

## Theses on Divorce and Spousal Abuse

By Dr. Greg Bahnsen

A. At the beginning of human history, prior to man's sinful condition, there was no just ground for divorce.

1. "He said to them, With reference to your hard-heartedness Moses authorized you to divorce your wives, but it has not been so from the beginning" (Matthew 19:8).
2. "From the beginning" (Matt. 19:8) alludes to man's situation when God "made them male and female" (Matt. 19:4) - when God instituted marriage with the words of Genesis 2:24 (Matt. 19:5).
3. "Hard-heartedness" (Matt. 19:8) is a Biblical figure of speech for man's fallen or unregenerate nature which does not believe or obey God (see LXX for Deut. 10:16; Prov. 17:20; Jer. 4:4; Ezek. 3:7; and in the NT, Mark 16:14). Regeneration is described as God taking away the "stony heart" and replacing it with a heart of flesh (Ezek. 36:26).

B. Ideally there should be no divorce; it is contrary to what God desires most.

1. "What therefore God has joined together, let not man put asunder" (Matt. 19:6).
2. "For I hate divorce, says Jehovah, the God of Israel" (Malachi 2:16).
3. These words state the *ideal*, for God Himself makes provision for putting marriage asunder (Matt. 19:8-9; cf. Deut. 24:1) and practices divorce Himself (Jer. 3:8).
4. Similarly, death and killing are contrary to the divine ideal (and would not have come into the picture "from the beginning"), but due to man's sinful condition God gives orders regarding them (e.g., Gen. 9:6; Deut. 21:23).

C. Between two regenerate believers, there should be no divorce whatsoever, even for the cause of fornication.

1. For believers redeemed from sin, the original creation ordinance (A) and God's highest desire for marriage (B) will be their guide. Sinful behavior and attitudes between husband and wife will be dealt with apart from recourse to divorce - according to redemptive principles (analogous to the relation between Christ and the church, Eph. 5:22-33).
2. "But unto the married I give charge (not I, but the Lord) that the wife not depart from her husband..., and that the husband leave not his wife" (I Corinthians 7:10, 12).

3. Fornication is not the unforgiveable sin (cf. 1 Cor. 6:11; Mark 3:28; 1 John 1:7).

4. A regenerate believer who falls into the sin of adultery will offer genuine repentance for it (Ps. 51; Jas. 4:8-10; 1 John 1:9; Matt. 5:23-24) and do the works appropriate for turning from it (Matt. 3:8; Acts 26:20). Refusal to repent in this way must be taken as a sign that the person is not truly a believer (1 Cor. 6:9-10; Prov. 28:13; Luke 13:3, 5) - eventuating in excommunication, if need be.

5. A regenerate believer who has an adulterous, but repentant, spouse will forgive the spouse and seek a restored relationship, imitating God's gracious reaction to the sinner (Matt. 6:12-15; 18:15, 21-35; Eph. 4:32). Forgiveness necessitates reconciliation and precludes divorce, for God does not forgive the sinner and then say "Depart from Me into everlasting darkness"! (Matt. 25:21, 30, 34, 41; Ps. 85:2-3; 103:12; 2 Cor. 5:18-19; Col. 1:21-22; cf. 2 Cor. 2:7-9) Refusal to forgive in this way must be taken as a sign that the person is not truly a believer (Matt. 6:15; 18:34-35; 1 John 3:14-16) - eventuating in excommunication, if need be.

D. Where a marriage involves an unbeliever, the only just ground for divorce is "fornication."

1. The situation now envisioned is that at least one partner to the marriage is an unbeliever, one who refuses to live by the principles stated in the above points (whether professing to be a follower of Christ or not).

2. "Is it permitted [lawful] for a man to divorce his wife according to every reason [upon any ground]?... But I say to you, whoever divorces his wife not upon [the ground of] fornication and marries another commits adultery" (Matthew 19:3, 9). Christ here censures *any* divorce which is not "for fornication," thus leaving one and *only one* just ground for divorce - viz., "fornication."

