husband – a thing never mentioned in the entire Old Testament scriptures.

On the other hand:

- If Jesus is teaching gospel law about divorce, He is directly contradicting Mosaic Law on divorce.
- The no-exception position says: "To teach gospel law while Mosaic Law is in force would be sinful."

Mark 10 and Luke 16 cannot be harmonized with the no-exception position. These passages place the no-exception brethren in a quandary with one another and with the scriptures.

NOTE: If Jesus can teach gospel law in Mark 10 and Luke 16, then He can also teach gospel law in Matthew 5:32 and 19:9. If teaching gospel law in Matthew is wrong (sinful), then teaching gospel law in Mark 10 and Luke 16 is likewise sinful.

**13) The no-exception position makes "hardness of men's hearts" equivalent with the moral impurity of a wayward wife.**

The no-exception position teaches Jesus was merely clarifying Mosaic Law in Matthew 5:32 and 19:9. If this is true, an unexplained problem surfaces:

- Jesus clearly taught the reason given for divorce under Mosaic Law was the "*hardness of men's hearts*" (Matthew 19:8). (Everyone agrees this is speaking of Mosaic Law.)
- But in Matthew 19:9 the reason given for divorce is *the moral impurity of the wife*.

Clearly Matthew 19:8 is one law (Mosaic Law) and Matthew 19:9 is a different law (gospel law). The no-exception position is forced to "convince" people that the "hardness of men's hearts" is equivalent to the moral impurity of a wayward wife. This is unreasonable and unfounded.

#### 14) The no-exception position invents an arbitrary rule of Bible interpretation.

**"Arbitrary"** – "based solely on personal wishes, feelings, or perceptions, rather than on objective facts, reasons or principles" (Encarta Dictionary). Synonyms include: random, chance, subjective, illogical, capricious, indiscriminate, haphazard (MS Word 2010 Thesaurus).

An arbitrary rule of Bible interpretation invented by the no-exception position is: Only commands which have been repeated in the Book of Acts or in the epistles are binding on Christians today.

This is arbitrary simply because none of the apostles ever taught such a doctrine. In fact, the opposite is true according to the following passage:

##### 1 Timothy 6:3-4

<sup>3</sup> If anyone teaches otherwise and does not consent to wholesome words, even **the words of our Lord Jesus Christ**, and to the doctrine which accords with godliness, <sup>4</sup> he is proud, knowing nothing ...

In this passage, Christians are commanded to "consent to" (obey) the words of the Lord Jesus. Baptized believers are to learn the commands the Lord gave the apostles prior to His crucifixion (Matthew 28:19-20).

##### Hebrews 1:1-2

<sup>1</sup> God, who at various times and in various ways spoke in time past to the fathers by the prophets, <sup>2</sup> has **in these last days spoken to us by His Son**, whom He has appointed heir of all things, through whom also He made the worlds ...

##### Hebrews 2:3

<sup>3</sup> how shall we escape if we neglect so great a salvation, which **at the first began to be spoken by the Lord**, and was confirmed to us by those who heard Him ...

The "great salvation" referenced in this last passage is speaking of the gospel which saves men today (1 Corinthians 15:1-2). Jesus Himself began to speak the words of this gospel. All these passages confirm that Jesus taught the words of the gospel during His earthly ministry and Christians are to obey what He taught.

**Acts 20:35**

<sup>35</sup> ... remember the words of the Lord Jesus, that He said, 'It is more blessed to give than to receive.'

Did Jesus teach gospel law Himself? Are Christians to remember what He taught? Acts 20:35 answers the question in the affirmative.

Consider the following list of things which the Lord taught during His earthly ministry which are never repeated in the epistles:

- Matthew 5:22 – calling someone a "fool" will cause a person to be in danger of hell fire. This is not repeated in the epistles.
- Matthew 5:23 – brethren must settle their differences before attending worship. This is never repeated in the epistles. It is gospel law.
- Matthew 6:1-18 – giving alms, praying, and fasting to be seen of men are all forbidden by the Lord, but these instructions are never repeated in the epistles.
- Matthew 18:15-17 – rules about how to settle problems between fellow believers in the church are not repeated in the epistles. Must these rules be followed? If so, the Lord spoke gospel law during His earthly ministry.
- Matthew 23:9 – "call no man on earth your father." Are no-exception brethren opposed to the Catholic Church's practice of calling priests "father"? If so, why? This precept is never repeated in the epistles.
- Matthew 25:34-46 – "in as much as you have done it to the least of these My brethren, you have done it unto Me." This is never repeated in the epistles. Christians may not dismiss the teachings of this passage as merely being an explanation of Mosaic Law. This is gospel law.
- Matthew 26:6-13 – the church would not know to preach "in the whole world what this woman has done ... as a memorial to her" if it were not for the gospel accounts.

- Matthew 26:26-29 – the church would not know to use "unleavened" bread nor "fruit of the vine" in communion without such passages from the gospel accounts – for this information is not repeated in the epistles.

The very fact that the apostles repeated the teachings of Jesus proves that Jesus taught gospel law during His earthly ministry.

