

Research Article

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Paul's Divergence from Jesus' Prohibition of Divorce in 1 Corinthians 7:10–16

<https://doi.org/10.1515/opth-2020-0157>

received March 31, 2021; accepted May 10, 2021

Abstract: In Paul's communication to the Corinthian community, we find his reference to Jesus' absolute prohibition of divorce as he seeks to rebuke some Corinthians' desire to divorce for the sake of their ascetic pursuit. Following this enlistment of the authority of "the Lord" (1 Cor 7:10), Paul curiously offers his own instruction which contradicts Jesus'. Drawing on insights from the Roman and the Jewish contexts as well as the Foucauldian notion of power, this article argues that Paul is claiming to himself the power and the status of a *paterfamilias*. His divergence from Jesus' prohibition of divorce stems from his possible concerns as the *paterfamilias* of the Corinthian community.

Keywords: Pauline epistles, Jesus tradition, power, Roman context, Jewish context, Foucault

1 Introduction

It is commonly noted that Paul rarely refers to the sayings of Jesus in his epistles. For a writer who designates himself as the servant or apostle of Christ Jesus in his epistles,¹ Paul's instructions on proper beliefs and behaviors, perhaps surprisingly, are seldom attributed to Jesus. It is therefore remarkable that in 1 Corinthians we find Paul referring to Jesus' absolute prohibition of divorce. Enlisting the authority of Jesus though Paul apparently is, Paul then takes an intriguing turn as he overrides Jesus' command by specifying when divorce is acceptable. To put it in perspective, while the authors of the Synoptic Gospels might have introduced their thoughts as they reported Jesus' sayings about divorce, they nonetheless presented Jesus as having the final word on the matter. Paul's explicit divergence from Jesus' command immediately puts into question the authority of Paul.

The purpose of this article is to bring into focus Paul's power with reference to matter of divorce. Specifically, it seeks to answer two questions: (1) how Paul claims the power over the matter of divorce in his communication with the Corinthian community; and (2) what Paul aims to achieve in his exercise of power. In the following sections, we will first briefly discuss the Roman practice of divorce that could be operative in the Roman colony of Corinth in order to establish the historical context of Paul's teaching. Then we will examine the text of 1 Corinthians 7:10–16 for an understanding of Paul's reference to Jesus' command as well as the apostle's own directive. Numerous books and articles have been written on the many facets of the interpretation of 1 Corinthians 7:10–16. Within the confine of a single paper, only a limited number of them can be engaged. In our discussion of the logic behind Paul's divergence from Jesus'

¹ See Rom 1:1; 1 Cor 1:1; 2 Cor 1:1; Gal 1:1; Phil 1:1; 1 Thess 2:7. In Phlm 1:1, Paul refers to himself as δέσμιος Χριστοῦ Ἰησοῦ ("prisoner for Christ Jesus").

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command, attention will be directed towards the claims that mixed marriage has not been discussed by Jesus, and that the divorces initiated by unbelieving spouses have been beyond the believers' purview. These claims will be discussed in light of a Foucauldian insight on power and our knowledge of Roman divorce. Lastly, we will propose that Paul's Jewish tradition allows him to exert high authority with regard to divorce. In so doing, Paul also claims to himself the status and power of *paterfamilias* in ancient Roman households. It is possible that Paul's decision to diverge from Jesus' prohibition of divorce stems from concerns associated with Paul's status as *paterfamilias*.

2 Roman divorce

In first-century Roman custom, the breaking of marital bond, like the forming of it, is not associated with an abundance of legal formalities as it is today in westernized societies. The intention to be married on the part of the individuals to be wed and, for those living under the power of their fathers, the consent of their respective *paterfamilias* were all that were required to validate a Roman marriage.² On the flip side of the coin, divorce likewise hinged on the will of the husband, the wife, and their *patresfamilias*.³ By the late republic period, the rise of marriage *sine manu*, the possibility of divorce without fault, and the rather probable situation of the married couple being without a living father only lowered the bar for the married to effect a divorce.⁴ Theoretically, divorce could be instigated unilaterally by either the husband or the wife as he or she wishes. Procedural ease seems to be a hallmark of Roman divorce.

