



Jewish Laws on Illicit Marriage, the Defilement of Offspring, and the Holiness of the Temple: A New Halakic Interpretation of 1 Corinthians 7:14

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JEWISH LAWS ON ILLICIT MARRIAGE,
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A NEW HALAKIC INTERPRETATION
OF 1 CORINTHIANS 7:14

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I. A New Halakic Interpretation

In 1 Cor 7:12–13 Paul rules that no believer married to an unbeliever should initiate divorce. The next verse provides justification for the ruling in two parts: first Paul sets forth the principle that grounds the ruling, ἡγιασται γὰρ ὁ ἀνὴρ ὁ ἄπιστος ἐν τῇ γυναικὶ καὶ ἡγιασται ἡ γυνὴ ἡ ἄπιστος ἐν τῷ ἀδελφῷ, “for the unbelieving husband is sanctified by the wife, and the unbelieving wife is sanctified by the brother.”¹ In v. 14b this grounding principle is substantiated by the proof, ἐπεὶ ἄρα τὰ τέκνα ὑμῶν ἀκάθαρτά ἐστιν, νῦν δὲ ἅγια ἐστιν, “otherwise your children would be impure, but as it is they are holy.”² The modern interpreter must answer a number of questions: What does

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¹ The γὰρ is argumentative, and the ἐν phrases are instrumental. Paul similarly uses instrumental ἐν phrases with ἡγιασθαι in Rom 15:16, where he calls the offering of the Gentiles “sanctified by the Holy Spirit” (ἡγιασμένη ἐν πνεύματι ἁγίῳ).

² Conzelmann rightly points out that the present indicative is rare in the principal clause of an unreal condition, which ἐπεὶ ἄρα introduces (Hans Conzelmann, *I Corinthians* [Philadelphia: Fortress, 1975], 123 n. 36). Νῦν δέ marks “reality in contrast to an assumed case,” and should be

Paul mean when he claims that an unbelieving spouse (ἄπιστος) is sanctified (ἡγιάσται) by the believing spouse? What relationship between impurity and holiness does the children's status presuppose? Why would the Corinthians have accepted Paul's identification of their children as holy? How is the impurity or holiness of the children related to the sanctification of the spouse? How does the holiness of the children prove that the unbelieving spouse is made holy by the believing spouse? Unfortunately no "handbook of ancient Corinthian sexuality and social status" is extant, nor do we have access to the instruction contained in Paul's earlier letter mentioned in 5:9,³ or to the letter to Paul in which the Corinthians asked about sexual conduct and marriage (7:1).⁴ To what, therefore, may we turn for illumination on the logic underlying the ruling?

Some scholars have turned to ancient halakot in an attempt to understand Paul's argument in 1 Cor 7:12–16, and with justification.⁵ There is strong evidence in the NT and other ancient literary and archaeological sources for a sizable and influential community of Jews at Corinth.⁶ The Christian community

translated "but as it is," or even "but in reality." See H. Smyth, *Greek Grammar* (Cambridge, MA: Harvard University Press, 1984) §2924.

³ Walter Schmithals proposed that Paul's first letter consisted of 2 Cor 6:14–7:1 + 1 Cor 6:12–20; 9:24–10:22; 11:2–34; 15; 16:13–24 (*Gnosticism at Corinth* [Nashville: Abingdon, 1971], 95). In light of more recent arguments for the unity of 1 Corinthians (e.g., Conzelmann, *1 Corinthians*, 2–5; Margaret Mitchell, *Paul and the Rhetoric of Reconciliation* [Louisville: Westminster/John Knox, 1992], 184–295), this elaborate rearrangement seems unlikely, but the idea that Paul's invective against "unequal yoking" in 2 Cor 6:14–7:1 provoked the questions about marriage between believers and nonbelievers that 1 Cor 7:12–16 answers is attractive, if ultimately not demonstrable. Many scholars have, however, argued against the authenticity of 2 Cor 6:14–7:1, most notably Joseph A. Fitzmyer ("Qumran and the Interpolated Fragment in 2 Cor 6:14–7:1," *CBQ* 23 [1961]: 271–80) and Joachim Gnilka ("2 Cor 6:14–7:1 in the Light of the Qumran Texts and the Testaments of the Twelve Patriarchs," in *Paul and the Dead Sea Scrolls* [ed. Jerome Murphy-O'Connor et al.; New York: Crossroad, 1990], 48–68). Hans Dieter Betz has gone so far as to identify the passage as "anti-Pauline" ("2 Cor 6:14–7:1: An Anti-Pauline Fragment?," in idem, *Paulinische Studien* [Tübingen: Mohr-Siebeck, 1994], 20–45). For a summary of scholarly debate and an argument for authenticity, see Jan Lambrecht, "The Fragment 2 Corinthians 6:14–7:1: A Plea for Its Authenticity," in R. Bieringer and J. Lambrecht, *Studies on 2 Corinthians* (Leuven: Leuven University Press, 1994), 531–49.

⁴ In addition, the Corinthians were concerned about food sacrificed to idols (8:1), spiritual gifts (12:1), and the collection for the churches (16:1); likewise we must infer the details of their debates concerning these issues. For discussion of Paul's response to written questions in a letter from Corinth, see Conzelmann, *1 Corinthians*, 114–15; C. K. Barrett, *A Commentary on the First Epistle to the Corinthians* (London: A. & C. Black, 1968), 154; Mitchell, *Paul and the Rhetoric of Reconciliation*, 225.

⁵ Most notably, Joachim Jeremias, *Infant Baptism in the First Four Centuries* (London: SCM, 1960), 37–40, 44–48; Peter J. Tomson, *Paul and the Jewish Law* (Minneapolis: Fortress, 1990), 103–24; also J. Massyngberde Ford, "'Hast Thou Tithed Thy Meal' and 'Is Thy Child Kosher?'" *JTS* 17 (1966): 71–79.

⁶ In Acts 18:8–17 the Corinthian synagogue leader, Crispus, becomes a believer during Paul's

there had a number of prominent Jewish members and was familiar with certain aspects of Jewish law. If the Crispus and Sosthenes mentioned in 1 Corinthians are the same as the synagogue leaders who appear in Acts 18, then the Corinthian congregation would have been under the influence of Jewish-Christian leaders from the beginning. Paul, a self-described Ἑβραῖος ἐξ Ἑβραίων and a Φαρισαῖος (Phil 3:5), knew Jewish law thoroughly and would have been able to advise concerned believers about halakic issues and to expect at least some of them to understand halakic argumentation when he made it.

It is clear that our passage is halakic: Paul's goal in writing the instruction in 7:12–16 is to apply the commandment of the Lord against divorce casuistically to “mixed” marriages in which one partner is a believer and the other is not.⁷ Like the halakic interpreters behind 4QMMT, who distinguish between what is כּוּזָב and what אֲנַחְנּוּ חֻשְׁבִּים, and the rabbis named in the Mishnah, whose interpretations are clearly distinguished from key verses of Torah,⁸ Paul distin-

mission to the city, and another leader, Sosthenes, is beaten by a crowd of Jews after Paul appeared before the proconsul Gallio on charges of worshiping God contrary to Jewish law. Men with these names appear in 1 Corinthians: Sosthenes addresses the congregation with Paul in 1:1, and in 1:14 Paul refers to Crispus as one of the only Corinthians whom Paul had baptized. Acts depicts Paul preaching to the Jews at Corinth (18:1–5, 8) and residing with Titius Justus, a σεβομένος τὸν θεόν—probably a Gentile who worshiped in the synagogue and followed some Jewish regulations—who lived next to the synagogue (18:7). The centurion Cornelius is similarly described in Acts 10:2, 22 (εὐσεβῆς καὶ φοβούμενος τὸν θεόν). Ernst Haenchen writes that such descriptions “may . . . imply membership of the group of Gentiles who took part in synagogue services without, by adopting the whole of the law, becoming really προσήλυτοι, i.e., fully entitled members of the Jewish religious community” (*The Acts of the Apostles* [Louisville: Westminster, 1971], 346).