- 1 Corinthians 9:14 – repeats the teachings of the Lord about financial support of preachers. Hence, the Lord taught gospel law in Matthew 10:10.
- 1 Corinthians 11:23-25 – repeats the teachings of the Lord about the Lord's supper. Hence, the Lord's teachings about communion, found in Matthew 26:26-29, are to be accepted as gospel law. This would include instructions about "unleavened" bread and "fruit of the vine" which are never repeated in the epistles.
- Romans 14:14 – repeats the teachings of the Lord about all meats being "purified" as taught by the Lord in Mark 7:19.
- 1 Timothy 5:18 – gives a quote from the Lord ("The laborer is worthy of his wages") found only in Luke 10:7. This demonstrates that Luke's gospel contains gospel law.
- Titus 3:5 – repeats the teachings of the Lord about being "born of water and of the Spirit." This proves the Lord taught gospel law to Nicodemus in John 3:5.
- James 1:12 – repeats the saying of the Lord that "he who endures to the end will be saved." This shows the Lord's teachings of Matthew 10:22 are gospel doctrine.
- James 5:12 – repeats the teachings of the Lord about swearing. This means the Lord taught gospel law in Matthew 5:33-37.
- 1 Peter 2:21 – Christians are exhorted to follow the example of the Lord. In other words, the entire life of the Lord is to be studied and emulated. His very life was a gospel-example to be followed.
- Finally, 1 Corinthians 7:10-11 – repeats the teachings of the Lord concerning divorce and remarriage. This proves the Lord taught gospel law in Mark 10:10-12 and Luke 16:16-18. These passages are parallel with Matthew 5:32 and 19:9. Therefore, the Lord taught gospel law in Matthew 5:32 and 19:9.

The passages listed above clearly show: The apostles freely drew from the Lord's teachings and taught them to the church because they realized the Lord was on the earth "teaching and preaching the gospel of the kingdom" (Matthew 4:23).

### **Matthew 7:26-27**

<sup>26</sup> "[Jesus said] everyone who hears these sayings of Mine, and does not do them, will be like a foolish man who built his house on the sand: <sup>27</sup> and the rain descended, the floods came, and the winds blew and beat on that house; and it fell. And great was its fall."

The no-exception doctrine, if followed, would make a "foolish man" out of every person. Jesus said men must "hear" and "do" His sayings, but the no-exception doctrine arbitrarily says, "Only those things which are repeated in the epistles are gospel law." In essence, the no-exception doctrine teaches men and women to build their houses on sand.

### **15) The no-exception position ignores the significance of Jesus' miracles.**

Signs and miracles always accompany new revelation.

### **Mark 16:20**

<sup>20</sup> And they went out and preached everywhere, the Lord working with them and confirming the word through the accompanying signs. Amen.

### **Hebrews 2:3-4**

<sup>3</sup> how shall we escape if we neglect so great a salvation, which at the first began to be spoken by the Lord, and was confirmed to us by those who heard Him, <sup>4</sup> God also bearing witness both with signs and wonders, with various miracles, and gifts of the Holy Spirit, according to His own will?

Miracles confirm the divine origin of new revelation. The absence of new revelation means the absence of miracles. Jesus, however, performed miracles because He brought new revelation. If Jesus only clarified the true meaning of Mosaic Law, without giving new revelation, there would be no purpose for His miracles.

### **John 10:37-38**

<sup>37</sup> If I do not do the works of My Father, do not believe Me; <sup>38</sup> but if I do, though you do not believe Me, believe the works, that you may know and believe that the Father is in Me, and I in Him."

Jesus was calling on men to "believe Him," that is, to believe the words He spoke. His words were verified, not by Moses' Law, but by the miracles He performed. Why would Jesus use miracles if everything He taught merely clarified Mosaic Law? The very fact that Jesus performed miracles demonstrates He brought new revelation. That new revelation was called "the gospel" (Matthew 4:23).

## **"GOD HATES DIVORCE"**

### **Malachi 2:16**

<sup>16</sup> **For the LORD God of Israel says**

**That He hates divorce,**

For it covers one's garment with violence,"

Says the LORD of hosts.

"Therefore take heed to your spirit,

That you do not deal treacherously."

No-exception preachers often use this passage to "prove" everyone divorcing a spouse is angering God. Each offender will answer to God in judgment for doing so. Before reaching a hasty conclusion, look carefully at the context:

### **Malachi 2:14-16**

<sup>14</sup> 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.

<sup>15</sup> But did He not make them one,

Having a remnant of the Spirit?

And why one?

He seeks godly offspring.

Therefore take heed to your spirit,

And **let none deal treacherously with the wife of his youth.**

<sup>16</sup> "For the LORD God of Israel says

That **He hates divorce,**

**For it covers one's garment with violence,"**

Says the LORD of hosts.

"Therefore take heed to your spirit,

That you **do not deal treacherously."**

This passage rebukes the husband. The husband is dealing "*treacherously*" with his wife. The husband is treating the wife "*with violence*."

Question: Is this wife a guilty fornicator? Has she been "*cheating*" on her husband?

Answer: No, she is not guilty of fornication.

Question: How does one know she is not guilty of fornication?

Answer: If she is guilty of fornication, she is "surely put to death," not divorced (Leviticus 20:10; Deuteronomy 22:20-22).

Question: If the wife is a guilty fornicator, and the death penalty is invoked, would God then say to the husband, "*you cover your garments with violence*"?

Answer: No, God cannot say that, because He Himself requires the death penalty for fornication (see Deuteronomy 22:20-22; Numbers 25:7-13; Psalm 106:30-31).

Question: If the wife is not a guilty fornicator and is not "*cheating*" on her husband, why is this man divorcing her?

Answer: He is divorcing her because he does not want to provide (a) food, (b) clothing and (c) marriage rights for her (Exodus 21:10-11). He is divorcing her after treating her deceitfully (Exodus 21:7-8). He "*humbled her*" and then does not want her (Deuteronomy 21:13-14).

In all these ways, men mistreated their innocent, faithful wives. These wives are not guilty fornicators, and the divorcing that occurs is not for fornication.