However, the procedural ease of divorce for the Romans does not necessarily mean that divorce is easy. Roman writers left behind records of unpleasant experiences stemming from divorce. Cicero was hardly at peace when he wrote about Terentia after divorcing her.⁵ The divorce of Pompey with his first wife Antistia led to the suicide of Antistia's mother.⁶ Fonteius Agrippa's daughter lost her bid to be a Vestal Virgin because Agrippa had divorced his wife.⁷ A distressed Tiberius, after being made to divorce his wife Vipsania by Augustus, was said to have followed Vipsania in tears.⁸ Decades later, Tiberius' jealousy for Vipsania's subsequent husband Gallus probably contributed to Tiberius's order to send Gallus to solitary confinement where he would starve to death.⁹ This list is decidedly not exhaustive. Doubt might also be cast on how representative these upper-class Romans were of the general population. However, stories such as these shall begin to demonstrate that the consequential nature of divorce was not absent in Roman consciousness.

The more typical families would not be exempted from the consequences of divorce either. That the divorced wife would need to return to her natal household with her belongings while leaving behind her children, if any, with their father could make the divorce a turbulent experience for the wife.¹⁰ The custom for the bride or the bride's household to pay the groom's household a sum of dowry upon their marriage carries implications on the decision to divorce. While the social and legal expectations were that the size of

² Dixon, *Roman Family*, 61.

³ Harlow and Laurence, *Growing Up and Growing Old*, 87.

⁴ The practice of marrying not into the hand (*manus*) of the husband and the notion of no-fault divorce became significant by the late republic period. See Dixon, *Roman Family*, 66, 73–4; Harlow and Laurence, *Growing Up and Growing Old*, 80; and Saller, *Patriarchy, Property and Death*, 207. Saller also demonstrates that over one-third of the Roman brides were married without a living father at their first marriages. See Saller, *Patriarchy, Property and Death*, 208. We could also note that since Roman males were usually married at an older age than females, even less grooms would have a living father by the time they first got married.

⁵ Cicero, *Att.* 12.18a.2, 21.3, 22.1.

⁶ Plutarch, *Pomp.* 9.

⁷ Tacitus, *Ann.* 2.86.

⁸ Suetonius, *Tib.* 7.

⁹ Dio Cassius, 58.3; Tacitus, *Ann.* 6.23.

¹⁰ Harlow and Laurence, *Growing Up and Growing Old*, 87.

the dowry should be appropriate for the status and the wealth of those involved, the sum was still substantial enough to necessitate payments in the form of three annual instalments.¹¹ When divorce was to be affected, the husband was required to return the dowry to the wife. This requirement could easily pose a financial challenge to the husband and his household as the loss of dowry meant the loss of a sizeable sum of cash and income-generating property that they had enjoyed control.¹² On the other hand, if the couple had children, the wife would be required to leave behind part of the dowry as child support, meaning that the wife would also suffer financial loss.¹³ Since the norm was for divorced people of marriageable age to get married again, the divorced woman would be in need of making up for the portion of her dowry that had been left with her ex-husband in order to enter into a new marriage.¹⁴ Emotional, social, and financial fallouts could accompany divorce. For the Romans wives and husbands, divorce was an option available to them, but considerations of the aforementioned consequences might make this option one not to be taken lightly. It is against this context that we shall consider the implications of Paul's instructions regarding divorce.

3 Paul's reference to Jesus' prohibition of divorce

Paul begins his discussion of divorce by addressing Christian couples with a reference to Jesus' prohibition of divorce in 1 Corinthians 7:10–11. Supposedly, the circumstances leading to this discussion of divorce are precipitated by the ascetic tendencies displayed by the Corinthians believers (1 Cor 7:1), but the precise situation is unclear.¹⁵ Nonetheless, as will be demonstrated below, Jesus' teaching cited by Paul here is an absolute prohibition of divorce. Without exception, it equally prohibits divorce initiated by either the husband or the wife. This understanding of Jesus' prohibition shall be established by addressing two features of the text: (1) the use of χωρισθῆναι for divorce initiated by the wife as opposed to ἀφίεναι in the case of the husband; and (2) the distinct mention of what should follow a divorce initiated by the wife in v.11.

The use of different verbs, the passive forms of χωρίζω for female-initiated divorce (1 Cor 7:10, 11) and the active infinitive of ἀφίημι for male-initiated divorce (1 Cor 7:11), does not necessarily imply that Paul sees the two kinds of divorce differently. It is sometimes proposed that the different verbs and voices originate from Paul's Jewish perception of marriage which treats male and female differently, but the text seems to suggest otherwise. Paul uses the present active imperative of ἀφίημι with reference to both male- and female-initiated divorces in v.12 and v.13. In v.15, Paul switches to the passive χωριζέσθω for the unbeliever initiating the break away from the brother or the sister (ὁ ἀδελφὸς ἢ ἡ ἀδελφή). In other words, the said unbeliever could be either male or female. On the level of word choices, Paul seems to be treating the male and the female genders equally as he addresses the issue of divorce.