In Acts, Paul ultimately directs his greatest evangelical energy to the Gentiles after the Jews opposed him (18:5–6). Evidence from 1 Corinthians supports Luke's picture of a mixed group of converts: in 1:18–25 Paul contrasts the message of the gospel to the traditional desires of Jews for miracles and Greeks for wisdom, emphasizing that the cross, God's power and wisdom, is able to bring salvation to both peoples. The Corinthian community may have been concerned about circumcision (7:18); concern about food purity (8:1–6) is consistent with the Jewish community, and the fact that some at Corinth observed stricter purity regulations than others suggests a mixture of ethnic or religious background that would lead naturally to varying “strengths” of conscience (8:7–13).

The presence of a sizable Jewish community at Corinth is evidenced also in Philo's *Legatio ad Caium*, in which he mentions Corinth among those towns in which the Jews have established colonies (§281). In addition an inscription over a door of a Corinthian building, dated between 100 B.C.E. and 200 C.E., reads . . . ΓΩΓΗΕΒΡ . . . , which scholars reconstruct as [συνα]γωγῆ Ἑβρ[αίων]; it marked a modest synagogue. See A. Deissmann, *Light from the Ancient East* (New York: George H. Doran, 1927), 16–17 n. 7.

⁷ Jesus' commandment occurs in the oldest traditions, Mark 10:1–12 and Q (Luke 16:18); Matt 5:32 (from Q) and 19:9 (from Mark) both add the exception of πορνεία.

⁸ See, e.g., 4QMMT B 27–29, 64–66, 70, 76–77. All citations of 4QMMT will be from the edition of John Strugnell and Elisha Qimron, *Qumran Cave 4.V: Miqsat Ma'ase Ha-Torah* (DJD 10; Oxford: Clarendon, 1994). In the Mishnah, citations of Scripture are not typically marked, but the names of various rabbis are attached to debated rulings. For example, in *m. Yeb.* 12:6 the rite of

guishes between the revealed commandment, which he identifies as coming from ὁ κύριος (7:10–11), and his interpretation, which he introduces with λέγω ἐγὼ οὐχ ὁ κύριος (7:12).⁹ The commandment of the Lord in 7:10–11 is addressed to τοῖς γεγαμηκόσιν and binds both spouses; clearly the addressees are believers married to believers, since both are expected to recognize the authority of a commandment “from the Lord,” and to obey. In 7:12–16, however, only one spouse is obligated to observe the commandment, while the ἄπιστος is entitled to consent to remain living with the believer or to divorce (see 1 Cor 7:15a). There is no hint that the living arrangement will bring about belief in the unbeliever. In 7:14 Paul gives the principle that justifies the ruling: *the unbelieving spouse is sanctified by the believing spouse*. As evidence that this principle is true Paul points to the fact that the children are holy, not

hālīsā is described with verbatim citations of Deut 25:7–10 interspersed with notes about how various rabbis performed portions of the ceremony. In 13:1 legal opinions about which women are entitled to refuse levirate marriage are given, preceded by the name of the rabbinic school or teacher responsible for the opinion. Citations of the Mishnah are from *Mishnayoth*, vols. 1–7 (ed. P. Blackman; Gateshead: Judaica Press, 1983).

⁹ When Paul distinguishes between his interpretation of a commandment and the commandment, he is simply following halakic form and considers his interpretation binding: in 7:20 he claims that his rulings direct the congregation toward the commandments of God, and in 7:25 and 40 Paul describes himself as “one on whom the Lord has conferred the mercy of being trustworthy,” and as one who has “the Spirit of God” (trans. Conzelmann). The binding authority of Paul’s interpretation is also apparent in his explanation of his ruling that all should remain as they were when they were called by God (1 Cor 7:17): after exhorting the circumcised and uncircumcised to remain as they are he writes, “thus I ordain in all the congregations.” It is interesting that Paul applies halakic exegetical method to a new authoritative legal source: Jesus’ recollected words. Paul’s exegetical method reveals the authority that Jesus’ teaching had already acquired, since here it bears the same authority as the Torah. See Raymond F. Collins’s generally good discussion, *Divorce in the New Testament* (Collegeville, MN: Liturgical Press, 1992), 34–35, 42–46. Collins’s statement that Paul’s halakic treatment of divorce is “rather comprehensive, though non-legalistic” (p. 40), however, seems like special theological pleading: How is casuistic rule-making not legalistic? What does “legalistic” mean?

The interpretive voices of pre- and post-Pauline halakot, such as the “we” of 4QMMT and the various named rabbis of the Mishnah, similarly assumed for themselves authority to prescribe and proscribe behavior, and to judge purity and protect holiness among the people of Israel. Although “rabbinic discussions [in the tannaitic literature] are characterized by differences of opinions, disputes, and debates,” it is often clear in the Mishnah whose views were rejected and whose were regarded as authoritative (Gary Porton, “Halakah,” *ABD* 3:27). The concluding lines of 4QMMT illustrate the Qumran sect’s assessment of their interpretive authority: “Consider all these things and ask Him that He strengthen your will and remove from you the plans of evil and the device of Belial so that you may rejoice at the end of time, finding that some of our practices are correct. And this will be counted as a virtuous deed of yours, since you will be doing what is righteous and good in His eyes, for your own welfare and for the welfare of Israel” (C 28–32). While both Paul and the authors of MMT claimed responsibility for interpretations of revealed law, both believed that their interpretations were uniquely able to bring their adherents into conformity with the commandments of God.

impure. The children's present holiness proves that the unbeliever is already sanctified, and that the sanctification does not refer to a future act of entering the community. If the unbelieving spouse were not already sanctified, then the children would be impure. As it now stands, they are holy; thus the ἄπιστος is somehow already sanctified, even though remaining an unbeliever. What logic is at work here?

First, it is apparent that the holiness of the children depends solely on the sanctification of both parents. If both parents are sanctified, the children are holy; were one spouse not sanctified, then the children would be impure.¹⁰ The relationship between impurity and holiness here is strikingly different from that found in other Pauline passages, where "impurity" (ἀκαθαρσία) is a species of immoral activity, while "holiness" (ἁγιασμός, ἁγιωσύνη) is manifested in activity that is moral and pleasing to God.¹¹ There is no hint of a moral judgment of the children in Paul's claim that they are holy instead of impure. Rather, their holiness is a status that the children attain solely on the basis of their parents' sanctification. Now, while Paul must argue that the unbelieving spouse is sanctified, he takes for granted that the Corinthians will agree with his assertion that the children are holy.¹² What warrants the Corinthians' acceptance of Paul's identification of the children as holy? Paul's argumentative proof is presented *e concessu* and seems most naturally to depend on the children's participation in the life of the community, whom Paul regularly calls ἅγιοι.¹³ Because the children come and go and interact freely with the holy community, their holy status must be recognized and accepted; were they not holy, they presumably could not be counted among the ἅγιοι, on account of their impu-

¹⁰ Against speculation that the sanctification of the children must include baptism, not only is baptism nowhere to be found as a requirement for the children's holiness, but a definite requirement is given: both parents must be sanctified. Within the context of Paul's argument in 7:12–16, only the sanctification of both parents may be identified as the cause of the children's holiness. Although it is likely that children were baptized when an entire household converted, such as in Acts 18:8, such an act of sanctification is not crucial for Paul's judgment that they are holy. In Paul's argument their holiness depends on the sanctification of both parents; indeed, if baptism were considered to be the cause of the children's holiness, Paul could not adduce their holiness as proof that the unbeliever is sanctified by the believer. See A. Robertson and A. Plummer, *A Critical and Exegetical Commentary on the First Epistle of St Paul to the Corinthians* (ICC; 2d ed.; Edinburgh: T & T Clark, 1914), 142, and section 2, below, for further discussion.

