

Dear Jerri, #6

Last week I spent some time exploring the prejudices that we bring to reading Scripture texts, and how those assumptions shape the way we approach and interpret Scripture. Please be aware that the assumptions that we bring to Scripture are not fixed assumptions. They are ‘in play,’ as Hans Gadamer puts it. They are what we bring to the text and they shape how we read the text, but they are also being challenged by the texts and – if we are open to it – being reshaped by the texts. That process of allowing the Scripture to reshape our assumptions is what I meant last week by “yielding” to the Scriptures and letting them transform us.

Today, let’s look at Mark 10:2-12, one of the texts that is often used to argue for one man and one woman as “*the* biblical view of marriage,” because Jesus quotes the second creation story, about a man and a woman, when speaking about marriage. This is an interesting text because it challenges the reader to let the text decide its own topic and it says something intriguing about the Scriptures themselves.

In Mark 10:2-12, some Pharisees test Jesus with a question about divorce between a man and a woman. Note that this question is about a marriage and divorce of a man and a woman. Note also that the question is a test, not a genuine inquiry. Its purpose is to catch Jesus saying something actionable so he can be discredited, not to explore the will of God or to provide guidance for a real person facing a real dilemma. The point is, these Pharisees knew that there is an internal tension in the Scriptures. It was something they debated often, just as readers of the Scriptures debate it often today. Do the Scriptures permit divorce? The answer is yes. And, the answer is no. The fact that King Herod was part of a divorce and remarriage meant that those Jewish leaders in Jerusalem had to deal with this issue in some way or another. It was the issue over which John the Baptist was imprisoned and eventually martyred. It was a hot topic with consequences for taking one side or the other. Like the question of paying tribute to Caesar, Jesus faces the choice of being accused as a traitor with one answer or as a law-breaker with another answer. As such, we may ask whether Mark’s story intends to portray Jesus’ words as a standard or as a way of subverting yet another challenge from the leaders in Jerusalem.

Here’s the question: Is it lawful for a man to divorce his wife? The question has to do with what is “lawful,” which, for 1st century Jews means what is allowed in the Torah. In response, Jesus asks, “What does Moses say?” because their view was that Moses wrote the Torah (Genesis through Deuteronomy).¹ What Moses said is in Deuteronomy 24:1-4, which I will leave for you to read on your own. (Go ahead. I’ll wait. ...) Did you read it? Did you notice that the actual topic of this “law” is not really divorce or marriage, but re-marrying someone from whom one has been divorced and who, in the mean time, was married and divorced from someone else? What *is not permitted* in that text is remarrying someone who has been “defiled” by an intermediate marriage, which is “abhorrent.” (This is where the saga involving Kentucky County Clerk, Kim Wallace-Davis-McIntyre-Davis becomes biblically ridiculous.) What *is permitted* – by

¹ Very few biblical scholars today believe that Moses actually wrote the first five books of the Bible (especially the part about his own death). It’s a topic for another day. I will use that language because those are the terms of the conversation in Mark 10.

inference, not directly – is for a man to send away a wife who doesn't please him and for that wife to marry someone else. The Mark text brings this out well. Jesus asks, "What did Moses *command* you?" and they answer, "Moses *permitted* to write a writ of divorce and to divorce." They were recognizing the difference between what Deuteronomy specifically *commands* or *prohibits* from what one can infer is *permitted* or *allowed*.

Then, Jesus does something that poses a challenge for everyone who takes the Scriptures seriously as a rule of life. He agrees that Moses permitted divorce, but says that Moses' words in Deuteronomy 24 are *a concession to human weakness*, not God's will. To see God's will, Jesus points to the second creation story (Genesis 2) to argue that, in marriage, two individuals become one flesh, joined by God, so not to be separated by humans. To the question, "Is it lawful for a man to divorce his wife?" the answer is that God's will is to remain one, while divorce is a concession that Moses made to human weakness. If we want a principle here, it might be: The Scriptures show us both God's will and God's concessions to human weakness.

One can make the case that, since Jesus points to the second creation story to address God's will regarding divorce, one can also point to that story to show God's will regarding marriage itself as between a man and a woman.² Even if one makes that argument, there are other considerations at hand. Moses permitted divorce, even though it is not what was given in Genesis 2. Moses permitted remarriage, even though it is not what was given in Genesis 2. All of those incidents of polygamy were permitted, even though they are not what was given in Genesis 2. The question is, even if we accept 'one man, one woman' as "the biblical view of marriage," what do we do with all of the exceptions, which are "permitted biblical views of marriage"? For Jesus and his interlocutors, the same Moses who permitted divorce in Deuteronomy 24 is the Moses who gave us the creation account of Genesis 2. Perhaps one reflects the ideal and the other reflects reality. Even if one see Genesis 2 as "the biblical definition of marriage," it would seem to me that the next biblical step would be to recognize that not every marriage is going to fit that definition and that other definitions are biblically "permitted."

I cannot get away from this text without restating this: The topic here is divorce, specifically the divorce of a male and a female. Jesus and the disciples pick up that topic afterward, when there is no trick question at hand. Then, Jesus likens divorce and remarriage to adultery. And yet, we all know persons for whom divorce was necessary and for whom remarriage has been a blessing. We embrace that 'permitted' form of marriage, even if it is not the ideal. We embrace it because we are humans, we are frail, and we long for loving relationships, even if we are divorced. We understand why Moses concedes to the possibility of divorce and remarriage. It is grace. My hope is that we who invest in grace regarding divorce would do so regarding same-sex relationships.

~ **The Rev. Dr. D. Mark Davis**

² I do not agree with this argument, but I think it is one way of looking at this text and topic.