Another issue that needs to be addressed is how to understand the directive given exclusively to the wife to remain unmarried or be reconciled to her husband after divorce in 1 Corinthians 7:11. To begin with, the source of this directive requires clarification. The Greek text of NA27 marks off this conditional sentence with dashes. Several English translations (NRSV, ESV, NET, NASB) also have it placed in parentheses. Such punctuations are reflective of the opinions that this charge for the wife significantly diverges from the

¹¹ A helpful discussion of Roman dowries, including their functions, sizes and implications in various marital situations could be found in Saller, *Patriarchy, Property and Death*, 204–23.

¹² Harlow and Laurence, *Growing Up and Growing Old*, 88; Treggiari, "Divorce Roman Style," 39.

¹³ Ibid.

¹⁴ Treggiari, "Divorce Roman Style," 39.

¹⁵ Longstanding is the suggestion that the Corinthians' desire for spiritual pursuit via abstinence is behind the discussion of divorce. See, e.g., Barrett, *1 Corinthians*, 163; Fee, *1 Corinthians*, 322. However, divorce is not an immediate logical conclusion to abstinence within marriage, as Paul's advice in v.5 seems to indicate. Garland offers a few speculative possibilities. See Garland, *1 Corinthians*, 280–1.

perceived flow of Jesus' directive in the rest of vv. 10–11, possibly leading to the interpretive decision that it is an insertion made by Paul into a command originating from Jesus. However, this position is not to be adopted in this article.

Two observations could be presented against the possibility of 1 Corinthians 7:11 being a Pauline insertion. First, in his discussion of marriage in 1 Corinthians, Paul displays an awareness to distinguish between his own words and received traditions. Immediate to the matter of divorce is 1 Corinthians 7:12, where Paul points out that the subsequent instruction on divorce is his but not Jesus'. In v.25, Paul similarly states that his instruction for the virgins to stay single is his opinion rather than Jesus' command. The lack of similar notes in v.11 leaves readers without textual reasons to consider it a Pauline insertion. Second, other attestations of Jesus' prohibition of divorce in the New Testament also have Jesus speaking against remarriage after divorce (Matt 19:9; Mark 10:11–12; Luke 16:18).¹⁶ The instruction against remarriage after divorce seems to be accepted by early Christians as the words of Jesus. Thus, from a traditional standpoint, there is no reason to consider the directive for the wife in v.11 to be Paul's interpolation either. 1 Corinthians 7:10–11 is to be understood as Paul's reference to Jesus' command. Evidently, Jesus' command is presented by Paul in indirect speech, meaning that it is formulated in Paul's own words; however, in terms of content it should represent a Pauline adoption of Jesus' command for the needs of the Corinthian community.

If the whole of 1 Corinthians 7:10–11 is to be understood as Paul's rendition of a saying of Jesus, then a certain coherence should exist in these verses. The question is how the exclusive directive for the wife in v.11 might fit in the otherwise parallel prohibitions of divorce given to both the husband and the wife. The fact that instruction is given for the course of action after divorce may invite readers to consider it an exception to the prohibition of divorce. Regarding this verse, Schüssler Fiorenza writes that wives "have the possibility of freeing themselves from the bondage of patriarchal marriage [...] however, they must remain in this marriage-free state. They are allowed to return to their husbands, but they may not marry someone else."¹⁷ This quote exemplifies the possibility for readers to interpret the conditional construction in v.11 as an escape clause from their marital bonds. The demand for the divorced wife to remain unmarried or be reconciled to her husband becomes a condition for the divorce to be licit. This interpretation would set an instruction about how to effect a divorce between instructions against divorce, making 1 Corinthians 7:10–11 internally contradictory.

Instead of prescribing a way to divorce, the instruction to the wives in v.11 should be understood as supportive of the prohibition of divorce. Grammatically, the combination of *ἐάν* and subjunctive in the protasis of the conditional sentence refers to a hypothetical occurrence.¹⁸ On the other hand, the peculiar reference to the situation of a divorced woman but not of a divorced man might indicate an actual case of a woman divorcing her husband.¹⁹ The reference to women and then to men in vv.10–11 instead of the more customary order of men and then women as seen in the rest of the chapter has also been suggested as indication of an actual case of a woman divorcing her husband.²⁰ Whether or not a specific case is in view here, the hypothetical subjunctive construction shall direct our focus onto the general.²¹ Ultimately, it points to the reality that which is not permitted may happen anyway. Yet, in this anticipation of possible violation, the principle of divorce being forbidden is still maintained. The prohibitions against divorce in v.10 and v.11c, given to both the husbands and the wives without exception, connote the ideal of marriage being indissoluble (cf. Mark 10:9). That post-divorce remarriage is forbidden presupposes this indissolubility of marital bond. In the Roman colony of Corinth, where Roman marital customs were operative,

¹⁶ So Fitzmyer, *First Corinthians*, 291.