Question: Momentarily supposing the Old Testament teaches divorce "*for fornication*," if the wife has been guilty of fornication, will God be angry with the husband for divorcing a fornicating, cheating wife who will not repent? Will He accuse the husband of "*dealing treacherously ... with violence*" if the husband divorces a cheating, unrepentant, fornicating wife?

Answer: No, God will not be angry with the husband in this case. Even God Himself divorced His own cheating, fornicating, and unrepentant wife (see Jeremiah 3:8; Isaiah 50:1; Proverbs 12:4).



CONCLUSION: Malachi 2:16 is not discussing a faithful husband who divorces a cheating, fornicating, defiled, unrepentant wife on the grounds of fornication (Matthew 19:9; 1 Corinthians 6:15-18).

## GOD DIVORCED HIS WIFE

Question: According to Jeremiah 3:8 God divorced His wife (Israel) on the grounds of her fornication (adultery). Does this demonstrate that during the Mosaic dispensation Jewish husbands were allowed to divorce their wives on the grounds of fornication (adultery)?

Answer: No, Jeremiah 3:8 does not teach Jewish men could divorce their wives for fornication.

First, the Mosaic provision for divorce was granted "for the hardness of your hearts" (Matthew 19:8). If divorce "for fornication" is Mosaic Law and if it was for "the hardness of your hearts," then God Himself was being hard-hearted when putting away His "wife." God is not hard-hearted.

Second, what God did with His "wife" does not justify what Jews could do with their wives under Mosaic Law. God divorced His "wife," but was willing to receive her back after she had been the wife of another.

### Jeremiah 3:1

<sup>1</sup> "They say, 'If a man divorces his wife, And she goes from him And becomes another man's, May he return to her again?' Would not that land be greatly polluted? But you have played the harlot with many lovers; **Yet return to Me," says the LORD.**

Jews were strictly forbidden to do what God was going to do with His "wife":

### Deuteronomy 24:4

<sup>4</sup> "then her former husband who divorced her must not take her back to be his wife after she has been defiled; for that is an abomination before the LORD, and you shall not bring sin on the land which the LORD your God is giving you as an inheritance.

Jeremiah 3:1 clearly demonstrates that what God was doing with His "wife" could not be practiced by Jews under their law. Therefore, Jeremiah 3:8 cannot be used to show that what God did with His "wife" (divorce on the grounds of fornication) was allowed to be practiced by the Jews themselves.

Third, Jeremiah 3:8 teaches God was actually married to two sisters simultaneously (Judah & Israel). A man married to two sisters was strictly forbidden by Mosaic Law:

**Leviticus 18:18**

<sup>18</sup> Nor shall you take a woman as a rival to her sister, to uncover her nakedness while the other is alive.

Jeremiah 3:8 itself clearly shows God doing something which a Jew was not allowed to do under Mosaic Law. If a Jew could not marry two sisters (like God did), neither could a Jew divorce for fornication (like God did).

## **JOSEPH & MARY** **(The Argument)**

No-exception preachers appeal to the case of Joseph and Mary in an effort to "prove" the Old Testament allowed divorce on the grounds of fornication as per Matthew 19:9. Here is the reasoning of the no-exception preachers:

- Joseph sees Mary is pregnant.
- He knows the child is not his.
- Joseph "naturally" suspects fornication on Mary's part.
- He is a nice fellow and does not want to see Mary put to death, so he decides to divorce her on the grounds of fornication.

This view is called the "*suspicion view*" because Joseph is suspicious that Mary has committed fornication. This was the view of Augustine (AD 354-430).

1) **This Joseph scenario contradicts the no-exception position on Malachi 2:16.**

The no-exception theory argues God "*hates all divorce*" as Malachi 2:16 supposedly teaches. The no-exception doctrine says only a hard-hearted, unforgiving husband who "*deals treacherously ... with violence*" (Malachi 2:14-16)

divorces his wife for fornication and God hates this. Now the case of Joseph is being used to "*prove*" the Old Testament allows divorce "*for fornication*."

- However, Joseph is being kind – not hard-hearted.
- He does not want to "make Mary a public example."

It cannot be both ways. Either Joseph is a hard-hearted man or a kind man. Which is he? The no-exception theory cannot decide.

## 2) **This "Joseph argument" hinges on unprovable assumptions.**

It cannot be proven that Joseph suspected Mary of fornication. This is an inference, but it is not a necessary-inference (a big difference).

Here is a list of unproven assumptions:

- It is assumed Joseph is ignorant of a virgin-birth-pregnancy.
- It is assumed Joseph never talks with Mary about her pregnancy, or if he does talk to her, he simply cannot believe her tale.
- It is assumed it takes an angel appearing to Joseph to convince him that Mary is innocent of wrongdoing.
- It is assumed the divorce Joseph plans is "*for fornication*."

If these assumptions are wrong, the argument fails. In a moment, it will be shown these assumptions are not "necessary-assumptions."

## 3) **This argument ignores the wording of the passage.**

The passage does not say Joseph is angry, or hard-hearted, or hurt, or any other negative attitude ordinarily attributed to men divorcing cheating, unrepentant wives.

- Joseph is "*just*" according to the text (Matthew 1:19). This means he is not "hard-hearted" as mentioned in Matthew 19:8.
- Joseph is "*kind*" and not willing to make Mary a public example (Matthew 1:19).

## JOSEPH & MARY (Answering The Argument)

Admittedly, the most popular assumption is that Joseph suspects Mary of fornication, but this is not a necessary assumption. Another plausible view, which takes all the facts of the case into consideration, is called the "*humility view*." The "*humility view*" states Joseph learned early on that Mary was the virgin of Isaiah 7:14. In his humility, he felt he would be interfering with God's plans of bringing the Savior into the world, so he decided to divorce Mary and remove himself quietly from the scene. This was the view of Origen (AD 182-254) and Jerome (AD 347-420).