¹¹ In 1 Thess 4:7 Paul writes: οὐ γὰρ ἐκάλεσεν ἡμᾶς ὁ θεὸς ἐπὶ ἀκαθαρσίᾳ ἀλλ' ἐν ἁγιασμῷ, and in 2 Cor 7:1, καθαρίσωμεν ἑαυτοὺς ἀπὸ παντὸς μολυσμοῦ σαρκὸς καὶ πνεύματος, ἐπιτελοῦντες ἁγιωσύνην ἐν φόβῳ θεοῦ. Similarly in Eph 5:3, moral impurity is of the same order as πορνεία and πλεονεξία, none of which are fitting among τοῖς ἁγίοις. Paul also identifies impurity as a category of immoral activity in Rom 1:24; 6:19; 2 Cor 6:17; 12:21; Gal 5:19; 1 Thess 2:3; so also Col 3:5; Eph 4:19; 5:5; Rev 17:4.

¹² Jeremias, *Infant Baptism*, 45.

¹³ Rom 1:7; 8:27; 12:3; 15:25, 26, 31; 16:2, 15; 1 Cor 1:2; 6:1, 2; 14:33; 16:1, 15; 2 Cor 1:1; 8:4; 9:1, 12; 13:12; Phil 1:1; 4:22; Phlm 5, 7; 2 Thess 1:10.

rity. It seems most likely that the children in question are being raised as believers, or at least have full access to the religious life of the community. Otherwise it is difficult to imagine how their holiness could function as an argumentative proof.¹⁴

In 7:15 Paul allows the believing spouse to be divorced if the unbeliever initiates it. If the unbeliever initiates divorce, then clearly she or he persists in unbelief, yet the status of the children is not mentioned and is assumed to remain one of holiness. Thus, while the unbeliever remains in the marriage, she or he is sanctified by the believing spouse. In 7:16 Paul introduces the possibility that the believing spouse may save the unbeliever, that is, that under the influence of the believing spouse the unbeliever will believe in Christ and enter the community. This is unrelated to the fact that the unbeliever is sanctified by his or her relationship to the believer. The fact that Paul presents this possibility in ambiguous terms—to paraphrase, “For how do you know whether you will save your unbelieving spouse?”¹⁵—confirms that the unbeliever’s sanctification does not imply salvation.¹⁶ If this is true then the sanctification of the unbeliever has less import for the unbeliever, and more for the marriage. A pressing concern of the members of the Corinthian congregation seems to have been that they not be in forbidden marriages; for this to happen both partners had to be sanctified, that is, legally eligible. By ruling that the unbelieving spouse is sanctified by the believer, Paul effectively ruled that mixed marriages are, in fact, licit. Thus, in 7:14 the meaning of ἡγιασται is “is sanctified” in the sense of “is eligible” for licit marriage to a believer.¹⁷ That the unbeliever may initiate

¹⁴ Whether we may infer that 1 Cor 7:12–16 solely addressed the concerns of believers married to unbelievers whose children were brought up within the community is not completely clear, but this social situation would fit Paul’s argument most closely, contra Gerhard Delling, who claims that the children are grown adults who have rejected baptism and faith in Christ (Delling, “Nun aber sind sie heilig,” in *Gott und die Götter: Festgabe für Erich Fascher zum 60. Geburtstag* [Berlin: Evangelische Verlagsanstalt, 1958], 84–93). See Conzelmann, *I Corinthians*, 123, for a persuasive argument against Delling.

¹⁵ τί γάρ οἶδας γύναι, εἰ τὸν ἄνδρα σώσεις; ἢ τί οἶδας ἄνερ εἰ τὴν γυναῖκα σώσεις;

¹⁶ Paul’s ruling addresses two specific questions: (1) What is the force of the Lord’s commandment for a believer married to an ἄπιστος? (2) What is the status of a believer whose ἄπιστος spouse secures a divorce? The possibility exists that the believer may influence the unbeliever, but this is not a certainty; if the unbeliever divorces, it is in the best interest of the believer to accept the divorce and to be free of the former obligations of the marriage. Paul’s justification for this, “for God has called you for peace” (v. 15), suggests that the strife that would result from refusing divorce, either by insisting that the commandment of the Lord was binding upon both parties or by pursuing a lawsuit in the public court, would be inconsistent with the principle that the community of believers should not engage in public conflict with or attempt to judge unbelievers. See 1 Cor 5:12; 6:1–8; Rom 12:18–13:7.

¹⁷ Calvin’s interpretation of this aspect of the verse remains valuable: “Tametsi autem hanc sanctificationem varie accipiunt, ego simpliciter ad coniugium refero, hoc sensu: videri in speciem posset fidelis uxor contagionem ducere ab infideli marito, ut sit illicita societas: sed aliter res habet.

divorce suggests that the power of the sanctification is limited to the duration of the marriage; thus it appears that the effect of the sanctification is limited to causing the marriage, while it lasts, to be between mutually eligible partners.¹⁸

Paul's use of sanctification language is further illuminated by halakot concerning marriage in *m. Qiddushin*. Here קידושין, "sanctifications," refers to a man's betrothal of a woman; קידושין also refers to the betrothal gift, and to the act of licit betrothal itself. The noun קידושין is derived from the *piel* verb קדש, one idiomatic meaning of which is "to betroth."¹⁹ In *m. Qidd. 2:1*²⁰ we find a striking linguistic parallel to 1 Cor 7:14 as the verb *to sanctify* is used consistently to describe an act of licit betrothal:

A man betroths (מקדש) [a woman] by himself (בו) or through his agent. A woman is betrothed (מתקדשה) by herself (בה) or through her representative. A man betroths (מקדש) his daughter [to another] . . . either by himself or through his representative.

If we translate the *piel* and *hithpael* participles in this ruling more literally, its relationship to Paul's ruling becomes unmistakable: the rabbis recognized that a man *sanctifies* a woman for licit marital union when he gives her the קידושין; a woman *is sanctified* by her fiancé for licit marital union when she accepts the קדושין, and so forth. The rabbis' Hebrew, like Paul's Greek, makes the object of sanctification the spouse, and both use instrumental prepositions to express agency: ἡγιασται ἐν appears to be a faithful appropriation of ב מתקדשה/מקדש ב.²¹

Pluris enim est pietas unius ad coniugium sanctificandum quam alterius impietas ad inquinandum. Pura igitur conscientia habitare potest fidelis cum infideli: nam quoad usum et communionem tori ac totius vitae, sanctificatur, ne sua immunditia fidelem inquinet" (*Commentarius in Epistolam Pauli ad Corinthios I* [ed. G. Baum et al.; Brunsvigae: C. A. Schwetschke et Filium, 1892], 411–12).