¹⁷ Fiorenza, *In Memory of Her*, 222.

¹⁸ Also see BDF §373, which suggests that the formulation of *ἐάν* with subjunctive as we see here in 1 Corinthians 7:11 could appear in references to "general conditions and in those referring to something impending, and occasionally also in those referring to something which was impending in past time."

¹⁹ Collins, *Divorce*, 24.

²⁰ Collins, *First Corinthians*, 269; Collins, *Divorce*, 23; Gordon, *Sister or Wife*, 118.

²¹ So Loader, *The New Testament on Sexuality*, 267; and Fitzmyer, *First Corinthians*, 294.

monogamous marriage was the norm.²² With marriage being monogamous and marital bond being indissoluble, remarriage after divorce would constitute adultery and thus should be forbidden (cf. Mark 10:11–12).²³ The option to stay unmarried, therefore, acknowledges the prohibition of divorce rather than relaxes it. In a similar vein, the option to return to the husband is also consistent with the notion of marriage being indissoluble. It is a Roman legal concept that the marriage is maintained if the wife returns to her (ex)-husband after divorce.²⁴ It makes sense, therefore, to require the divorcees to be reconciled in order to keep the marital bond intact. Presented in the context of Roman Corinth, the instruction for the wives in 1 Corinthians 7:11 reinforces the assertion that marital bonds should not be violated.²⁵ Overall, 1 Corinthians 7:10–11 presents an absolute prohibition of divorce.

This strict prohibition, attributed to Jesus, seems to suggest that Paul has in mind a high position of power for Jesus. Paul's reference of Jesus as ὁ κύριος ("the Lord;" 1 Cor 7:10) may already be a hint of this extraordinary position.²⁶ The enlistment of the Lord's authority appropriately addresses any Corinthian Christians' desire to divorce for the sake of their faith. Besides, it is understood that in neither Roman nor Jewish custom is divorce absolutely forbidden. For the first-century readers of the Pauline epistle, Jesus' absolute prohibition of divorce represents a reversal of their cultural norm. Paul's citation of Jesus' prohibition of divorce illustrates the weight of Jesus' authority as perceived by Paul. When Paul wants to teach the Corinthian Christians against divorce, he deems the employment of Jesus' authority as sufficient to substantiate a message that is unreservedly counter-cultural and challenges his audience's practice of faith.

4 Paul's own instruction regarding divorce in 1 Corinthians 7:12–16

Following his reference to Jesus' command, Paul addresses Christians married to unbelievers with his own instruction about divorce.²⁷ Remarkable is how Paul introduces his counsel in v.12 (Τοῖς δὲ λοιποῖς λέγω ἐγὼ οὐχ ὁ κύριος; "To the rest I say – I and not the Lord") in a way that closely parallels to how he introduces Jesus' prohibition in v.10 (τοῖς δὲ γεγαμηκόσιν παραγγέλλω, οὐκ ἐγὼ ἀλλὰ ὁ κύριος; "To the married I give this command – not I but the Lord"). The parallel introduction hints at a kind of resemblance between his counsel and Jesus'. Although the verbs παραγγέλλω and λέγω are often translated, respectively, as "to command" and "to say," this distinction should not be overdrawn. The verb λέγω for Paul could very well communicate a sense of commanding authority (e.g., Rom 3:19; 1 Cor 7:6; 2 Cor 8:8).²⁸ Later in 1 Corinthians 7, Paul also claims divine approval for his directives (1 Cor 7:25, 40). At the point where Paul switches from Jesus' command to his own instruction, there are already hints that Paul might be assigning to himself a position of authority not far from Jesus'.

The question then is what Paul does with his power on the issue of divorce. In 1 Corinthians 7:12–13, Paul declares that believers should not divorce their unbelieving spouses if the unbelievers consent to maintaining the marriages. Up to this point, Paul is apparently trying to uphold Jesus' absolute prohibition of divorce onto mixed marriages. The preservation of mixed marriages implies resistance to the traditional

²² Polygamists could be charged for adultery or fornication under Augustan legislation. See Dixon, *Roman Family*, 91 no. 129.

²³ May contends that 1 Corinthians 7:11 is underlain by a logic similar to that of Mark 10:2–12, where Jesus' prohibition of divorce is explained in terms of prohibition of remarriage and the forbidden act of adultery. May thus concludes that 1 Corinthians 7:11 can be an opposition to divorce. See May, *Body for the Lord*, 224–5.