Robert Gundry explains the "*humility view*":

... the later words of the angel to Joseph, "... do not fear to take Mary as your wife" (v20), suggest reverential hesitation to intrude rather than suspicion of unfaithfulness; i.e., Matthew portrays Joseph ... as fearing to do wrong by taking Mary to wife when she was pregnant by divine causation. Then the statement in v18, "she was found to be pregnant through the Holy Spirit," does not come as a piece of advance information to the reader, but bears its more natural sense that Joseph found out the reason for, as well as the fact of, Mary's pregnancy early in the episode (and presumably from Mary; cf. Luke 1:26-45). *That*, not a wrong deduction, left Joseph in a quandary. In deference to the Holy Spirit he decided to divorce Mary. In consideration of Mary he planned to hand her the certificate of divorce without any witnesses at all. The Mosaic law did not require them, anyway. They had become customary to protect a man from a divorced wife's false denial of divorce. But, according to Matthew, Joseph intended to waive that precaution. The angel will repeat what Joseph already believed both to assure him of its truth and to provide a basis for the command to marry. Meanwhile, readers of Matthew have no reason to suspect Mary of what not even Joseph suspected her.

(Robert Gundry, Matthew Commentary, pp. 21-22)

John McHugh shares this view:

If one assumes that, according to Matthew, Mary told Joseph about her virginal conception and that Joseph believed her, then the whole passage becomes clear. Joseph was an upright man, that is, a man

who observed the Mosaic Law scrupulously, out of reverence for God. When he learnt that Mary had miraculously conceived a child who was to be the son of God, his first reaction must have been to withdraw from his engagement to marry this singularly favoured woman. As an upright man, full of reverence for God, he would fear to take such a woman as his wife, sincerely believing that there was now no place for him at Mary's side.

(John McHugh, The Mother of Jesus in the New Testament, p. 167)

Salmerón likewise held this view:

In his modesty, he thought he was unworthy of so great an honour, of living with so great a Virgin. He wanted to give the Incarnate Word and his most holy Mother their rights, i.e. to pay them that honour and reverence to which they were entitled. That is why he thought of releasing Mary from her engagement. ... This was the thought and the motive in Saint Joseph's mind. He recognized his own insignificance and his own unworthiness, and contrasted them with the excellence and the eminence of his spouse, who had been made Mother of the Messiah and of God. And so, in his modesty and humility, he began to think of divorcing her, for he feared that to share a house and a home with her might be offensive to God.

(Salmerón, via, McHugh, The Mother of Jesus in the New Testament, pp. 167-168)

This interpretation certainly fits the wording of the passage.

### 1) **The words "of the Holy Spirit" are now being explained.**

Matthew 1:18 explicitly states Mary was found with child "*of the Holy Spirit*." That is, she was not simply found to be with child; the pregnancy was found to be "*of the Holy Spirit*." The "suspicion view" completely ignores this phrase. Why? Because if Joseph knows beforehand the child is "*of the Holy Spirit*," the case is ruined for the no-exception position. If Joseph knows beforehand the child is divine, his thoughts of divorce must not be "for fornication." Rather, his thoughts of divorce will of necessity be for a non-capital-offense (i.e., a non-fornication-matter).

What is Joseph to do now that he discovers his wife is having a child by the Holy Spirit? He fears if he goes ahead and marries Mary, he will be interfering with God's purposes.

## 2) The "just" side of Joseph is now explained.

The passage explicitly says Joseph was a "just man" (Matthew 1:19). Being "just" does not mean being merciful or kind. Rather, "just" means Joseph keeps the law of God. If the "suspicion view" were correct, Joseph would be required to have Mary stoned to death in order to "put away evil from among you" (Deuteronomy 22:20-21). A "just man" cannot allow immoral behavior to go unpunished.

In contrast, the "humility view" says Joseph was "afraid" of interfering with God's plans. He wishes to divorce his wife and remove himself quietly from the scene. He does not want to intrude into God's plans, and he contemplated a divorce for a non-capital-offense. His use of the divorce law (Deuteronomy 24:1) demonstrates clearly the law allowed for divorce in non-capital-offenses (i.e., non-fornication-matters). Keeping the law means Joseph is required to actually write out a certificate of divorce and hand it to Mary. The law required this and Joseph the "just man" will comply with the law.

## 3) The "private divorce" is now explained.

Joseph contemplates writing a certificate of divorce as required by the law (Deuteronomy 24:1), but he would not take any witnesses when he presented the certificate to Mary. Witnesses were not required by the law anyway. It would be a private proceeding without witnesses.

The certificate of divorce was for the woman's protection and was commanded by God. If there is a divorce, the certificate was required (see Deuteronomy 24:1). The certificate spares the woman from death in the event she marries another man and the ex-husband claims in the future she is still his wife. In fact, it would be suicide for a second man to marry the woman if she lacked the certificate (see Leviticus 20:10).

Witnesses were for the man's protection but were not required by law. An ex-wife might claim she was never divorced from the husband and was therefore entitled to property upon his death. To protect himself and his heirs, the husband had witnesses who could verify, if needed, that the woman was actually given a certificate of divorce.

Joseph was not afraid of Mary. He was not afraid she would claim in the future to still be married to him. He trusted her because he knew her impeccable character. He would not need witnesses. He would put her away privately.

#### 4) The "fear" of Joseph is now explained.

Joseph is "afraid" to marry Mary. If the "suspicion view" were true, Joseph would likely be filled with rage or disappointment. Instead, Joseph's problem is "fear," which fits perfectly with the "humility view." He is afraid of marrying a woman who is bearing the Son of God. His fear is that he will be interfering with God's plans.