¹⁸ Paul concludes by addressing the situation of an believer whose unconverted spouse divorces: οὐ δεδούλωται ὁ ἀδελφὸς ἢ ἡ ἀδελφὴ ἐν τοῖς τοιοῦτοις (v. 15b). The believer is forbidden to initiate divorce, but, as Conzelmann writes, "is not subjected to any constraint because of the pagan's behavior. He can marry again," if the ἄπιστος divorces (*I Corinthians*, 123). This passage exemplifies Paul's rule in 1 Cor 5:12 that believers have judicial authority over other believers, but not over unbelieving outsiders: were the ἄπιστος a believer, then Paul would have had authority to command him or her to remain married and to pronounce judgment on violators of the commandment. (Compare 1 Cor 5:3–5, where the offender obviously claims membership in the community of believers. In addition, 6:1–8 illustrates Paul's conception of the community as having judicial authority in disputes between members, an authority entirely independent of the legal structures operative outside of the community.) In the eschatological future, however, Paul anticipates ὅτι οἱ ἄγιοι τὸν κόσμον κρινούσιν (1 Cor 6:2). See Conzelmann, *I Corinthians*, 102, 104–5 for comment.

¹⁹ See P. Blackman's discussion in *Mishnayoth* vol. 3, *Seder Nashim*, 449.

²⁰ The *piel* of קדש is used identically throughout the tractate; for another example, see *m. Keth. 7:7*.

²¹ Note, however, that the use of the preposition ב to identify the personal agency by which betrothal occurs is unusual. Most frequently, as Hayes points out, the object of the preposition is "the mechanism—the object or act—by which the betrothal becomes valid: an act of cohabitation,

It is significant that Paul uses the passive of ἀγιάζω to describe the sanctification of the unbeliever, male or female, given that the Mishnah (esp. *b. Qidd.* 2.1–3.11) distinguishes between the male act of betrothing (*piel* מקדש) and the female act of being betrothed (*hithpael* מתקדשה or, more usually, *pual* מקדשה). Paul's usage puts the believer, male or female, in the more powerful "male" role of sanctifying/causing licit betrothal, while the unbeliever implicitly becomes "feminized."²²

The rabbis assumed that the act of betrothal, or "sanctification," implied the licitness of the marital union.²³ This is precisely what Paul implies in 1 Cor 7:14—the marital union is licit because the unbelieving spouse is "sanctified"—a legal status typically associated with the female spouse. Paul seems to be using the Greek equivalent of a Pharisaic-rabbinic betrothal idiom. It is apparent that he must introduce a new literalness into the idiom ἀγιάσθαι ἐν / ב־קדש in order to argue that the unbeliever is sanctified for licit marital union. When the rabbis wrote that a man מקדש his future spouse, the "sanctification" presupposed the licitness of the marital union on the basis of the *pre*-betrothal status of both spouses. The meaning of קדש is "to betroth" rather than literally "to sanctify," since the eligibility of the betrothed was assumed. In contrast, Paul wrote his ruling to address the status of already existing marriages.²⁴ When he

a gift of a certain minimal value, or a written document" ("Paul on Mixed Marriages," in *Gentile Impurities*).

²² Obviously some precision in the translation is lacking: in *m. Qidd.* 2:13 the object of the preposition is the subject of the verb, so that the idiom is reflexive: "a man betroths (a woman) *by himself* or *through his agent*"; "a woman becomes betrothed (to a man) *by herself* or *through her representative*." The ב־ phrases identify the independent agency of both parties in the betrothal agreement, who act in their own behalf, respectively: the man as he offers and the woman as she accepts the betrothal gift to secure the marriage contract. In 1 Cor 7:14 the objects of the ἐν phrases are the spouses of the sanctified, and these phrases identify the agency of each spouse to guarantee that the partner is sanctified and that the betrothal is licit. The Jewish custom of ascribing independent agency to both parties in a marriage contract makes Paul's ruling possible: because a man may offer a betrothal gift to a woman *by himself*, he has the ability to identify her formally as a licit, "sanctified" partner; likewise because a woman may accept a betrothal gift from a man *by herself*, she has the formal ability to identify him as a licit partner. While it is not clear that such careful thought preceded Paul's usage of this idiom, it seems clear enough that the idiom would have been available to the former Pharisee, and that he found it convenient and appropriate for his argument.

²³ In *m. Yeb.* 2:3–4 we find similar language of holiness used to describe prohibitions: a childless brother's widow may be prohibited from marrying a brother-in-law because of קדושה—that is, because he is a high priest, a *mamzer*, or a Gibeonite. In each case holiness is violated: in the former, that of the high priest, who should not marry a widow; in the last two, that of the Israelite woman, who must not marry a *mamzer* or Gibeonite.

²⁴ This is apparent from the location of 1 Cor 7:12–16, immediately before Paul's commands to "remain as you are" in 7:17–24. Most importantly, in v. 25 he changes subjects and begins speaking περὶ τῶν παρθένων, "about the unmarried." Thus, the rulings in 7:10–16 pertained to those already married, and those in 7:25–38 to the unmarried. It is unlikely that Paul would have recom-

wrote that one spouse ἡγιάσται by the other, he meant that the act or state of being married to a believer, and not the premarital status of the spouses, literally sanctifies the unbelieving spouse as an eligible partner and effects the licitness of the union. We might say that the Pharisaic/rabbinic betrothal idiom has come under the influence of the commandment of the Lord against divorce, so that licitness of marriage is now judged on the basis of the indissolubility of the marital bond (by the believer) rather than on the basis of the premarital status of each spouse.²⁵

M. Qiddushin 3:12 illuminates the significance of the children's status in 1 Cor 7:14. This passage treats the status of the children of licit and illicit sexual unions. The rabbis ruled as follows:

כל-מקום שיש קדושין ואין עבירה הולד הולך אחר הזכר: . . . וכל מקום שיש קדושין ויש עבירה הולד הולך אחר הפגום ואיזה: זו אלמנה לכהן גדול גרושה וחלוצה לכהן הדיוט ממורת ונתינה לישראל בת ישראל לממזר ולנתין: וכל-מי שאין לה עליו קדושין אבל יש לה על אחרים קדושין הולד ממזר ואיזה: זה הבא על אחת מכל העריות שבתורה: . . .

In every case in which there is holiness²⁶ [in the marriage arrangement] and there is no transgression, the offspring follows the father [in status]. . . . And in every case in which there is holiness but there is transgression, the offspring follows the parent of inferior status. . . . And in the case of any woman whose marriage to such is not holiness, but with others would be holy, the offspring is a *mamzer*. And which is such? In the case of a man who has sexual intercourse with one of the prohibited degrees of marriage in the Law. . . .

Two degrees of licit marriages are recognized here: in the superior, both spouses are eligible to marry each other; in these cases the status of the off-

mended or even allowed believers to marry nonbelievers. It is likely that his insistence that widows remarry *μόνον ἐν κυρίῳ* (7:39) means that they may marry only those within the believing community.