²⁴ D. 23.2.33 (Watson).

²⁵ Cf. Collins, *1 Corinthians*, 269–70; Garland, *First Corinthians*, 283. Collins and Garland arrive at conclusions similar to ours here. They based their arguments on the Jewish tradition which requires divorced women to remain unmarried if they were to be reconciled with their husbands. However, this reading seems to force a purposive sense onto the alternative conjunction in μενέτω ἄγαμος ἢ τῷ ἀνδρὶ καταλλαγήτω (1 Cor 7:11).

²⁶ Conzelmann claims that the Lord's command is "supratemporal." Conzelmann, *1 Corinthians*, 120.

²⁷ Τοῖς δὲ λοιποῖς (1 Cor 7:12) literally means "to the rest." The issues discussed in vv. 12–15 indicates that Paul has in mind believers in mixed marriages.

²⁸ See also BDAG s.v. λέγω.

Roman expectation that women should follow the cult of their husbands.²⁹ Christian wives living in unbelieving households would need to navigate through Roman religious symbols and rituals which were so prevailing in household lives as attested by the likes of consecrated boundary markers in large villas, inscriptions and images over doors, shrines inside the home, and even such ordinary items as evening lamps which could bear the image of Sol.³⁰ Christian husbands with unbelieving wives might enjoy their patriarchal privilege of not needing to be submissive to the wives' cults, but the maintenance of marriages faced with religious differences is, imaginably, not without its challenges. Despite these foreseeable difficulties, the Christians in this situation finds in Paul's writing no advice on how to lead a Christian life in mixed marriages. Instead, Paul offers the hope of the Christians making their non-Christian spouse holy (v.14). Various suggestions have been made to the meaning of holiness in this verse.³¹ It is not the intention of this article to evaluate these suggestions, but the least that could be said is that this holiness is an affinity to the Christian faith. Here Paul not only rejects any worry about believers being defiled by unbelieving spouse (cf. 6:15–20), he also claims that the Christians staying in marriages with unbelievers have the power to draw their spouses towards the Christian faith. Christians in mixed marriages are empowered by Paul to abide to Jesus' prohibition of divorce and remain with their unbelieving spouses.

The twist comes in v.15 where Paul instructs the Corinthians that divorce is acceptable when the unbelieving partner desires to break the marital bond. For those disposed to separate from their unbelieving spouses, Paul claims that they are not bound (v.15b). This notion of the believers not being bound has been variously interpreted with regard to the freedom to divorce and remarriage. It has been suggested to mean that the believers are not bound by the prohibition of divorce or the requirement to maintain the marriage.³² Proposed also is that the bondage is marriage itself.³³ While 1 Corinthians 7:15 makes divorce an available option, Fee contends that remarriage is not on Paul's agenda as the divorcees are still tied to their spouses even with the change in marital status.³⁴ However, the distinction between one's marital status and one's relationship with the spouse seems forced. It also seems counterintuitive for Paul to say that the believer is not bound even though the believer's tie with the unbelieving spouse is still binding. Instone-Brewer helpfully points out that Greco-Roman and Jewish divorce documents often contain freedom language that allows the divorcees to be remarried.³⁵ It is reasonable then to posit that the notion of not being bound after divorce should mean for Paul and his Corinthian readers the freedom to remarry.³⁶ Therefore, in 1 Corinthians 7:15, Paul's audience finds the resources to resist Jesus' position of marriage being indissoluble. Moreover, Paul points out that a believer divorced by an unbeliever is called by God to live in peace. Without any further elaboration from Paul, it is difficult to decide how divorce lead to peace. On one hand, divorcing an unbelieving spouse could be a way out from a marriage troubled by religious differences. On the other, divorcees could be faced with the unsettling consequences of divorce that are mentioned above. At any rate, to be called by God to live in peace implies that the divorced believer is able to live in the peace desired by God. In essence, sanction is lent to those who are on their way to separate from their unbelieving spouses. Paul's instructions regarding divorce in mixed marriages thus lead his audience

²⁹ Plutarch, *Mor*, 1.140D reflects this expectation: "A wife ought not to have friends of her own, but use her husband's as their common stock. And the first and most important of our friends are the gods. A married woman should therefore worship and recognize the gods whom her husband holds dear, and these alone. The door must be closed to strange cults and foreign superstitions. No god takes pleasure in cult performed furtively and in secret by a woman." English translation from Pomeroy, *Plutarch's Advice*, 7.

³⁰ For a survey of the prevalence of religious expressions in Roman household, see Bowes, "At home," 212–7.