#### 5) The angel's message is now explained.

The "suspicion view" believes the angel is revealing new information to Joseph of which he had been previously uninformed. The "humility view" takes the most obvious and natural reading of Matthew 1:20-21.

Notice the sentence, "Joseph, son of David, do not be afraid to take to you Mary your wife, for that which is conceived in her is of the Holy Spirit." The word "for" (γάρ) is translated "because" in some translations (see the NIV and HCSB). When translated "because," the sentence reads, "Joseph, son of David, do not be afraid to take to you Mary your wife, [just because] that which is conceived in her is of the Holy Spirit." Read like this, the angel is actually telling Joseph not to allow the fact that the child is divine to stop him from marrying his fiancé. The "humility view" says Joseph was "afraid" of interfering with God's plans, but the angel is actually revealing that Joseph has a part in the plan. This brings the reader to the final point:

#### 6) The words "son of David" are now explained.

Look at Matthew 1:20. The angel says, "Joseph, son of David, do not be afraid to take to you Mary your wife." The angel stresses Joseph is a "son of David." Examine the genealogy found in verses 1-17. This is the genealogy of Joseph. (Mary's genealogy is found in Luke 3.) In order for the Messiah to come into the world, He must enter through a woman without a human father. However, to have legal claim to the throne of David, the Messiah must be adopted by a human father from David's lineage. Joseph's part of God's plan is to name the child "Jesus" (Matthew 1:21). By naming the child, Joseph will be adopting the child as his own. According to Jewish custom, when a father names a child, the father is adopting (claiming) the child to be his own. (See Exodus 2:10 where Pharaoh's daughter named the baby "Moses." Naming the child was an act of adopting him as her own.)

Thought-provoking questions:

- a) Is it possible for Joseph to know beforehand and believe Mary's child is "of the Holy Spirit"?

Answer: Yes; Mary could simply tell Joseph herself.

- b) Is it possible for Mary to inform Joseph and is it possible for him to believe her?

Someone objects: "NO! That's not possible!"

- c) Why is that not possible?

Someone objects: "Because who could believe a story like that?"

- d) Do you believe Mary is bearing a child by the Holy Spirit? Do you believe she is a virgin?

Someone admits: "Well ... yes."

If Christians today can believe the story of a virgin having the Son of God, why can Joseph not believe that same story? If the story is completely unbelievable, how could anyone ever believe it? The scriptures are crying out to Christians to believe in the virgin birth of the Lord! Belief in the virgin birth of Christ is essential for salvation (see John 8:24). If Joseph cannot believe the story when Mary tells him, why should anyone today believe the story?

CONCLUSION: The "Joseph and Mary argument" is actually no argument at all. The "suspicion view" ignores the wording of the text (e.g., "of the Holy Spirit," "just man," "son of David," "afraid") and makes assumptions which cannot be proven.

The "humility view" answers the wording of the text throughout. Furthermore, the scriptures state the people were "in expectation" of the Messiah (Luke 3:15). They knew the time was near. When a virgin was found to be "with child of the Holy Spirit," it would have been believable because the prophet predicted this would happen (Isaiah 7:14).

The "Joseph and Mary case" does not prove Mosaic Law allowed divorce "for fornication." Rather, it proves just the opposite. It proves a "just man" could divorce a wife for non-capital-offenses (i.e., non-fornication-matters).



## THE SERMON ON THE MOUNT

(Matthew 5-7)

The no-exception position makes many arguments regarding the Sermon on the Mount found in Matthew 5-7. If this sermon constitutes "kingdom law," the exception for divorce found in Matthew 5:32 applies today. It means a Christian can divorce and remarry for one cause: fornication.

To eliminate this sermon from possibly applying to Christians today, the argument is made that Jesus is merely clarifying Mosaic Law – teaching what the law "really meant" – as if the law is so ambiguous and difficult it (a) first needs to be revealed and then (b) needs a divine commentator to explain "what it really means."

Calvinists make this argument. Calvinists argue sinners cannot know God's will until (a) first God reveals His will in scripture and (b) then sends the Holy Spirit to "enlighten" their understanding so they can understand what is written. In essence, God's word becomes no revelation at all. Why does God give His word to begin with if an extra-biblical operation of the Spirit is necessary to understand it? Why not dispense with the scriptures entirely and simply have direct revelation to each individual sinner?

In essence, the no-exception theory utilizes this Calvinistic approach. Supposedly, unless Jesus explains what the Mosaic Law "really means," the Jews are unable to know God's will for them. Unfortunately, for the Jewish nation, Jesus waits until the very last days of the Mosaic dispensation to explain what the law "really means." Why did Jesus do that? Why did Jesus not come at the beginning of the Mosaic dispensation in order that future generations could know exactly what the Mosaic Law meant?

Following are some of the arguments advanced by the no-exception position in an effort to "prove" the Sermon on the Mount is simply clarification of Mosaic Law:

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**Argument #1:** Matthew 5:17 says, "*Think not that I came to destroy the law or the Prophets. I did not come to destroy but to fulfill.*" If Jesus teaches New Testament law, He will destroy the law and prophets.

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Answer: Matthew 5:17 is not teaching Mosaic Law shall last "till heaven and earth pass away." Instead, Mosaic Law will last "till all is fulfilled" regarding the

Messiah's ministry (see Luke 24:44; Acts 13:29). "Destroy" and "fulfill" represent two different methods of ending Mosaic Law. Jesus is merely pointing out which method He will use. He will use the method of "fulfillment" rather than "destruction."

