

MARRIAGE and DIVORCE: WHAT THE SCRIPTURES SAY

Introduction

Although the Scriptures are very explicit insofar as marriage and divorce are concerned the information is not so visible thus there is a lot of confusion about how YHWH intended for us to handle these two issues. Is divorce acceptable? Is a 'common law' relationship scriptural? These issues have encroached most if not all congregations, yet there is little consistency in the way individual groups deal with these matters.

Marriage: What the Scriptures Say

There are two marriages prominent in Scripture; YHWH's marriage to Israel at Sinai and the marriage of the Lamb. Both marriages required five elements; rules of commitment (vows), offer, acceptance, a wedding meal and blood.

Item	Sinai	Lamb	Commentary
Vows	Exod.20:1-23:33	Exod.20:1-23:33	John 14:15 can only refer to the Malkitzedek covenant
Offer	Exod.19:5	Matt.27:50	We accept Yahusha is our saviour and be immersed into His 'body'
Acceptance	Exod.24:7	Mark 16:16	
Meal	Exod.24:10	Rev.19:9	
Blood	Exod.24:8	1Pet.1:19	

For a marriage to accord with Torah these five elements must be present. Whilst the blood flow is from the bride it is the result of both the bride and the groom. Both wear the blood thus both seal the marriage. Most associate virginity with the bride only but the Brit Hadashah (New Testament) tells us that fornicators will not inherit the kingdom (1Cor.6:9), thus a Torah based marriage requires both bride and groom to be virgins. There must also be a sworn formal commitment each to the other: it is this commitment that is sealed with the blood.

Scripture considers marriage and covenant on the same level, both are lifelong commitments sealed in blood, hence YHWH's comment in Genesis,

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

Divorce: What the Scriptures Say

"For I hate divorce," said YHWH Elohim of Israel, "and the one who covers his garment in cruelty," said YHWH of hosts. "So you shall guard your spirit and do not act treacherously." (Mal.2:16).

In Malachi YHWH tells us He hates divorce yet He divorced Israel (Jer.3:8) and in Matthew we read the following,

But I say unto you, "that whosoever shall divorce his wife, saving for the cause of fornication, causes her to commit adultery: and whosoever shall marry her that is divorced commits adultery." (Matt.5:32).

First we have YHWH saying He hates divorce then Mashiach, in an apparent contradiction, saying divorce is permitted in certain circumstances. We then have a third scenario presented by Moshe (Moses) allowing divorce without condition,

“When a man takes a wife, and marries her and it happens that she finds no favour 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, when she has departed out of his house and goes and becomes another man’s wife, 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 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 YHWH and you shall not bring sin on the land which YHWH your Elohim is giving you as an inheritance.” (Deut.24:1-4).

Unlike Mashiach, Moshe makes no mention of fornication being the single criteria for divorce but merely uncleanness of some kind. So how are we to interpret these inconsistencies? Well for a start there are no inconsistencies in the Scriptures, once again the confusion arises purely from poor translation. Amazingly the mistake made in translating the Hebrew in the Tanakh (Old Testament) is repeated in translating the Greek in the Brit Hadashah (New Testament).

The words concerned and their translations are,

Hebrew	Greek	Application	Translation
Krythuth	Apostasion	Divorce, divorcement	Divorce
Shalach	Apoluo	Put away, release, set at liberty	Divorce

If we first examine the Hebrew we have the following abstraction,

Hebrew	Occurrences in Tanakh	Interpretation
Krythuth	4	In each case has the meaning divorce
Shalach	848	To send out or to put out, not divorce

Considering this analysis one has to wonder how translators could ever interpret *shalach* as divorce. There is no occasion where it is used for divorce: it always has the meaning either to send, sent or put out. If divorce is meant the Hebrew is always *Krythuth*. So let us consider the pertinent verses from the Tanakh,

*“When a man takes a wife, and marries her and it happens that she finds no favour in his eyes because he has found some uncleanness in her and he writes her a certificate of (**krythuth**) divorce, puts it in her hand and sends her out of his house, when she has departed out of his house and goes and becomes another man’s wife, if the latter husband detests her and writes her a certificate of (**krythuth**) divorce, puts it in her hand and (**shalach**) sends her out of his house or if the latter husband dies who took her as his wife then her former husband who (**shalach**) ~~divorced~~ **sent her out** must not take her back to be his wife after she has been defiled, for that is an abomination before YHWH and you shall not bring sin on the land which YHWH your Elohim is giving you as an inheritance.” (Deut.24:1-4).*