³¹ Survey of scholarly opinions could be found in Fitzmyer, *First Corinthians*, 300; and Garland, *1 Corinthians*, 287–90.

³² Robertson and Plummer, *1 Corinthians*, 143; Fee, *1 Corinthians*, 335.

³³ Deming, *Paul on Marriage and Celibacy*, 147. Deming suggests that v.15b should be read with what follows in vv.21–23 rather than what precedes, reflecting an understanding of marriage as slavery. This reading requires us to isolate v.15b from the rather coherent flow of vv. 12–16.

³⁴ Fee, *1 Corinthians*, 335.

³⁵ Instone-Brewer, *Divorce and Remarriage*, 202.

³⁶ Ibid. 203; so Conzelmann, *1 Corinthians*, 123; and Fitzmyer, *First Corinthians*, 302.

into two very different directions. They are empowered to stay married as Jesus commands, yet they are also offered the resources to leave the marriage as Paul instructs.

5 Explaining Paul's counsel on divorce in mixed marriages

Paul's divergence from Jesus' absolute prohibition of divorce needs explanation. After all, Paul seems to attribute high authority to the teaching of the Lord. Attention will be given to two streams of explanation: Paul is answering the community's need for guidance on divorce in mixed marriages which is not discussed in the Jesus traditions,³⁷ or Paul is conceding that divorce instigated by the unbelieving spouse is beyond his or the believer's control.³⁸ These seemingly intuitive suggestions are not without limitations.

Although Jesus' absolute prohibition of divorce, when it was first given, possibly did not anticipate the rise of mixed marriages, it does not necessarily lead to relaxation of the prohibition for such unions. Jesus' prohibition is reported variously with different provisions and settings in the Synoptic Gospels, yet the freedom with which the evangelists appropriate and redact Jesus traditions does not bring them to address the issue of divorce in mixed marriages. Mixed marriage is a result of the Christian missions to the Gentiles. The conversion of a married Gentile would turn his or her marriage into an interfaith union. While such circumstance might not have been an issue for the earthly Jesus in his Galilean ministry, the same could not be said about the evangelists at the time they composed their Gospels. Gentile missions are evidently on the evangelists' minds (e.g., Matt 24:14, 28:18–20; Mark 14:9; Luke 24:46–47). The evangelists also demonstrate knowledge of Gentiles, even a possibly married Gentile in the case of the Canaanite/Syrophenician woman, turning to Jesus (Matt 8:5–13; Matt 15:21–28; Mark 7:24–30; Luke 7:1–10). Mixed marriages might not be foreign to the Gospel writers; however, unlike Paul, they saw no need to qualify Jesus' prohibition of divorce in order to address the issue of such unions. There is a sense of peculiarity to Paul's provision for divorce in mixed marriages. The need to address the issue of mixed marriage might not be the reason, or at least the only reason, for Paul to voice his thoughts in parallel to his reference to Jesus.

The suggestion that Paul concedes to divorce initiated by the unbelievers because they stand outside the authority of Christian teaching should be reexamined as well. This suggestion presupposes a substantial understanding of power, that power is a thing that one either possesses or does not. Helpful here is the Foucauldian insight that power is inherent in relations, manifested by both the dominated and the dominating. In her discussion of Paul's discourse of power, Castelli thus infers from Foucault's notion of power: "Power is not something one person or class holds over and against another person or class; rather, power constructs the contours of the relations between these, affecting both the dominator and the dominated."³⁹ Drawing from this insight, we may begin to postulate that there might be ways for Paul and the Corinthians Christians to influence the unbelievers' desire to divorce their Christian spouses.⁴⁰

Resources for the Christians to influence their unbelieving spouses could be found in their cultural environment. In cases that the unbelieving spouse is not accommodating of the Christian religion, acceptance of divorce as Paul so instructs in v.15 needs not be so automatic a course of action. The variety of social, economic, and emotional consequences of divorce that are discussed above could be deployed to dissuade the unbeliever from instigating a divorce. If the upholding of Jesus' absolute prohibition of divorce is desired, there definitely is room for the believing spouse to maneuver and maintain the mixed marriage. In the end, whether the unbelievers recognize the Christian ethical authority is not *the* decisive issue. Christians could exert their influence on their unbelieving spouses from a position other than a hierarchical

³⁷ Barrett, *First Corinthians*, 163–164; Fitzmyer, *First Corinthians*, 297; Wong, "Deradicalization of Jesus' Ethical Sayings," 186–7.

³⁸ Collins, *First Corinthians*, 268; Garland, *1 Corinthians*, 290; Instone-Brewer, *Divorce and Remarriage*, 201; Loader, *The New Testament on Sexuality*, 268.