3. This is clear from Matthew 5:32, "Everyone divorcing his wife *apart from a matter of fornication....*" The Greek term means "except for" (e.g., Acts 26:29) or "outside" (e.g., 2 Cor. 11:28). Jesus spoke quite categorically: any reason outside the category of "fornication" is a sinful basis for divorce. Fornication is the *only* "exception" to this censure against divorce.

4. Jesus was also speaking categorically in the sense that His principle was meant to be applied universally - to *all* men. He stated that "everyone" (*pas*, Matt. 5:32) or "whoever" (*hos an*, Matt. 19:9) divorces apart from the ground of fornication was doing wrong - whether believer or unbeliever, Jew or Gentile. Note that Christ's teaching was based upon factors which apply to all men in general: (1) the creation ordinance, and (2) the condition of man's sinful heart. God does not have a double standard for marriage: the only proper ground upon which a believer or unbeliever may divorce his/her spouse is "fornication."

5. Although Paul deals with a *particular case* in I Corinthians 7:12-17 which was not directly addressed during Christ's earthly ministry ("To the rest I say, not the Lord," v. 12), it would be fallacious to assume that the *general moral principle* which he applied to that case was *contrary* to the teaching of the Lord - namely, that *only* fornication is grounds for divorce. In saying that, Jesus did not give any hint of restricting His moral principle, as though He were speaking only for the case of believers. (In fact, what He addressed was the problem of hard-heartedness - those who

are *unregenerate*.) Rather, He explicitly directed His principle to "everyone" and "whoever" pursues divorce.

E. The scope of "fornication" in Biblical usage is broader than adultery and even broader than illicit sexual intercourse.

1. In Matthew 19:9 Christ clearly uses two distinct Greek terms for fornication and adultery; they are not identical. If "fornication" is not the reason for the divorce, He says, "adultery" will be the consequence. [Cf. the distinct use of the two terms in I Cor. 6:9; Gal. 5:19; Heb. 13:4] (Note that the Hebrew terms for "fornication" and "adultery" are also distinct.)

2. In Scripture (LXX & NT) "fornication" can refer *specifically* to sexual sin of all sorts - whether pre-marital unchastity (Ezek. 23:11-19; John 8:41), sex outside of marriage by a widow (Gen. 38:24), returning to a divorced spouse after an intervening union (Jer. 3:2), adultery (Jer. 13:27; Hos. 2:2), prostitution (Deut. 23:18; Micah 1:7; 1 Cor. 6:16-18), incest (1 Cor. 5:1), homosexuality (Jude 7), marrying foreign wives (Heb. 12:16; cf. Gen. 26:34-35), or inter-religious sexual union (1 Cor. 10:8; cf. Num. 25:1-9).

3. It should be noted that "sexual sin" (=fornication) need not involve genital intercourse. Imagine a wife who engages in romantic kissing, undressing, caressing, fondling, mutual masturbation, or oral sex with someone not her husband. It would be ridiculous to defend her against the charge of "fornication" by appealing to the absence of genital intercourse. The Song of Songs presents the kind of activities mentioned here as appropriate to the state of marriage.

4. In Scripture "fornication" can also be used more *generally* for moral rebellion and unfaithfulness, when there is no figurative suggestion of intercourse (as with idols) - for instance: arrogance (Isa. 47:10), disbelieving God (Num. 14:11, 33), or departure from God's standards of righteousness (Isa. 1:21; 57:3; 2 Kings 9:22). "Fornication" appears to be part of a synecdoche for all sins in Ezek. 43:9 and Hos. 6:10. In Paul's epistles "fornication" is sometimes run together with uncleanness, covetousness and idolatry as a way of covering all forms of immoral conduct (e.g., Eph. 5:3; Col. 3:5; 1 Thess. 4:3-7) - which explains why many translations render the Greek word generally as "impurity" or "immorality." "Fornication" covers all of the defilements and abominations represented by ungodly Rome (Rev. 17:4; 19:2) as well as the teaching and idolatrous associations of heresy in the church (Rev. 2:21). Accordingly, the *whole* of sanctification can be typified as abstaining from "fornication" (1 Thess. 4:3; cf. Heb. 12:14, 16). [Cf. Westminster Larger Catechism #99]

5. In addition to the specific and general uses of "fornication" for moral rebellion, we can observe the *figurative* use of the term (against the background of sexual looseness) for religious unfaithfulness (Jer. 2:20; Hos. 4:11-12) - apostasy (Ezek. 6:9; 23:35; Ps. 73:27), idolatry (Isa. 57:9; 1 Chron. 5:25; Ezek. 16:15, 25) and foreign allegiance (Ezek. 23:11-19).