When Jesus, as the Messiah, teaches the terms of the new law, He is fulfilling the prophecy found in Deuteronomy 18:18-19. He is not destroying Mosaic Law. He is fulfilling what Moses prophesied would happen. Nor is Jesus teaching His new laws will be implemented immediately. His new laws will come into force after He dies (see Hebrews 9:16-17).

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**Argument #2:** Matthew 5:19 says, "*Whoever therefore breaks one of the least of these commandments, and teaches men so, shall be called least in the kingdom of heaven.*" If Jesus teaches gospel law while Mosaic Law is in force, He will be teaching men to break Mosaic Law.

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Answer: When Jesus teaches a "past law" about marriage (Matthew 19:4-6), is He teaching men to break Mosaic Law? Of course not. When Jesus teaches the future, post-resurrection law about marriage (Matthew 22:30), is He teaching men to break Mosaic Law? Of course not. Therefore, when Jesus teaches a future church-law about marriage and divorce (Matthew 19:9), He is not teaching men to break Mosaic Law.

A future-law can be taught as a future-law without causing anyone to violate the present existing law. To illustrate, the US Congress passed a new healthcare law (Obamacare) in 2010 which would "come into force" in 2014. When insurance companies began telling people in 2010 about a new-coming law, they were not causing anyone to violate the then-current-old-law. Likewise, Jesus taught about His new-coming kingdom law without causing anyone to violate the then-current Mosaic Law.

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**Argument #3:** Matthew 5:21 says, "*You have heard that IT WAS SAID to those of old ...*" Jesus is referring to the perverted teachings of the Pharisees – what they "said." This does not refer to what is written in Mosaic Law. When Jesus refers to actual scripture, He always says, "*It is written,*" or "*Have you not read?*" Therefore, the contrastive teachings that follow are a contrast between the perverted teachings of the Pharisees and what Mosaic Law actually meant.

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Answer: First, Matthew 5:21 is the Mosaic Law. (Read Exodus 20:13.)

Second, Jesus does not always say, "*It is written*," when quoting from Moses' Law. (Read Luke 4:12 and Hebrews 4:7.)

Third, when Jesus says, "*But I say to you ...*," the teaching that follows is new legislation that Mosaic Law did not teach. For example:

**Contrast #1 (Matthew 5:21-26).** Mosaic Law does not teach anger is equivalent to murder. Mosaic Law does teach murder is wrong. It also teaches anger is wrong. It does not teach anger is equivalent to murder. This is new. If anger was equivalent to murder under Mosaic Law, then men would have been executed for being angry because capital punishment was the penalty for murder. Men were not executed for being angry under Mosaic Law because anger and murder were not equivalent under that law. Jesus is teaching something new here.

**Contrast #2 (Matthew 5:27-30).** Mosaic Law does not teach lust is equivalent to adultery. Mosaic Law does teach adultery is wrong. It also teaches lust is wrong. It does not teach lust is equivalent to adultery. The penalty for adultery (death) did not apply to the sin of lust. Jesus is teaching something new.

**Contrast #3 (Matthew 5:31-32).** Mosaic Law does not teach divorce for fornication. When an engaged or married woman has sex with another man, the penalty is always death, not divorce. Jesus is teaching something new.

**Contrast #4 (Matthew 5:33-37).** Mosaic Law regulates oaths in court. When Jesus says, "*But I say to you, swear not at all*," He is teaching something completely new and different.

**Contrast #5 (Matthew 5:38-42).** Mosaic Law gives the "eye for an eye" law to control men with uncircumcised hearts. Jesus gives a new law for His new spiritual kingdom, "Turn the other cheek." This is completely new and different.

**Contrast #6 (Matthew 5:43-48).** Mosaic Law teaches hatred and violence toward national enemies. Jesus gives a new law for his new spiritual kingdom, "Love your enemies."

(For more information go to [www.WillOfTheLord.com](http://www.WillOfTheLord.com). Do a "Keyword Search" for "*Sermon on the Mount*." All the contrasts of Matthew 5 are fully explained and proven to be new teachings that Mosaic Law does not teach.)

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**Argument #4:** Matthew 5:22 says, "*And whoever says to his brother, 'Raca!' shall be in danger of THE COUNCIL.*" This is a reference to the Jewish Sanhedrin Council. This is Mosaic Law for Jews living under Mosaic Law.

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Answer: Jesus is merely using objects and institutions (the Sanhedrin Council) to illustrate. The Jewish Supreme Court (Sanhedrin) would never hear a case where one Jewish citizen called another person a name ("raca," meaning "empty-head"). A name-calling-case might appear in some lower court, but certainly not the Supreme Court.

Jesus is teaching the true "Supreme Court" (God) will one-day judge men for things they say (see Matthew 12:36-37). The Jewish Council is merely a familiar object to teach a lesson about future divine judgment.

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**Argument #5:** Matthew 5:23 says, "*Therefore if you bring your gift to THE ALTAR ...*" Obviously Jesus is teaching something that applies under the Mosaic Law that requires offering sacrifices on an altar.

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Answer: As with "Argument #4," Jesus is merely using objects that are familiar to His audience in order to illustrate His point. The point of verse 23 is that men must settle their feuds with others before coming to worship.

Consider Hebrews 13:10, "[Christians] have an altar from which those who serve the tabernacle have no right to eat." This obviously is New Testament teaching applying to Christians. Does the mention of an "altar" in this verse indicate this is Old Testament doctrine? Of course not.

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**Argument #6:** Matthew 5:43 says, "*You have heard that it was said, 'You shall love your neighbor and hate your enemy.'*" Mosaic Law never teaches such a thing. Jesus is contrasting the perverted teachings of the Pharisees with the correct understanding of Mosaic Law.