³⁹ Castelli, *Imitating Paul*, 43.

⁴⁰ Similar point is presented in Hodge, "Married to an Unbeliever," 12–3.

authority. Significantly, Paul does not direct his readers to exert this influence. It remains an intriguing matter that Paul decides to relax Jesus' strict prohibition instead of requiring his audience to persevere and abide by Jesus' command with all the means available.

To summarize, Paul's divergence from Jesus' prohibition of divorce cannot be adequately explained by Jesus' supposed silence on the issue or the Christians' powerlessness in the face of the unbelieving spouses' want to divorce. Instead, it is noted that Paul might have refrained from an exercise of power that could have helped preserving mixed marriages despite the unbelieving spouse's reluctance. It seems appropriate then to give Paul's exercise of power further considerations.

6 Paul's claim to power

For Paul to voice his counsel to the Corinthian community is for him to exercise his power over the community. It is done with the expectation of influencing the behavior of his audience. Paul, then, locates himself in an authoritative position over his readers. Paul's divergence from Jesus' absolute prohibition of divorce should already indicate that Paul's position, at least in the matter of divorce examined here, is so extraordinary as to rival that of Jesus. The discussion of divorce in 1 Corinthians 7:10–16 prescribes a hierarchy with Paul closely located with Jesus and above the rest of the Corinthian Christians.

Paul's assumption of authority over marital relationships is not unique for religious leaders of his Jewish traditions. From the early Second Temple period, there is the memory of Ezra demanding all members of the Jewish community to divorce their non-Jewish wives (Ezra 10:11), although marriage with foreigners in itself is not prohibited in the Mosaic Law. The famous debate between the House of Shammai and the House of Hillel over the proper cause of divorce reflects the Pharisaic leaders' desire to intervene in the marriages of their followers.⁴¹ In the Damascus Document, we see stipulations requiring members of the community to seek the counsel of the Overseer when they make decisions of getting married or divorced.⁴² If such traditions seem intrusive to our modern eyes, it might not appear so to Paul's contemporaries. Of Moses' rulings on different aspects of life, Josephus writes this:

Beginning immediately from the earliest infancy, and the appointment of everyone's diet, he left nothing of the very smallest consequence to be done at the pleasure and disposal of the person himself. Accordingly, he made a fixed rule of law what sorts of food they should abstain from, and what sorts they should use; as also, what communion they should have with other, what great diligence they should use in their occupations, and what times of rest should be interposed, that, by living under that law as under a father and a master, we might be guilty of no sin, neither voluntary nor out of ignorance; for he did not suffer the guilt of ignorance to go on without punishment, but demonstrated the law to be the best and the most necessary instruction of all others.⁴³

With these words, Josephus boasts of the comprehensiveness of Moses' directives. Within traditions such as these, Paul probably would not have any problem with claiming high authority over the matter of divorce, even if his claim is not in line with Jesus'.

In his communication with the Corinthian community, Paul's claim to authority over the matter of divorce begins with the fatherhood he ascribes himself in 1 Corinthians 4:14. He addresses the community as his children (τέκνα μου; v.14), while proclaiming that he has begotten the community (ἐγὼ ὑμᾶς ἐγέννησα; v.14). Paul the begetter of the community then assumes the status of *paterfamilias* of this figurative household. Ehrensperger argues that Paul's claim to the fatherly role is made in the Jewish educational tradition,⁴⁴ but the assumption of a teaching role by Paul does not in itself eliminate the possibility of Paul adopting the image of a Roman *paterfamilias*. As the head of a Roman household, the

⁴¹ m. Gitt. 9:10 (Neusner).

⁴² CD 13:16–18 (Wise et al.).

⁴³ This English translation of *C. Ap.* 2:173–5 is adopted from Whiston, *Works of Josephus*, 804.

⁴⁴ Ehrensperger, *Paul and the Dynamics of Power*, 129–30.

paterfamilias has formal ownership of all property within the household, exercises control over the marriage of his children, has the power to decide who is to be admitted into or excluded from his household, and has the right to exercise cardinal punishment on his children and slaves, even, at least theoretically, to the point of death.⁴⁵ With such impressive power comes responsibilities, which includes exercising his power with moderation and disciplining children with care but not overt harshness.⁴⁶ That Paul acknowledges this power and the accompanying responsibility is evident from his desire to admonish the Corinthian Christians without shaming them (v.14) and his suggestion that he could discipline them with a stick instead of with gentleness (v.21). Throughout the epistle, Paul advances stipulations regarding various household affairs such as incest (5:1–5), marriage (7:1–16, 25–40), slavery (7:21–24), eating habits (8:1–13; 11:17–34), and finances (16:1–4). From a Roman perspective, such stipulations would not be unexpected from the *paterfamilias*. The issue of divorce, which is the concern of this article, is very much under the purview of the *paterfamilias*. If Paul indeed claims himself to be the head of the household that is the Corinthian Christian community, he will see that whether the members of the community may divorce is for him to decide.