6. Thus "fornication" *need not* connote sinful sexual intercourse. This is most clearly demonstrated by the fact that desertion of a marriage (apart from any issue of adultery) *counts as* fornication in Biblical teaching: "But if the unbelieving [spouse] separates him/herself, let him/her be separated; in such cases the brother or the sister do not remain bound" (1 Cor. 7:15). Yet on the authority of

Christ we may recognize *only one* just ground for divorce, namely "fornication" (D). Therefore, unless Paul be pitted against Christ, the Pauline permission of divorce for desertion must imply that *desertion is a form of fornication* in God's evaluation, regardless of any accompanying issue of illicit sexual intercourse.

7. In Judges 19:2 the desertion of the Levite's concubine from him is described with the distinct Hebrew term for "fornication" *zannah*, confirming the above observation. (The use of *zannah* in the text does not suggest that the concubine literally became a harlot for a while and then went home to her father - a very unlikely course of events. The Levite, then, would not have been permitted to pursue her tenderly to remain his wife [Judges 19:3; cf. Lev. 21:7; Deut. 22:20-21].)

8. Therefore, in order to understand properly the teaching of Scripture on the grounds for divorce, we will of necessity need to engage in more than lexical studies. What will be needed is a broader, theological understanding of the nature of marriage and the rationale which lies behind whatever grounds for divorce are set forth. We need to approach the question in such a way that we can account for (a) the narrowness of grounds for divorce, (b) the harmony of Paul and Jesus in giving grounds for divorce, (c) the full Biblical evidence on the subject of divorce, and (d) the reason why certain offenses are legitimate grounds for divorce, while others are not. A simple appeal to the word "fornication" cannot accomplish these ends.

F. The only forms of "fornication" which provide just grounds for divorce are those which violate the essential commitments of the marriage covenant.

1. "Fornication" can cover a wide scope of sins, but Jesus intended to restrict and narrow the just grounds for divorce when He rejected the notion that one may put away his wife for just any reason (Matt. 19:3, 9). In contrast to less rigorous schools of the rabbis, Jesus did not espouse divorce as a remedy for just any sin whatever. Accordingly, we would expect that Jesus was referring to "fornication" in some restricted, but non-arbitrary, sense - that is, in some way which follows a principle (rationale) for narrow delineation.

2. However this sense cannot be so restricted that it pertains only to illicit sexual intercourse (cf. E.3,6).

3. Therefore, we must pursue Biblical reasoning to determine just what forms of "fornication" constitute proper grounds for divorce. [Those who want to adhere strictly and literally to the Westminster Confession's statement that "nothing but adultery" and irremedial desertion are sufficient cause for divorce (XXIV.6) will be under a similar necessity, for the Westminster Standards go on to *define* "adultery" so broadly as to include things which are not reasonably taken as grounds for divorce, such as intemperance, immodest apparel, idleness and drunkenness (Larger Catechism #138, 139). Scripture too uses "adultery" in a broad fashion (e.g., Jas. 4:4).]

4. Marriage is a *covenant*: e.g., "Jehovah has been a witness between you and the wife of your youth, against whom you have broken faith, though she is your companion and the wife of your covenant" (Mal. 2:14; cf. also Prov. 2:17). Marriage is a legal contract with moral stipulations and obligations to which the Lord is witness (e.g., Gen. 31:50).

5. In the case of the legal obligations of other covenant relations, one party is not released from the obligations of the covenanted commitment unless the second party has violated the mutual contract by acting contrary to its terms. For instance, when Zedekiah broke his covenant of loyalty, Nebuchadnezzar was no longer bound by that covenant to protect Zedekiah as king in Jerusalem (Ezek. 17:12-21; cf. 2 Chr. 36:13; 2 Kings 24:20-25:7; Jer. 39:4-8). Likewise in the case of God's own covenant with Israel as a nation: "For thus says the Lord Jehovah: I will also deal with you as you have done, who has despised the oath in breaking the covenant" (Ezek. 16:59). "They did not continue in My covenant, so I disregarded them" (Heb. 8:9). When the Jews confessed their transgressions, their only plea was accordingly: "Do not abhor us...break not Your covenant with us" (Jer. 14:21). Cf. Ex. 19:5; Lev. 26:15ff.; Deut. 31:20, 29; Jer. 11:10-11; 22:5-9; Hos. 6:7; 7:13; 8:1, 4; Rom. 11:20-22.