²⁵ It is not correct to call Paul's ruling a "concession" for which he creates the legal fiction of the unbeliever's sanctification, *pace* Christine Hayes, who writes, "Paul is lenient and willing to view the unbeliever *as if* eligible for marriage with the believer and to view the marriage *as if* licit and valid" (*Gentile Impurities*). First, Paul forbids Corinthian believers from divorcing unbelievers, against the apparent wishes of some to separate themselves from all nonbelievers (e.g., 1 Cor 5:9–10). This is an imposition of stricter law, not a concession to believers' desires (although to those upon whom divorce from a beloved but unbelieving spouse was urged, Paul's ruling would have come as a relief!). Second, in Paul's view, the Lord's prohibition against divorce binds any believer to any existing marriage and necessarily makes any believer's spouse a licit partner. Paul's legal fiction is limited to making explicit the basis of the unbeliever's status as a licit partner, which the prohibition against divorce already implies. The principle of sanctification by marriage was created not in order to justify an exception to the rule against believer–unbeliever intermarriage, as Hayes claims, but to add weight to Paul's ruling against divorce in the case of mixed marriages.

²⁶ Blackman translates קדושין as "licit betrothal." My translation emphasizes, however, that licit marriage is described as "holy" in the Mishnah.

spring follows that of the father. The inferior form of licit marriage involved some transgression of eligibility laws and resulted in the higher-status spouse having children of lower status.²⁷ A harsher penalty fell upon those whose union was with absolutely forbidden partners, namely, the near-of-kin and others specified in Lev 18:6–18.²⁸ Offspring of such unions were *mamzerim*.²⁹

Mamzerim were impure and posed a threat to the holiness of the land of Israel, especially to the temple. Biblical and postbiblical Jewish legislators emphatically stressed their exclusion: Deut 23:3 forbids them and their descendants, to the tenth generation, from entering the holy assembly of Yahweh.³⁰

²⁷ The transgressions of the law allowed here are even punishable by scourging, according to *m. Mak.* 3:1. No one of priestly lineage was allowed to marry a divorced woman, a widow, or a person of *mamzer* or Gibeonite status or descent. This includes, of course, a woman who has performed *ḥālīṣā*. If a person of priestly descent married one of these lower statuses, that one was penalized by a diminishing of the status of the offspring. For a similar ruling, see *m. Yeb.* 2:4. The rationale for this ruling was that the זרע, “seed,” of the holy priestly line would be profaned (Lev 21:7; cf. Ezek 44:22).

²⁸ The rabbis described these, vis-à-vis the woman, as שאין לה עליו קדוּשִׁין, “in which there is not for her licit betrothal (or ‘sanctification’) regarding them.” Those forbidden were, specifically, העריות בתורה, “the (ones whose) nakednesses (are forbidden) in the Torah.” See also *m. Yeb.* 2:3.

²⁹ For an excellent discussion of ancient Jewish rulings on marriage and the status of offspring, see Christine Hayes, “Intermarriage and Impurity in Ancient Jewish Sources,” *HTR* 92 (1999): 3–36. Hayes traces the development of prohibitions against Jewish–Gentile intermarriage beginning with those in Leviticus and Deuteronomy, which were limited to the seven Canaanite nations and motivated both by the fear that the Gentile spouse would alienate the Jewish spouse from the Israelite religion (e.g., Deut 7:2–4) and by specific interethnic enmities (Deut 23). The later rulings in Ezra 9:1–2; 10:19; Nehemiah; Mal 2:11–12; 4QMMT; and *Jubilees*, which prohibit all Jewish–Gentile intermarriage, were motivated or justified by the “novel reason that marital union with a Gentile profanes (that is, renders nonholy) the holy seed” of the Jewish people (*ibid.*, 10). See Hayes’s expanded discussion in *Gentile Impurities*.

B. Schereschewsky provides a handy survey of the rabbinic passages (“Mamzer,” *EncJud* 11:840–42); for philological analysis, see A. Geiger, *Urschrift* (Breslau, 1857), 52–55; A. Büchler, “Familienreinheit und Familienmakel in Jerusalem,” in *Festschrift Adolf Schwarz zum siebenzigsten Geburtstag 15. Juli 1916* (ed. Samuel Krauss; Berlin: R. Lèowitz, 1917), 133–62; and L. Freund, “Über Genealogien und Familienreinheit,” in *ibid.*, 163–92. Geiger argues that מַמְזוֹר derived from זרעם זר and meant, in the biblical texts (Deut 23:3; Zech 9:6), a child born of a mixed marriage. Against this view, see L. Epstein, *Marriage Laws in the Bible and the Talmud* (Cambridge, MA: Harvard University Press, 1942), 160, 184, and the extended discussion, 279–90. Epstein argues that *mamzer* could not have meant “of a mixed marriage” because the Deuteronomist “had not yet issued a general prohibition against such marriages.” Epstein concludes, without philological analysis, that the term *mamzer* in Deut 23:3 appears to be racial, and most likely refers to an ethnic group that occupied the city of Ashdod, knowledge about which perished at an early stage (p. 184). Space does not permit full discussion, but see n. 48 below.

³⁰ “Even to the tenth generation” (גַּם דּוֹר עֲשָׂרִי) in Deut 23:3 originally meant “forever,” as the gloss עַד־עוֹלָם after גַּם דּוֹר עֲשָׂרִי in 23:4 proves. See below, n. 48, for discussion of the redaction of Deut 23:3–5. The holiness of the camp of Israelites is given as the reason for these exclusions in Deut 23:14. In *m. Yeb.* 8:3 the *mamzer*, whether male or female, is *eternally* forbidden to marry an Israelite.

Similarly, in 4QFlor 1 i 2–4 the *mamzer* is forbidden to enter the temple, כִּי קָדוֹשׁ הוּא.

The dangers and legal consequences of marriages between unequal partners and other forbidden sexual unions occupied Jewish thinkers in the centuries preceding and following Paul's career.³¹ The earliest extant postbiblical halakot on mixed marriages are found in 4QMMT, which the editors identify as a composition of the Essenes written between 159 and 152 B.C.E.,³² and *Jubilees*, which should be dated ca. 170–140 B.C.E.³³ If we date the final redaction of the Mishnah to around 200 C.E. and accept that it contains earlier rulings that originated with the Pharisees, then we have a selection of halakot concerning mixed marriages from a variety of Jewish groups writing over three and a half centuries. Roughly in the middle of this period, between 53 and 55 C.E., Paul handed down his ruling in 1 Cor 7:12–16.³⁴

Two sections of MMT are germane. The first, B 39–49, identifies forbidden sexual unions within the context of regulations aimed at maintaining the purity of the temple.³⁵ Two prohibitions pertaining to impure males, including *mamzerim*, appear here: first, they were prohibited from marrying Israelites;

³¹ This concern stands in stark contrast to the apparent lack of concern for the illegitimate status of children born of forbidden marriages in Roman society. While Augustus's reforms forbade illegitimate children from enrollment in the registry of freeborn citizens, this law was not applied consistently. It was possible for freeborn citizens to be identified as illegitimate offspring with little social stigma. See S. Dixon, *The Roman Family* (Baltimore: Johns Hopkins University Press, 1992), 124–26.

³² On the composition of the document, see the remarks of Qimron and Strugnell, *Qumran Cave 4.V*, 116–21, 131–32, 161–62; also Lawrence H. Schiffman, *Reclaiming the Dead Sea Scrolls* (New York: Doubleday, 1995), 83–95, 245–55; and idem, "The Sadducean Origins of the Dead Sea Sect," in *Understanding the Dead Sea Scrolls* (ed. H. Schanks; New York: Random House, 1992), 35–49; also James C. VanderKam's answer to this article, "The People of the Dead Sea Scrolls: Essenes or Sadducees?" in the same volume, pp. 50–62.