*Thus says YHWH “Where is the certificate of your mother’s (**krythuth**) divorce, whom I have (**shalach**) put away? Or which of My creditors is it to whom I have sold you? Look, you were sold for your iniquities, and your mother was (**shalach**) put away for your transgressions.” (Isa.50:1)*

*“And I saw that for all the causes, for which backsliding Israel had committed adultery, I had (**shalach**) put her away and given her a certificate of (**krythuth**) divorce; yet her treacherous sister Judah did not fear, but went and committed whoring too.” (Jer.3:8).*

*“For I hate (**shalach**) ~~divorce~~ putting her away,” says YHWH Elohim of Israel. “and the one who covers his garment with cruelty,” says YHWH of hosts.” “So you shall guard your spirit, and do not act treacherously.” (Mal.2:16).*

Shalach has been translated correctly In Isaiah and Jeremiah and incorrectly for Deuteronomy and Malachi thus is the inconsistency of the translators.

Now let us concentrate on the Greek in the Brit Hadashah.

Greek	Occurances in NT	Interpretation
Apostasion	3	In each case has the meaning divorce
Apoluo	69	To send out, to put out or release

As can be seen the most common application for the Greek '*apoluo*' is to describe something other than divorce. Now let us examine some verses pertinent to our study,

*It has been said, "Whosoever shall (*apoluo*) put away his wife, let him give her a writing of (*apostasion*) divorcement: But I say unto you, That whosoever shall (*apoluo*) put away his wife, saving for the cause of fornication, causes her to commit adultery: and whosoever shall marry her that is (*apoluo*) ~~divorced~~-put away commits adultery." (Matt.5:31-32)*

*And the Pharisees also came to Him, tempting him and saying to Him, "Is it lawful for a man to (*apoluo*) ~~divorce~~ put away his wife for every cause?" And he answered and said to them, "Have you not read, that He who made them at the beginning made them male and female and said 'For this cause shall a man leave his father and mother, and shall cleave to his wife and the two shall be one flesh.' Thus they are no longer two but one flesh. What therefore YHWH has joined together let no man put asunder." They said to him, "Why then did Moshe command to give a certificate of (*apostasion*) divorce and to (*apoluo*) put her away." He answered them, "Because of the hardness of your hearts Moshe allowed you to (*apoluo*) ~~divorce~~ put away your wives but from the beginning it was not so. And I say to you whoever (*apoluo*) ~~divorces~~ puts away his wife except on the grounds of fornication and marries another, commits adultery and whosoever marries her that has been put away (*apoluo*) commits adultery." (Matt 19:3-9).*

So the issue is between 'divorce' and 'put away.' When we consider Malachi, it is not divorce YHWH hates but the putting away of one's wife. So what is all of this really about? Mashiach tells the Pharisees that Moshe gave the law because of the hardness of their hearts. So what were the people doing that caused Moshe to issue the command of divorce? But let us be clear Moshe did not create divorce, separation was happening but in an unrighteous way, Moshe merely regulated the unacceptable practise of a man getting rid of his wife at whim.

It is clear from Moshe's words that the people were not treating marriage with the level of sanctity required by YHWH, thus Mashiach referring the Pharisees back to Genesis. Men were separating from their wives merely because they wished to and would simply put her out of the house (putting her away). This left the woman vulnerable because without a certificate of divorce she was still married and not free to remarry. In this position if these women were to remarry both the woman and her new husband would be guilty of adultery under Torah and both subject to stoning. This is what Mashiach is confirming in Matt.19:9,

"And I say to you whoever puts away his wife except on the grounds of fornication and marries another, commits adultery and whosoever marries her that has been put away commits adultery".