Following this line of thought, we may further speculate on an explanation for Paul's directive on divorce. In mixed marriages, the unbelievers, by virtue of their believing spouses, are set in a kind of affiliation with the Corinthian Christian community. Whether they are to remain affiliated with the household depends on the unbelievers' attitudes towards their marriages with Christians. If they show acceptance of their Christian spouses, Paul's claim that the unbelievers would be sanctified could amount to an approval of their ties to his household. On the other hand, if the unbelievers are not willing to accept their Christian spouses, Paul's instruction for the believers to allow divorce is an order to sever the ties between the unbelievers to his household. Paul the *paterfamilias* is exercising his power to determine who could be affiliated with household.

Why then would Paul proceed with this course of action? We have noted above that Paul does not offer any much-needed advices for Christians to live with their unbelieving spouses. Perhaps Paul's concern is not with individual marriages. Instead, Paul the *paterfamilias* may be more concerned with the life of the Corinthian household. To find ways to keep the unbelievers in the mixed marriages that they do not desire, while possible, could put the Corinthian community in turmoil. If Paul had taught that Christian wives should coerce their unbelieving husbands to stay with them, hostility from the husbands would be inevitable. After all, deviating from the husbands' religions is essentially an act of marital infidelity.⁴⁷ For Paul and the Corinthian Christian community to support such behavior is for them to be accomplice to the unfaithful wives, hardly a way to endear the unbelieving husbands and their households. The situation is similar in cases with Christian husbands and unbelieving wives if the unbelieving wives had been forced to deviate from their ancestral rituals. This scenario would also carry complications beyond the marital relations since Roman wives of the early empire period often maintained close ties with their own natal families.⁴⁸ For a religious tradition newly introduced in Corinth, widespread and continuous hostility might not be welcome. Divorce, then, could be the more advantageous choice for the Christian community. The peace that Paul mentioned in 1 Corinthians 7:15 might not be personal harmony between Christians and their unbelieving spouses. Instead, what Paul has in mind might be the peace of the Corinthian Christian community as a whole. This reading of peace is in line with the instructions to remain in one's current condition that permeates the rest of 1 Corinthians 7 (vv. 2, 8, 10, 11, 26–27, 37, 40). To remain in one's current condition is to maintain the *status quo* of the social networks of Corinthian Christians. Stability of the Corinthian household could only be beneficial in the eyes of Paul the *paterfamilias*.⁴⁹

⁴⁵ For a more detailed discussion of the power of the *paterfamilias* (*patria potestas*), see Saller, *Patriarchy, Property and Death*, 114–30.

⁴⁶ Harlow and Laurence, *Growing Up and Growing Old*, 35, 44; Saller, *Patriarchy, Property and Death*, 122.

⁴⁷ See n. 33 above.

⁴⁸ Harlow and Laurence, *Growing Up and Growing Old*, 80.

⁴⁹ Cf. Hodge, "Married to an Unbeliever," 18.

7 Conclusion

This article serves the purpose of bringing into focus Paul's power as manifested in the passage about divorce in 1 Corinthians 7. It highlights and attempts to explain the observation that Paul deviates from Jesus' command in his instruction about divorce. It is proposed that Paul's instruction regarding divorce reflects his status and accompanying concerns as the *paterfamilias* of the figurative household of the Corinthian Christian community.⁵⁰ Given the possible consequences of divorce, Paul's instructions could carry serious implications for the individuals involved in the relationship. However, with his concerns lying somewhere else, the circumstances faced by the individuals are hardly addressed in the epistle. This observation could very well be a cautionary note for biblical adherents seeking and/or giving counsels on marital matters: whose interest do the counsels serve?

Acknowledgments: The author would like to express his gratitude for critical comments made on an earlier draft of this paper by Professor Alex Hon Ho Ip and fellow students Shi Cheung, Wai Yin Wong, and Ganlin Xie.

Conflict of interest: Author states no conflict of interest.

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⁵⁰ Admittedly, Paul also claims for himself other household roles such as wet nurse (3:2), servant (ὑπηρέτης; 4:1), steward (οἰκονόμος; 4:1), and slave (δουλόω; 9:19). How these roles come together to describe Paul's position within the Corinthian community remains to be seen. Yet, remaining standing is our basic observation: Paul claims for himself an unequalled position within the community.

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