6. Likewise, in the case of the marriage covenant, the only thing which provides a just ground for one party to be released from the covenant (i.e., to pursue divorce) would be the violation of that covenant's essential obligations by the other party - the breaking of the covenant. Accordingly, such things as (1) constant bickering over money, (2) refusal to repent for rude behavior, telling lies, taking God's name in vain, dishonesty, etc., or (3) breaking a promise (even if stated along with one's wedding vows) not to move out of state *do not illustrate grounds for divorce* because none of them violates what is essential to the covenant of marriage.

7. Because marriage was ordained by God (Gen. 2:24), it is *God's* revealed will - not man's wisdom or desire - which *defines* the nature and essential obligations of the marriage covenant: "What God has joined together, let not man put asunder" (Matt. 19:6).

G. The obligations of the marriage covenant include at least [1] "*leaving father and mother,*" [2] "*cleaving*" to one's spouse, and [3] becoming "one flesh."

1. These three aspects of the marriage covenant are explicitly mentioned when God originally ordained the institution: "*Therefore shall a man leave his father and his mother, and shall cleave unto his wife: and they shall be one flesh*" (Gen. 2:24).

2. These three aspects of the marriage covenant are not distinctive to one dispensation of God's dealing with men, but are repeated throughout Scripture: for instance, at Matthew 19:5 and Ephesians 5:31.

3. It may be that there are other integral aspects of the marriage covenant in addition to these three mentioned. To legitimately assert them would require Scriptural warrant of some sort (e.g., Biblical teaching on the essential meaning of marriage, or on accepted grounds for divorce, etc.).

H. In light of the vow to be "one flesh," we can understand that sexual infidelity breaks the marriage covenant and is, as such, grounds for divorce.

1. The expression "*to be one flesh*" denotes sexual intercourse, thus being applied even to relations with a harlot: "*Don't you realize that he who is joined to a harlot is one body? for 'the two,' He said, 'shall become one flesh'*" (1 Cor. 6:16). Note how "marriage" is treated in parallel to "the bed" in Hebrews 13:4.

2. One of the divine purposes for marriage is to provide the proper outlet for the sex drive, thereby avoiding fornication: "*Because of fornications, let each man have his own wife, and let each woman have her own husband.... It is better to marry than to burn (with passion)*" (1 Cor. 7:2, 9). Outside of the marriage bed is fornication and adultery (Heb. 13:4).

3. Refusal of sexual relations is contrary to one of the very purposes for marriage, then, and illegally subjects the marriage partner to fornication - having a marriage, not in substance, but only in name.

4. Engaging in sexual relations is a "*debt*" which must be "*paid (rendered)*" to one's spouse (1 Cor. 7:3; cf. the use of the same two words in Rom. 13:7, "*render to all their dues*"). It is a contractual obligation of marriage.

5. Willful refusal of sexual relations with one's marriage partner is thus explicitly called "defrauding" (or stealing his/her rights) in 1 Corinthians 7:5. (The word is used of defrauding workers of the pay which is due to them in James 5:4; cf. Mark 10:19; 1 Cor. 6:8, referring to matters settled by court [vv. 1, 6].) It is a breaking of the contractual obligations of marriage. Paul's use of this kind of language is noteworthy for understanding the covenantal nature of the marriage bond as well as how it is dissolved.

6. This is confirmed by the law at Exodus 21:10-11, which stipulates that a wife who has been deprived of "her conjugal right" becomes free of the marriage commitment, being released from her husband. (It would make little sense to say that "she shall go out from him" pertains *only* to her slavery, leaving her bound to the *marriage*, when it is her conjugal rights [which have nothing to do with the institution of slavery] that are not being observed.)