On the dating of 4QMMT, see Qimron and Strugnell, *Qumran Cave 4.V*, 121. See A. Yardeni's analysis of the paleography and dating of the manuscripts of MMT in Qimron and Strugnell, 3–25. For a cogent challenge to the common identification of MMT as a letter addressed to the opponents of the Essenes, see S. Fraade, "To Whom It May Concern: 4QMMT and its Addressee(s)," *RevQ* 76 (2000): 507–26. Fraade argues that MMT most likely "was composed with intramural study as its function, but in the form of a communication between the leadership of the community and its extramural opponents" (pp. 524–25).

³³ James C. VanderKam, "Jubilees, Book of," *ABD* 3:1030–31.

³⁴ Hans Dieter Betz and Margaret Mitchell, "Corinthians, First Epistle to the," *ABD* 1:1140.

³⁵ 39 [And concerning the Ammonite] and the Moabite and the mamzer [and him whose testicles] have been crushed [and him] whose male member [has been cut off], who (nevertheless) enter 40 the congregations [. . . and] take [wives to be] come one bone 41 [and enter the sanctuary . . .] 42 [. . .] impurities. . . . 44 [. . . and] one must not let them be united (with an Israelite) and make them 45 [one bone . . . and one must not] let them en[ter] 46 [the sanctuary. . . . 48 [For all the sons of Israel should beware] of any forbidden unions 49 and be full of reverence for the sanctuary. (Trans. Qimron and Strugnell, *Qumran Cave 4.V*, 50–51).

second, they were prohibited from entering the holy temple because of their defiling impurities. In MMT the two prohibitions seem to stand in some formal relationship.³⁶ The text refers to violation of the prohibition against intermarriage thrice, and each time alongside the prohibition against impure statuses entering the temple: in B 39–40 the prohibited status groups are said to enter the congregation, take (Israelite) wives, and enter the sanctuary. The only extant word from the immediately following sentence(s) is *טמאורה* (B 42), which certainly refers to the impurities associated with the prohibited statuses and implies the defilement of the people and temple. B 43–46 continue this thought by presenting in quick succession prohibitions against cohabitation, intermarriage, and entering the sanctuary. While the details of the relationship between unlawful marriage and entrance into the temple in these lines are lost, B 48–49 stress that reverence for the sanctuary should motivate observance of marriage restrictions. What relationship between illicit marriage and temple purity underlies this exhortation? First, the authors worried that impure spouses would enter the holy temple; second, illegal sexual unions generated moral impurity, which defiled the people and threatened the land; third, the fact that the offspring of such illegal marriages were impure *mamzerim*, worried them.³⁷ Were the authorities to fail to stop the practice of illegal marriage

³⁶ See also IQS 4:10, which juxtaposes *קנאת זרין מעשי הועבה ברוח זנות* with *דרכי נדה בעבודתה* with *טמאורה*.

³⁷ Rulings on the illegal unions that produce *mamzerim* vary in the Mishnah: in *m. Yeb.* 4:12 the rabbis rule that any child born of a remarriage or a marriage between a brother-in-law and a woman to whom he had submitted to *ḥālīṣā*, or her near kin, is a *mamzer*. The Sages agree only that children of those who married the near of kin of one's divorced wife are *mamzerim*; all other children are not. In 4:13 the following positions are described regarding who is a *mamzer*: R. Akiba, the offspring of every case of prohibited near-kin marriage; Simon the Temanite, any born of a sexual union punishable by death at the hands of heaven; R. Joshua, any born of a sexual union punishable by death at the hands of the court. In 10:1 the rabbis rule that any children born to a woman who mistakenly believes her husband to be dead and marries another, are *mamzerim*; 10:3, 4 elaborate this scenario.

It is clear is that status as a *mamzer* could also be expressed as “defilement of seed,” as in MMT B 81; in some illegal marriages the rabbis ruled that seed was not defiled—that is, the offspring were not *mamzerim*—but the status of children followed that of the lesser party in the marriage. Given the “radicalization” of the law that we find in the Dead Sea Scrolls and *Jubilees*, it is reasonable to infer that the offspring of illegal marriage, which Yahweh pledges to destroy, was thoroughly defiled—*mamzer*—and not merely compromised in status. See below for a discussion of the relevant passages.

It should be noted that the rabbis never advocate the execution of innocent *mamzerim*. Indeed, *m. Hor.* 3:8 concludes, *ממזר תלמיד חכם קודם לכהן גדול עם הארץ*, “(if) a *mamzer* be a scholar, he ranks above the high priest that is an ignorant man.” While we recognize in the rabbis’ rulings on *mamzeruth* a distinction between moral and ritual impurity—the *mamzer* is ritually impure but not morally guilty—the *mamzer*’s ritual impurity is more problematic than the ritual impurity of the maimed or leprous, since *mamzer* impurity is a direct product of morally impure sexual activity. Solutions to their existence could never be comprehensive and satisfactory, as rab-

among the people, the impurity³⁸ of *mamzerim* would be multiplied throughout Israel, defiling the temple.³⁹

Thus we recognize that the impure status of the *mamzer* precluded his or her access to that which was holy, namely, the temple, and that recognition of this principle motivated Jews to avoid illegal marriages. MMT B 75–82 confirms that the author had the status of offspring in mind when he ruled against certain unions:

75 Concerning the practice of *zenuth* that exists among the people: (this practice exists) despite their being so[ns] of holy [seed] . . . Because they (Israel) are holy, and the sons of Aaron are [most holy.] 80 And you know that some of the priests and the people intermarry 81 and mix and defile the holy seed and also 82 their own seed, with female outsiders.⁴⁰

binic debate over their status proves. See Epstein, *Marriage Laws*, 279–90; and Hayes, *Gentile Impurities*, ch. 7. *Jubilees* idealized Yahweh's divine eradication of defiled seed from the face of the earth (see below).

³⁸ The specifically “impure” status of a *mamzer* is recognized by R. Tarfon in *m. Qidd.* 3:13, where he rules that it is possible “to purify” (לִישְׁהַר) the offspring of a *mamzer*.

³⁹ Qimron and Strugnell emphasize that “in early Judaism, contaminating the Temple was considered the most severe sin” (*Qumran Cave 4.V*, 131). The Essenes' distress at its defilement appears in CD 4:12–18, where טמא המקדש appears as one of the three “nets of Belial” that have ensnared Israel. The others are arrogance and זנות, illegal sexual union. Again, illegal sexual union is paired with defilement of the temple. CD 4:20–5:2 elaborates on the species of *zenuth*. See Joseph A. Fitzmyer's discussion in “The Matthean Divorce Texts and Some New Palestinian Evidence,” in *To Advance the Gospel* (2d ed.; Grand Rapids: Eerdmans, 1998), 91–97.