Mashiach was endorsing Moshe. It was this unrighteous/uncaring behaviour towards a wife that Moshe was addressing and so he made it compulsory for the husband to give the woman a certificate of divorce, freeing her to remarry thereby preventing adultery and the penalty it carried. In effect Moshe was protecting the women from being treated as mere chattels and suffering abuse. This makes Malachi much more understandable, particularly when we add the previous verses,

“For I hate you putting her away,” says YHWH Elohim of Israel. “And the one who covers his garment with cruelty,” (to the woman) says YHWH of hosts. “So you shall guard your spirit, and do not act treacherously.”(against the woman). (Mal.2:16).

The act of putting away a wife without the protection of a certificate of divorce and leaving her vulnerable to adultery and possible death was detestable to YHWH. When we consider two previous verses in Malachi it is evident that it is the protection of the woman that is YHWH’s concern,

“And this you have done a second time: you cover the altar of YHWH with tears, with weeping and crying, because He no longer regards the offering, nor receives it with pleasure from your hands.” And you said, ‘Why?’ “Because YHWH has been witness between you and the wife of your youth, against whom you have acted treacherously, though she is your companion and the wife of your covenant.” (Mal.2:13-14).

But not only did Mashiach endorse Moshe, He also clarified what Moshe meant by uncleanness. Let us look again at what He said,

“And I say to you whoever puts away his wife except on the grounds of fornication and marries another, commits adultery and whosoever marries her that has been put away commits adultery.”(Matt.19:9).

Mashiach came to give clarity to the Scriptures and this is an example. He explains uncleanness means fornication, unchasteness. When we consider the reason behind the divorce certificate, a wife guilty of these charges has no need of such because the crime for which the divorce certificate was to prevent; adultery/fornication, is the cause of the separation.

How does this understanding fit with what is said elsewhere in the Scriptures, such as in Ezra? With the return of the exiles to Yerushalayim (Jerusalem) it was discovered that the Israelites had inter-married against the commands of Torah. We read how Ezra commanded the foreign wives and the children born to them to be *shalach* ‘sent out’ without being *krythuth* ‘divorced.’ Yet Mashiach says you can only do this if there has been fornication. So was there fornication? Yes, insofar as Torah is concerned sex outside a lawful (Torah based) marriage is fornication. In the eyes of YHWH to corrupt the ‘seed’ in this way was indeed fornication and so Ezra’s command to *shalach* the foreign spouses, was not a transgression of Torah.

In closing, if YHWH was against divorce as most translations have Mal.2:16 read, then both Mashiach and Moshe are transgressors; sinners, because Mal.2:16 is a blanket statement: there are no conditions, exceptions or exclusions mentioned. Yet both Mashiach and Moshe added qualifications which would make both sinners. But we are told that Mashiach was without sin 2Cor.5:21, thus we have further evidence of a translation error in Malachi.

However, we must not forget Gen.2:24,

“For this cause a man shall leave his father and mother, and cleave to his wife, and they shall become one flesh.”

It is clear that YHWH intended for marriage to be a lifelong union and His intention has not changed. Unfortunately today people enter into marriage with little thought of the sanctity required by Scripture and this article is not to condone the tenuous attitude with which many approach marriage today. Marriage requires a determination to succeed on the part of both parties: regrettably this essential element has been replaced with the too easily obtainable get out card called divorce. Today parents can be selfish and give little thought to the effect divorce will have on their offspring. Divorce is the antithesis of cleave and cleave is what is instructed. There is a verse in Hosea which is worth repeating,

“For they sow the wind, and reap the whirlwind. (Hos. 8:7).

Far from protecting the sanctity of marriage, humanity has progressively eroded all righteousness from marriage. This continuous downwards progression is to sow the wind: the effect is exponential. A male child without a father has little or no chance of developing the necessary father-ship skills to lead a family of his own not to mention the physiological effect of a child brought up by same sex parents – the whirlwind is around the corner.

In closing, my own view is that the provision to divorce is necessary, particularly in this secular world today but it should always be a last resort. I am a divorcee after forty years of marriage. As I grew in Mashiach and Torah observance it became too much for my wife to endure and she became very obstructive. In such circumstances one has to remember the words of Mashiach in Matt.10:37,

“He who loves father or mother more than Me is not worthy of Me, and he who loves son or daughter more than Me is not worthy of Me.”

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