7. Since the marriage vow is (among other things) a public commitment to be sexually faithful to one's spouse, sexual relations *apart from* with one's spouse is a violation of the marriage covenant. Thus, as is commonly recognized, Scripture teaches that when a wife commits adultery, she may be put away and given a bill of divorcement (Jer. 3:8; cf. Deut. 24:1, noting that the Hebrew term "indecency" refers to illicit cohabitation, e.g., Ezek. 16:36; 23:29; throughout Lev. 18; 20:10ff.). Adultery "defiles" the marriage bed (Heb. 13:4).

I. In light of the vow to "leave father and mother," we can understand that desertion of one's spouse breaks the marriage covenant and is, as such, grounds for divorce.

1. By leaving one's father and mother to become married, one puts behind one social grouping and forms a new social unit - a new family nucleus. (This may be done, by the way, whether or not one separates from the vicinity or house of his parents. Spatial location is not the point here.)

2. "Leaving father and mother" is thus for the purpose of creating a new bond, now with one's spouse (cf. the following words in Gen. 2:24, "*and cleave to his wife*"). The "leaving" is just the other side of the coin of the commitment to live with one's marriage partner.

3. Abandoning one's spouse and returning to one's parents is thus denominated "*fornication*" in Judges 19:2. Deserting the spouse is a violation of that marriage commitment implied by one's

"leaving father and mother" - whether the deserting partner literally returns to the parents' home or not.

4. Confirmation of this is found in 1 Corinthians 7:12, 13, where Paul describes the state of marriage in terms of "consenting to dwell with" each other - that is, living together.

5. When an unbelieving spouse refuses to live with his/her marriage partner, the covenant between them is broken. In such a case, when the unbeliever "*separates him/herself*" (by divorce, cf. v. 10), Paul declares that the believing party is "*not bound*" any longer (I Cor. 7:15).

6. The fact that the believer is not bound to the marriage commitment any longer - *unlike* the case of an improper divorce (v. 10), where Paul holds that the deserting party is indeed morally bound to remain unmarried and pursue reconciliation with the divorced spouse (v. 11) - shows that we find here legitimate grounds for the dissolution of the marriage covenant, not merely "consent" to the evil desire of an unbeliever. The wickedness of others does not release Christians from their own moral obligations! Paul's words show that this particular form of evil violates a contractual obligation, and (only) in that way releases the Christian from former obligations.

J. In light of the vow to "cling (cleave) to" each other, we can understand why attempting to destroy the life of one's spouse breaks the marriage covenant and is, as such, grounds for divorce.

1. The verb "to cling (cleave)" in Genesis 2:24 (Matt. 19:5; Eph. 5:31) stands between and *complements* the ideas of [1] leaving father and mother (to cleave to one's spouse) and [2] becoming one flesh (cf. the verb's use in I Cor. 6:16-17). Nevertheless it *adds* something to both notions. It denotes more than living together and going to bed together.

2. This is evident from the use of the verb elsewhere in Scripture. In Hebrew and Greek it can apply to a physical joining of things together (e.g., Job 19:20; Ps. 22:15; 2 Sam. 23:10; Lk. 10:11; Acts 8:29). However, in terms of *human relationships*, it means "to join with," "enter into a close relation with," "associate with on intimate terms," "make common cause with," "be committed to in loyalty." For instance, it denotes *clinging to someone in affection and loyalty*: e.g., Ruth to Naomi (Ruth 1:14), the men of Judah to David during Sheba's rebellion (2 Sam. 20:2), Shechem to Dinah (Gen. 34:3, "speaking to her heart"), Solomon to his foreign wives (I Kings 11:2, "in love"), the prodigal making common cause with his employer by being "joined to" him (Lk. 15:15); it was unlawful to have this kind of relationship - to adhere - to a foreigner (Acts 10:28).