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Answer: Matthew 5:43 is not speaking about personal enemies within the borders of Israel. Passages like Proverbs 25:21-22 and Exodus 23:4 are speaking of personal enemies. In Matthew 5:43 the passage is discussing national enemies which Israel is told to "utterly destroy" when they enter the land of Canaan. Joshua 11:11 says, "*They struck all the people who were in it with the edge of the sword, utterly destroying them. There was none left breathing.*" Deuteronomy 7:16 says, "*You shall destroy all the peoples whom the LORD your God delivers over to you; your eye shall have no pity on them; nor shall you serve their gods, for that will be a snare to you.*" More passages teach the same hatred Israel was to have for national enemies.

When Jesus says, "*But I say to you, love your enemies ...*," He looks toward the great commission wherein the gospel will be offered to all nations of the earth – "every creature" in every nation. (Matthew 28:19; Mark 16:15) Jesus was giving New Testament legislation in Matthew 5:44-48.

## **ROMANS 7:1-4**

### **Romans 7:1-4**

<sup>1</sup> 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? <sup>2</sup> For the woman who has a husband is bound by the law to her husband as long as he lives. But if the husband dies, she is released from the law of her husband. <sup>3</sup> 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. <sup>4</sup> Therefore, my brethren, you also have become dead to the law through the body of Christ, that you may be married to another — to Him who was raised from the dead, that we should bear fruit to God.

Question: Why is the "exception" not mentioned in this passage?

Answer: The "exception" is not mentioned simply because the husband, in this passage, is not a guilty fornicator giving an exception to the wife for divorce and remarriage.

This passage is simply an illustration of how a Jew is freed from Mosaic Law. The purpose of the illustration is **not** to teach all the details about marriage and divorce.

In the illustration, there are two people – a husband and a wife. In this case, the husband is the Mosaic Law. This husband is "holy, just, and good" (Romans 7:12). The Law is not an unfaithful husband. The Law is not "cheating" on the wife. The Law cannot be "put away" as if it were an unfaithful, cheating, fornicating spouse.

Now consider the wife. The wife, in this illustration, is the Jew. The wife is married to her husband (the law). It is possible for the wife to become unfaithful to the husband, but the husband (the law) will never become unfaithful to this wife (the Jew). If the Jew is ever freed from Mosaic Law, it must be on some other grounds than unfaithfulness on the part of the husband.

Suppose the divorce law of Deuteronomy 24:1-4 is the marriage/divorce law under consideration in Romans 7.

- The wife could not divorce a husband for any cause, because the wife did not have the option of divorcing under the law of Deuteronomy 24. Only the husband had this option.
- Even if the wife had the choice of divorcing under the Deuteronomy 24 law, the husband in this case (Moses' Law) was "holy, just, and good" (Romans 7:12). The wife (Jew) cannot argue she has "*found some uncleanness*" in the husband and is therefore divorcing him and "sending him away."

Suppose the divorce law of Matthew 19:9 is the marriage/divorce law under consideration in Romans 7.

- According to Matthew 19:9, any wife who divorces a husband and marries another commits adultery "*except in the case of fornication.*"
- If the husband is a fornicator, then the wife could divorce the unfaithful, cheating husband and marry another without committing adultery.
- However, the husband in this case (Moses' Law) is not a cheating, unfaithful fornicator. The husband is "holy, just, and good" (Romans 7:12).

- Therefore, if the wife (Jew) divorces the husband (Mosaic Law) and marries another, there being no fornication on the part of the husband, according to Matthew 19:9, this woman will "be called an adulteress."

The only hope, then, for the Jew to be freed from the law is for a death to occur. That is the point of the passage. For the reasons listed above, the exception was not mentioned in Romans 7:1-4.

## EPHESIANS 5

Brother Kniffen stated that the strongest argument for the no-exception position was based on Ephesians 5. Here are some excerpts of what he said:

It's not Matthew 19 and 9 that has me all confused and has me thinking, "Oh I can't accept the doctrine of divorce for various reasons or whatever." That's not really what's got me hung up. If you want to convince me, then I'll just let the cat out of the bag here, if you want to convince me, that in this day and time, I can divorce and remarry, while my wife is still alive, you've got to convince me from Ephesians chapter five.

(Malcomb Kniffen, unpublished recorded sermon, 2013. Time = 37:36 min. into speech)

Brother Kniffen continued his reasoning:

Since Christ and the church are parallel, here's what you've got to do – to change my old hard head – all you've got to do is just show me where there is an exception with Christ and the church. That'll work. That's legit.

(Malcomb Kniffen, unpublished recorded sermon, 2013. Time = 40:28 min. into speech)

In other words, if there were an exception for a Christian to divorce a cheating spouse and marry another person, then there must be an exception for Jesus to divorce a cheating church and marry another. This is Brother Kniffen's reasoning. Darrel Cline used similar reasoning in his debate with Terry Baze (May 5-9, 1986).

The above reasoning, in regards to Ephesians 5, is misleading and illogical. Brother Kniffen is trying to parallel Christ and the church even to the point of divorce and remarriage. His reasoning is:

- Divorce and remarriage are not mentioned in Ephesians 5.
- Therefore, a Christian may not divorce and remarry on the grounds of fornication.

To demonstrate the fallacy of Brother Kniffen's argument, consider the following:

- Remarriage after death is not mentioned in Ephesians 5.
- Therefore, a Christian may not remarry when his or her spouse dies.

The argument above takes a passage (Ephesians 5) beyond what it was meant to teach. While it is true that divorce and remarriage are not mentioned in Ephesians 5, the conclusion is unsound because other passages (Matthew 5:32 and 19:9) speak to Christians on the subject.

