

Homily for Trinity XVIII – 2021

Once again, in today's gospel, Jesus is asked a "test question." - Is it lawful for a man to divorce his wife? To put the question into the context of Our Lord's time, it is necessary first to understand that the matter of divorce was an acute issue in Jewish society at the time.

In theory, at least, nothing could be higher than the Jewish ideal of marriage. At the age of 20 every Jewish male was expected to marry for life. In New Testament times though, divorce was a common event in Jewish society and it was absolutely at the discretion of the man. This situation had arisen directly out of the Mosaic law. Deuteronomy 24:1 Moses says... "*When a man takes a wife and marries her, if then she finds no favour in his eyes because he has found some indecency in her, he writes her a bill of divorce and sends her out of his house..*"

The crux of the process though lay in the interpretation of this text. In particular in the interpretation of the term '*some indecency*.' I'm sure it will come as no surprise to anyone that there were differing interpretations of its meaning. One school of Rabbinical thought understood the term to mean adultery and adultery alone.

Another school interpreted the meaning '*some indecency*' very widely indeed. This approach saw grounds for divorce in actions like... a woman talking to a strange man, ... a woman speaking disrespectfully of her husband's relations in the husband's hearing, ... a woman cooking food that was disagreeable to her husband's taste, ... a woman whose loud voice could be heard in the next house, ... and even a husband had found a woman who was more attractive to him than his wife was. The only protection offered to a woman, if it can be called that, was that for any reason except adultery the marriage dowry had to be repaid in full.

Human nature being as it is, it was the laxer view which overwhelmingly prevailed, with the result being that in our Lord's time divorce, often for the most trivial reasons, or no reason at all, was tragically common. Many women hesitated to marry because marriage had become so insecure.

All of what I've just said is by way of historical background to the question put to our Lord in today's gospel. Divorce was common at the time and it was common for what often were very trivial reasons. Overwhelmingly, it was women who bore the brunt of the lax interpretation of Deuteronomy 24:1.

Jesus, in his reply to the pharisees, addressed the regulation found in Deut 24:1 with the trenchant comment that Moses only gave this rule because of the hardness of men's hearts. He then quoted from the book of Genesis...a more ancient authority... saying, from the beginning of creation, (Genesis 1:27) '*male and female He created them.*' and '*For this cause a man will leave his father and his mother and will cleave to his wife. And the two will become one flesh, so that they are no longer two but one flesh.*' (Genesis 2:24)

Jesus then added words of his own that are very familiar to many of us, as they are part of the Order of the Solemnisation of Matrimony... '*What God has joined together, let no man put asunder.*'

Our Lord's teaching as recorded in St Mark's gospel seems crystal clear... quoting Genesis he teaches that in the very nature of things as they are in the order of creation itself, marriage is a permanency which indissolubly unites a man and woman in such a way that the bond can never be broken by human laws and regulations, even if that regulation had been uttered by Moses himself. As a result, divorce is simply not an option as verses 11 and 12 seem to make quite clear.. "*Whoever divorces his wife and marries another commits adultery against her; and if she divorces her husband and marries another she commits adultery.*"

At this point though, St Matthew's account of this encounter with the pharisees deserves serious consideration, because Matthew records Jesus as saying... "*I tell you, whoever divorces his wife, except on the grounds of unchastity and marries another commits adultery,..*" Those words... *except on the grounds of unchastity* (sometimes translated as *except for fornication*) are called the "Matthean exception."

Much ink has been spilt over millennia now about this phrase. Did Our Lord make no provision whatsoever for divorce, as seems to be the case in St Mark's (and St Luke's) gospel? Or did he allow just the one exception (that made provision for divorce in the case of adultery only) as St Matthew records?

Here a preacher, a pastor and a commentator on the gospels must read widely and at least recommend an answer to what appears to be one of the starkest and most difficult instances of the gospels contradicting each other.

Many Bible scholars have taught that the Matthean exception is an really editorial addition to what our Lord said. An addition that was made by a later scribe or possibly by St Matthew himself. If this is accepted, then Jesus gives no grounds at all for divorce. This is

the position of the Roman Catholic Church.

Other scholars have claimed that the words in St Mathew's gospel would be original and that the exception must be allowed where adultery is proven. This is the understanding of the Eastern Orthodox Churches.

I'm mindful of a telling comment about this by two Bible scholars who say... "*In our judgement, the issue cannot, unfortunately, be resolved. Matthew's words are simply too cryptic to admit of a definite interpretation.*" That might be true too but in the passage of real life one simply cannot duck the issue and say its too hard to resolve.

There are, however, two important factors that should frame a serious response.

Firstly, Jesus is clear that the provision Moses made for divorce "*because of some indecency*" in Deuteronomy 24:1 was there solely because of the hardness of the hearts of the people. Jesus taught that Moses *permitted* divorce but that was a *concession* in view of a lost ideal. The *ideal principle* of the indissolubility of marriage is to be found prefigured in the unbreakable, perfect union of Adam and Eve.

Secondly, Rabbinic law always understood divorce to be compulsory and automatic for two reasons, both of which were related to the fundamental purpose of marriage in the ancient world, that is, the pro-creation of children. One was the act of adultery, the other was sterility.

Bearing these two factors in mind, it can be sensibly posited that Matthew's so-called 'exception' is really spelling out something that was, in fact, well understood in Jewish thinking. That is, that adultery (namely sexual infidelity by a party to a marriage) automatically cancels a marriage by creating a new sexual union in its place. Therefore, the Matthean exception clause is not introducing a new provision for divorce. Rather, it is making explicit to readers something that Jewish readers of the first century AD would have taken for granted when, in St Mark's and St Luke's gospels, Jesus made what are seemingly unqualified pronouncements that appear, on the face of it, to exclude any grounds at all for divorce.

Jesus was certainly calling his hearers back to what is a very high ideal of marriage as a sacred bond, a union that images the very life and being of God. The bond finds its most intimate expression in the sexual union of husband and wife and it was only the breaking of that bond by sexual infidelity that gave grounds for its termination.

What particular relevance does all this have to us today? That's a pertinent question

indeed and a very difficult one. The family law act in Australia allows for divorce under any circumstances at all. All that is needed is proof, in the form of 12 months separation, that the marriage has ended for the divorce to be granted by the state.

In my priestly ministry, when divorced people have come seeking to marry again in the church, I've never been faced with a situation where adultery has not been a part of the end of the former marriage. Also, I've never been faced with a situation where the applicants are anything but honest and sincere, often disarmingly so, in their desire to live a faithful life together in an exclusive life-long union of a man and a woman seeking to honour God and each other in their marriage vows. I take them at their word, hear their marriage vows, and in God's name bless their union.