3. Thus we see what is entailed by the word when it is used in the Old Testament for Israel *adhering to the Lord in love and submission* (e.g., Deut. 10:20; 11:22; 13:4; 30:20; Jos. 22:5; 23:8; Jer. 13:11). When the Psalmist says that he "clings" to God's testimonies (Ps. 118 [119]:31 LXX), he refers to his support and commitment to them - not somehow to a physical relation with them. Likewise, Paul bids us to "cleave to that which is good" (Rom. 12:9) - the other side of *abhorring* evil. New converts "*cleaved*" to Paul (Acts 17:34) by taking up his cause. Believers are described as "*joined to*" the church (Acts 5:13; 9:26), which obviously speaks of their making common cause, supporting, and being loyal to the perspectives and purposes of God's people.

4. Likewise, a husband and wife are to "cleave" to each other by being committed to and seeking to do what is in each other's best interests; they are to be united, not simply in body, but in loyal support of each other's lives. They are positively to adhere to the genuine needs of each other. This is the diametric opposite of abhorring each other's life and trying to kill each other.

5. Accordingly, if we examine the husband's marriage obligations, Scripture teaches us that he is to "*dwell together with*" his wife "*as a weaker vessel*" (1 Peter 3:7). He is obligated to show consideration and protection for his wife in light of her physical vulnerability, treating her as a fragile container. Failure to supply the necessities and protections of life, not to mention physical abuse of this "*weaker vessel*," is clearly forbidden.

6. The gravity of a man refusing to supply what is necessary for the physical life and protection of his wife is made evident by the stern words of Paul: "*if anyone does not provide especially for his family, he is worse than an unbeliever*" (1 Timothy 5:8). When one remembers the evaluation and destiny of unbelievers according to the theology of Paul, these words have incredible intensity and severity. Someone who exposes his wife and family to physical harm by deprivation of their basic necessities is (somehow!) in a worse moral condition or under greater condemnation than an unbeliever. If this sin of *omission* brings someone into such a dreadful evaluation, one can imagine how much more positive abuse - or sins of commission against the physical life and well-being of his wife and family - would do so.

7. Rather than taking steps to kill their wives, husbands are morally bound by their marriage covenant to give up their lives for the sake of their wives: "*Husbands, love your wives, even as also Christ loved the church gave himself up on behalf of it*" (Eph. 5:25).

8. The obligation entailed here has very obvious outward and physical manifestation. Husbands are required by their marriage covenant to love their own wives "*as their own bodies*" (Eph. 5:28). Just as they would not do anything detrimental to their own physical well-being or life, so they have strict moral orders not to do so to their own wives. They are forbidden to "*hate their flesh*" (Eph. 5:29), which clearly rules out depriving them of sustenance and protection or showing them physical violence. By direct contrast, Paul teaches in the same verse that it is the duty of husbands to "*nourish and cherish*" their wives' flesh.

9. Accordingly, when a husband deprives his wife of nourishment, physical covering and protection, or (more) when he actually beats her and threatens her life, he has done far more than fall short of "an ideal mate" - like someone who lies to his wife or sins in other ways. This kind of sin has a special intensity. He has violated an essential obligation of the marriage covenant, refusing to adhere or cleave loyally to his wife's well-being and life.

10. If in the other two cases of covenanted obligations of marriage (sexual fidelity, living together) violation of the terms of the covenant grants the offended party the moral right to seek dissolution of the legal bond (by divorce), we should reason that it does so also in the case of the covenanted obligation of "cleaving to" each other. To deny that implication without sound and Biblical reasons for doing so would be to indulge special pleading and preconceived notions - a kind of arbitrariness which must not characterize Christian theological thinking. (But doesn't the Biblical teaching that "only fornication" is grounds for divorce argue against this implication? See again D,E,F above.)



K. The above conclusion is explicitly substantiated by the law of God at Exodus 21:10-11, demonstrating (*a fortiori*) that spousal abuse violates the marriage covenant and, in such, grounds for divorce.

1. God's law stipulates in the case of a slave who is taken as a wife, her husband "*shall not diminish her food, her clothing, and her conjugal rights.*" This refers to the obligations of the marriage covenant, as we have seen above (G, H, I, J, K). So then, "*if he does not provide these three things unto her, then she shall go out for nothing, without money*" (Ex. 21:10-11).