⁴⁰ The translated text is as follows:

75 ועל הזנות הנעסה בתוך העם והמה ב[ני זרע] 76 קדש משכתוב קודש ישראל . . .
79 [ב]גלל שהמה קדושים ובני אהרון ק[דושי קדושים] 80 [וא]תם יודעים שמקצת הכהנים
[העם מהערבים] 81 [והם] מתזככים ומטמאי[ם] את זרע[ם] הקודש ואף 82 את זרע[ם] עם הזנות

This translation draws upon that of Christine Hayes and reflects Hayes's argument that the type of intermarriage against which MMT legislates is not priestly–lay (as Qimron argues [*Qumran Cave 4.V*, 171–75]) but Israelite–Gentile (Hayes, “Intermarriage and Impurity,” 27–29). Hayes's argument makes four points: (1) B 79 distinguishes between the “holy” seed of the laity of Israel and the “most holy” seed of the priests. “Contamination of holy seed [l. 81] must thus refer to contamination of ordinary Israelites.” (2) The עם in the phrase העם בתוך in line 75 refers specifically to the laity of Israel, as in line 80, and not generally to the nation. This claim is supported by the assertion that עם means “lay Israelites” as opposed to “priests” throughout MMT, “a fact duly acknowledged by Qimron.” (3) The term זנות does not generally refer to priestly–lay intermarriage in the Dead Sea Scrolls but to incest, polygamy, intercourse with a menstruant, and marriage to a Gentile (CD 4:17, 20–21; 7:1). It is, therefore, “at least equally possible” that זנות here means “intermarriage with Gentiles.” (4) Finally, “the mixture of holy seed and most holy seed (which is what intermarriage of Israelite and priest would be) would in no way impair the status of the holy seed, though it may reduce the status of the most holy. Yet lines 81–82 make it clear that both the seed of the priests and the seed of the Israelites are being harmed. In order to account for the profanation [*sic*] of both holy and most holy seed, the *zenut* mentioned here must involve a third party.” The third party, whose profane seed can defile both holy and most holy seed, must therefore be that of the Gentiles.

The Essenes recognized that illegal marriage resulted in the defilement of holy seed—their concern is not merely that the status of offspring is lowered through intermarriage, but that the holy seed is actually defiled, resulting in the proliferation of impure *mamzerim*, whose presence threatened the temple.

The same relationship between illegal marriage, *mamzerim*, and the defilement of the temple appears in *Jubilees*.⁴¹ In *Jub.* 16:8–9 Yahweh vows to eradicate the seed of Lot from the face of the earth, because they came through incest with his daughters. In 16:9 this judgment is justified thus: “they were polluting themselves and they were fornicating in their flesh and they were causing pollution upon the earth” (16:5).⁴² This pollution, first, came from moral impurity that defiled the holy people: as the author writes, “Israel is a holy nation to Yahweh his God, . . . there is nothing which appears which is as defiled as [sexual immorality] among the holy people” (33:20). If allowed to survive, the presence of the *mamzerim* might suggest that Yahweh ignored or even blessed the incest of Lot and his daughters.⁴³ However, Yahweh’s vow to obliterate the *mamzerim* suggests that their impure status was a primary pollutant: the polluted and polluting *offspring* of זונה must be destroyed—the parents’ repentance from moral impurity was not enough. Concern for the holiness of Israel also warranted execution for Israelites who married foreigners and committed adultery (30:7–17) or incest (41:25–28).⁴⁴ The swift execution of the offenders—especially women—was likely intended to prevent conception from producing *mamzerim*. It is important to note that *Jubilees*, like the rabbis, does not advocate the execution of *mamzerim* by a human court. However, *Jubilees*

⁴¹ Similarities between the rulings in MMT and *Jubilees* are not surprising, given that numerous copies of *Jubilees* were found at Qumran in several caves and an explicit reference to it seems to be made in CD 16:3–4. 4Q384 frag. 9.2 also refers to a [ספר מ]חלקות העת[ים], which seems to be the same book mentioned in CD 16:3–4 (ספר מחלקות העתים לייובליהם בשבעותיהם). The rest of the title, if it was present, is now lost. Copies of *Jubilees* were found in caves 1, 2, 3, 4, and 11.

⁴² The translation is from O. S. Wintermute, “*Jubilees: A New Translation and Introduction*,” *OTP* 2:35–142; see also the translation by James C. VanderKam, *The Book of Jubilees* (2 vols.; CSCO 510, 511; Louvain: Peeters, 1989), 94–95.

⁴³ See the discussion of Jacob Neusner on different conceptions of impurity and purity in the Second Temple period in his *The Idea of Purity in Ancient Judaism* (New York: Brill, 1973), 114–16. *Jubilees* appears to attribute the existence and effects of sin and impurity to the influence of demons. For example, in his “testament,” Noah warns his sons that “the demons have begun to mislead you and your children” to disobey the commandments of Yahweh (7:27). This same view is clearly articulated in the “discourse on the two spirits” in IQS 3:13–4:26. This may be contrasted to the Levitical view of impurity, which divests it of demonic origins. See Jacob Milgrom, *Leviticus 1–16: A New Translation with Introduction and Commentary* (AB 3A; New York: Doubleday, 1991), 43.

⁴⁴ *Jubilees* 30:15–16 makes explicit the idea that anyone who sins sexually or allows sexual sin to persist unchallenged is guilty of defiling the sanctuary of Yahweh; curses come upon the entire land until the sin is properly punished (cf. 41:26).

idealizes their destruction at the hands of Yahweh as preferable to their being allowed to live and threaten Israel's holiness.

It did not escape the author of *Jubilees* that in Gen 38 the twin sons Zerah and Perez, born from the father-in-law–daughter-in-law incest of Judah and Tamar, were not destroyed or even regarded as unclean.⁴⁵ Indeed, the Davidic monarchy came through Perez's descendants, who should have been regarded as *mamzerim*! That this problem was recognized by the author of *Jubilees* is demonstrated by his solution in 41:27: the angels tell Moses, “And we told Judah that his two sons had not lain with [Tamar] and therefore his seed stood for a second generation and would not be uprooted.” In Gen 38:6, Judah betrothed his son Er to Tamar, but Er was destroyed by Yahweh for evildoing. His brother Onan famously avoided providing offspring for Er by “spilling his seed upon the ground”; for this sin Yahweh put him to death as well (38:10). The author of *Jubilees* seems to believe either that Er was killed before he had sexual intercourse with Tamar, or, as the rabbis interpreted, that both Er and Onan were punished for the sin of masturbation, and neither one of them actually consummated the marriage or levirate duty by having sexual intercourse with Tamar.⁴⁶

However the failure of Er and Onan to consummate the marriage and levirate duty with Tamar was understood, it seems that the author of *Jubilees* decided that the sexual union of Judah and Tamar was not actually illegal, since she had only been *betrothed* to Er and had not actually completed the marriage bond by having sexual intercourse with him. By removing Tamar from consummated marriage to Er, and by making Onan's sin masturbation instead of *coitus interruptus*, the author of *Jubilees* effectively ruled that Tamar's union with Judah was only *apparently* incestuous, but not *actually*, since without sexual intercourse with Judah's sons, Tamar was not actually Judah's daughter-in-law. As a result of this logic, Zerah and Perez were judged not to be *mamzerim* and therefore not to present a polluted and polluting threat to the holiness of Israel's land, people, and sanctuary. Therefore Yahweh did not destroy them from the face of the earth as he destroyed the offspring of Lot.⁴⁷ Most impor-

⁴⁵ For a thorough analysis of the interpretation of Gen 38 in ancient Jewish literature, see E. Menn, *Judah and Tamar (Genesis 38) in Ancient Jewish Exegesis: Studies in Literary Form and Hermeneutics* (Leiden: Brill, 1997).

⁴⁶ The rabbinic description of “onanism,” which is severely condemned, is “having sexual intercourse in secret” (זורש בנערה) and “trampling (or ‘threshing’; both are metaphors for coitus) away from face-to-face and scattering (semen) on the outside” (דש מבפנים וזרה מבחוץ). The first phrase of the second expression refers to masturbation, while the latter refers to *coitus interruptus*. For rabbinic discussion, see especially *b. Nid.* 13a; references are from Louis Ginzberg, *The Legends of the Jews*, vol. 5 (Philadelphia: Jewish Publication Society of America, 1925), 333.