The point should be obvious: Ephesians 5 was not intended (a) to teach a Christian what to do when a spouse becomes a guilty fornicator nor (b) to teach a Christian what to do when a spouse dies. This passage is not designed to give detailed instructions regarding all aspects of marriage.

## WHAT IS "FORNICATION"?

### Matthew 19:9 (KJV)

<sup>9</sup> And I say unto you, Whosoever shall put away his wife, except it be for **fornication** (πορνεία), and shall marry another, committeth adultery: and whoso marrieth her which is put away doth commit adultery.

The definition of "fornication" (πορνεία) is:

*"harlotry (including adultery and incest)"*

(Strong, G4202, e-Sword)

"a. [literally] of illicit sexual intercourse in general ... used of adultery [(cf. Hos. 2:2 (4), etc.)], Mt. 5:32; 19:9."

(Joseph Henry Thayer, Thayer's Lexicon, p. 532)

Fornication is a general term. Adultery is a specific term.



DOG (category)	FORNICATION (category)
Collie Hound Cocker Shepherd	Premarital sex Extra-marital sex (adultery) Homosexuality Bestiality Incest, etc.

As seen in the chart, every Collie is a "dog," but not every "dog" is a Collie. There are other kinds of dogs. Likewise, all premarital sex is "fornication," but not all "fornication" is premarital sex. There are other kinds of "fornication." Adultery is one form of fornication. Homosexuality is another form of "fornication."

Question: Can a married person commit fornication or does fornication always refer to premarital sex?

The answer to this question is found in the following passage:

**Acts 15:28-29**

<sup>28</sup> For it seemed good to the Holy Ghost, and to us, to lay upon you no greater burden than these necessary things; <sup>29</sup> That ye **abstain from** meats offered to idols, and from blood, and from things strangled, and from **fornication**: from which if ye keep yourselves, ye shall do well. Fare ye well.

These were instructions written to Gentile brethren. Are the apostles warning only unmarried Christians among the Gentiles, or are they warning all Gentile Christians (married and unmarried both)? The apostles, of course, are warning all Gentile Christians – married and unmarried. Fornication is a general word meaning "illicit sexual intercourse in general" (Thayer, opt. cit.)

Again, consider this next passage:

**Revelation 2:20-21**

<sup>20</sup> Notwithstanding I have a few things against thee, because thou sufferest that woman **Jezebel**, which calleth herself a prophetess, to teach and to seduce my servants to commit **fornication**, and to eat things sacrificed unto idols. <sup>21</sup> And I gave her space to repent of **her fornication**; and she repented not.

Jezebel was married and this married woman. (Read 2 Kings 9:22.) The Holy Spirit said this married woman committed "fornication."

Fornication is a broad, general term that includes adultery, homosexuality, lesbianism, bestiality, incest, pedophilia, and other illicit sexual acts. When a Christian is married to a spouse who commits "fornication," the innocent Christian may divorce the guilty fornicator and "marry another" without committing adultery in the process (Matthew 19:9).

## CONCLUSION

This study has examined the argumentation set forth by the no-exception position and has found all of the arguments flawed.

- There is not a shred of proof that Mosaic Law allowed divorce "*for fornication.*"
- Matthew 5:32 and 19:9 cannot be harmonized with Mosaic Law because they constitute New Testament legislation.
- The Sermon on the Mount is a monumental contrast between Mosaic Law and New Testament legislation.

The Lord gives one exception for innocent Christians to divorce and remarry without committing adultery in the process – the cause of fornication (Matthew 5:32 and 19:9).

- The apostle Paul clearly teaches this exception to the church (1 Corinthians 6:15-18).
- He explicitly says the Lord Himself speaks of marriage and divorce for two Christians (1 Corinthians 7:10-11).

This presentation is dedicated to those who find themselves in a scriptural divorce. They are innocent. They did not choose to have a spouse cheat on them and break the vows made before God and man. They are innocent of wrong doing and cannot defend themselves without appearing to be self-serving.

**The fact of the matter is: Jesus Himself authorized a Christian to divorce and remarry if his/her spouse is a guilty fornicator (Matthew 5:32 and 19:9).**

Many use either overt or subversive means in an effort to thwart this fact. The overt effort is seen in the no-exception doctrine addressed in this booklet. The subversive efforts are more subtle and difficult to identify. One subversive tactic comes in the following, off-spoken statement, "I wonder if there is truly an 'innocent' spouse in any divorce." This statement slanders innocent spouses – as if they drove their partner to commit fornication. Such statements are an effort to eliminate any brother or sister from using the exception authored by Jesus. Certainly there are no flawless husbands or wives, but there are faithful husbands and wives whose spouses have betrayed them. In the Old Testament days, there were truly innocent (not flawless) wives whose husbands chose to commit adultery. Consider Abigail whose husband, David, committed adultery without the slightest provocation on Abigail's part (2 Samuel 11-12). There were also truly innocent (not flawless) husbands whose wives chose to commit adultery. Consider Hosea whose wife, Gomer, committed adultery over and over again without the slightest provocation on Hosea's part (Hosea 1-3).

While it is true, Christians may not make laws for the Lord, it is also true, Christians may not remove laws the Lord set in place. It is never safe to teach something the Lord never taught. It is never safe to neglect teaching the "whole counsel of God" (Acts 20:27). If divorce for fornication is a gospel law, and it is (Matthew 5:32 and 19:9), then divorce for fornication is part of the "whole counsel of God" which must be taught and enforced.

(For more information on the "innocent" party, refer to "*Is There Really An 'Innocent' Party In A Divorce?*" by George Battey. These notes are available at [www.WillOfTheLord.com](http://www.WillOfTheLord.com).)

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