2. Her "*going out*" denotes an end of all legal obligation to him. She has the right to dissolve the legal bond of marriage (as should be clear from what we have seen above), but she also has the right to dissolve the bond of her slavery - thus leaving "without money" for manumission. To suggest that her relief is the dissolution of only the marriage (remaining his slave) or only the slavery (remaining his wife) would be to trivialize the provision, for in that case she is not given relief from her offender after all. She must either continue in relation to him as a neglected wife or slave - which is contrary to the aim of providing her with a resolution and redress of the situation.

3. That aspect of this provision in God's law which deals with deprivation of conjugal rights has already been discussed above (see H.1-6). It "*defrauds*" the marriage covenant to refuse sexual relations to one's spouse. What this portion of God's law also reveals is that, *likewise it defrauds the marriage covenant to deprive one's wife of her food and clothing - the nourishment and protection necessary to life* (see J). Both offenses are thus grounds for divorce.

4. This is not merely a matter of inference. God explicitly says this in His law, thereby informing us that these offenses strike at the heart of the marriage covenant and must be deemed "fornication" or "indecency" (see E and H.7 above) - the only ground for divorce (see D above). If God is satisfied that it is morally appropriate for a wife to divorce her husband on the basis of deprivation of her physical sustenance and protection, we must be morally satisfied as well. (The suggestion that God tolerated this as evil in the Old Covenant, but does not do so now, is reasoning which is exegetically and logically faulty as well as theologically and ethically dangerous; cf. A above, the holiness of God and His law, and the implications of a double standard or a culturally relativized one in morality.)

5. Scripture should be interpreted in such a way that principles which apply to lesser cases are understood to be all the more applicable to greater cases. For instance, if God requires proper support of one's ox, *how much more* of one's pastor (1 Cor. 9:9-10). If one did not escape when refusing God's word spoken on earth, *how much more* of God's word spoken from heaven (Heb. 12:25). If we are to do good to all men in general, *how much more* to those of the household of faith (Gal. 6:10). This hermeneutical principle is especially to be acknowledged in interpreting the laws of God, many of which are stated in terms of lesser circumstances so that we might not only (1) see how much more they apply to greater circumstances, but also (2) see just how far the protections and provisions of God's moral order extend (over against our all too sinful tendency to minimize moral obligations and not see the ethical significance of those lesser cases). For instance, a mother bird is not to be killed along with her young (Deut. 22:6-7). Is this a *special protection* for birds, or are we to apply the underlying principle to even greater cases? Scripture itself shows us that we are to apply it *all the more* to more significant animals, like ox and sheep (Lev. 22:28).

It would be obstinate to say, now, well this protection applies only to birds, oxen, and sheep (since they alone are mentioned).

6. If the sin of omission which threatens the life of one's wife (depriving her of food and clothing) is grounds for divorce according to God's word, then *how much more* would the sin of commission - physical abuse of one's wife - qualify as a legitimate ground for divorce. In this case the *a fortiori* thrust of the inference should be readily acceptable.

7. It should also be acceptable in terms of the slave-wife status of the person protected in Exodus 21:10-11. If in the lesser case (a wife with the lower status of a slave) spousal abuse is grounds for divorce, *how much more* would it be in the greater case (a wife with the higher status of a non-slave). This is the normal way in which we would treat the law's provisions (cf. supporting oxen and supporting the preacher). It is a fact that slaves had less privileges and protections within society than did free men and women. This being the case, we should reason that, *if even slave-wives* went out free from the marriage due to physical deprivation (or abuse), then surely the same privilege and protection was afforded to non-slave wives.

8. It is clear that Paul did not consider the requirement of Exodus 21:10 to have been narrowly restricted to slave-wives. In terms of the "conjugal right" which is provided for the slave-wife, we can readily see that Paul deemed it more broadly as the right of *all* wives (I Cor. 7:3). It would be arbitrary special pleading to say that, however, the *other* provisions of Exodus 21:10 are only sanctioned (in terms of the marriage covenant) for slave-wives, not all wives in general.

9. Our human tendency might easily be to think that husbands are strictly required to provide food, clothing and sexual relations to their non-slave wives, but that in the case of slave-wives, they may be treated in a less fashion. The effect of Scriptural teaching is that *even slave-wives* have the right to divorce, if they are deprived or abused. The law shows us just how far the divinely intended legal protection of wives extends - even as far as slave-wives.