⁴⁷ If my interpretation of *Jubilees* is correct, it appears that the author conveniently ignores the law in Deut 22:23–24, which stipulates that a man who rapes a betrothed virgin (ברויה) is guilty

tantly, the ancestors of David—and perhaps even more importantly Solomon—who built the temple, remained “demonstrably” unpolluted.⁴⁸

of violating his neighbor’s wife (הִזְנִיחַ). At least in this species of illegal sexual intercourse, a betrothed virgin has full legal status as a wife; if she does not call out for help then she is to be stoned for adultery along with her rapist.

⁴⁸ In light of the Deuteronomic prohibition against *mamzerim* entering the sanctuary, נִדְּחֵם מִן הַמִּזְבֵּחַ (Deut 23:3), it is interesting that David represents the tenth generation of the offspring of Judah and Tamar (1 Chr 2:3–3:9; Ruth 4:18–22; also Matt 1:2–6; cf. Luke 3:31–33). Solomon was born in the eleventh generation, and under his reign the temple was finally built. If the Davidic genealogy was reconstructed with the Deuteronomic ruling in mind, then we have evidence that Jewish theologians as early as the turn of the fourth century B.C.E. (see Ralph Klein, “Chronicles, Book of 1–2,” *ABD* 1:994–95; also idem, “Ezra-Nehemiah, Books of,” *ABD* 2:732) perceived the sexual union of Judah and Tamar as הִזְנִיחַ, and Perez’s status as *mamzer*. Only after the impurity of *mamzeruth* had departed from the family line—that is, in the eleventh generation—could the temple be built.

In order for Deut 23:3 to support the purity of the Davidic line after the tenth generation, the Chronicler was required to distinguish the prohibitions against the Ammonite and Moabite from entering the assembly of Yahweh (Deut 23:4–5) from the prohibition against the *mamzer* (Deut 23:3): the *mamzer* must be excluded only for ten generations, but the Ammonite and Moabite forever. Two aspects of Deut 23:3–5 appear to make such a distinction difficult: first, while the *mamzer* is excluded “even unto the tenth generation,” it appears that this phrase means “forever,” since the same phrase is thus glossed in the prohibition against the Ammonite and Moabite in v. 4. Second, the wording of vv. 3 and 4 is perfectly identical, except for the names of and pronouns referring to the excluded parties, and the addition of עַלְמַי in v. 4. It appears that Deut 23:4 is intended to complement or refine 23:3; in any case, the grouping of the prohibitions is a natural one, given that the Ammonites and Moabites were *mamzer* races, offspring of the incestuous union of Lot and his daughters (Gen 19:30–38). (*Contra* Epstein [*Marriage Laws*, 184], *mamzer* in Deut 23:3 refers not to an ethnic group but to progeny of transgressive sexual intercourse. In support of this, the only other biblical occurrence of *mamzer* is in Zech 9:6, which describes the destruction of Philistine cities. That a *mamzer* will occupy Ashdod seems to mean that those whom the Philistines regarded as legitimate heirs and rulers of the land will be overrun by another race [LXX, ἀλλογενεῖς] in war, and the “pride of Philistia,” its wealth, cities, and people, will belong to the conquerors. Understood is that Philistine women will become the wives of the victors, thus producing, in the eyes of the Philistines, illegitimate or “mixed” offspring. The conclusion of the curse against Philistia, “Ekron shall become like the Jebusites,” is significant: after David conquered the Jebusites, he “took more concubines and wives,” apparently from among them [2 Sam 5:13 NRSV].)

It appears, however, that the Chronicler’s requirement to distinguish between the *mamzer* and the Ammonite and Moabite was already fulfilled by Deut 23:5: this verse obfuscates the *mamzer* status of the Ammonites and Moabites by providing an alternative reason for their exclusion: “because they did not meet you with food and water on your journey out of Egypt, and because they hired against you Balaam son of Beor, from Pethor of Mesopotamia, to curse you” (NRSV). I would argue that Deut 23:5 was appended to vv. 3–4 precisely in order to distinguish between the exclusions of the *mamzer* and of the Ammonite and Moabite, with the result that the *mamzer* could be excluded only for ten generations, while the others were excluded forever. With this distinction in place it became possible to identify Solomon as legally pure from *mamzer* status, since he was the eleventh generation after the *mamzer* Perez, and eligible to enter the הֵיכָל יְהוָה—that is, to build the temple. Were the Ammonite and Moabite excluded on account of their *mamzer*

The Jewish communities that produced these rulings were concerned to define and promote licit marital unions among the people of Israel; the people's concern for the status of their children enabled these laws to be enforced. While the rabbis disagreed with the authors of MMT and *Jubilees* about the types of marriage that would create impure offspring, all of these communities assumed a general relationship between holiness and impurity within the context of marriage: illegal sexual unions and marriages generated moral impurity that threatened the holiness of the temple. Children of absolutely forbidden sexual unions were *mamzerim* and were forbidden to enter the holy temple where the holy people worshiped their holy God.⁴⁹

Paul perceived that certain members of the Corinthian community—perhaps Jewish believers, or pagan believers who shared Jewish concerns—wished to avoid impure marriages, and he recognized that their motivation for seeking divorce from an unbeliever might be concern for the holiness of the community

status, as Deut 23:3–4 alone suggests, then the Davidic line would have been forever defiled and denied access to the temple. Thus, Deut 23:5 guaranteed the purity of the line after Solomon, most importantly insofar as access to the temple was concerned. It is reasonable to date Deut 23:3–4 to the earlier stage of the text, that is, the seventh–sixth centuries B.C.E. (see Joseph Blenkinsopp, “Deuteronomy,” *NJBC*, 95), and v. 5 to the later, postexilic stage, most likely during the time of Ezra and Nehemiah, when anxieties over intermarriage were first expressed in terms of the holiness of Israelite seed. Both the genealogy of 1 Chr 2–3, which contains too few generations for the time between Judah and David (see S. Japhet, *I and II Chronicles* [Louisville: Westminster John Knox, 1992], 76–77) and the law of the *mamzer* in Deut 23 appear to have been manipulated. It is likely that the schematic arrangement of the genealogy from Perez to Solomon into eleven generations was based on the *mamzer* law that we find in Deuteronomy, and that both this law and the Davidic genealogy were worked out in the context of the reforms of Ezra and Nehemiah. For a summary of debate about the relationship between Ezra and the Chronicler, see Robert North, “The Chronicler: 1–2 Chronicles, Ezra, Nehemiah,” *NJBC*, 362–63.

Later the rabbis also renarrated the story of Judah and Tamar to eliminate the taint of incest. Ginzberg focuses on the legends that treat Tamar and Judah as extremely pious (*Legends*, 2:33–37): she is a prophet who knew that David and the Messiah would come through her offspring, and he is compelled to have sexual intercourse with her by “the angel that is appointed over the passion of love” (p. 34). After the trial, absolute absolution is granted by a heavenly voice which proclaims, “Ye are both innocent! It was the will of God that it should happen!” (p. 36) See Ginzberg's notes for references to the rabbinic sources (*Legends*, 5:332–36).

⁴⁹ The rulings of the rabbis differ from those of MMT and *Jubilees* in some important ways: for one thing, the rabbis were more systematic and detailed in their descriptions of what precisely constituted an illegal marriage. Unlike the other communities, they recognized degrees of transgression and did not consider every illegal marriage unholy, and the offspring thereof *mamzer*. It is difficult to imagine the author of *Jubilees*, who found it necessary to contrive the rather counter-intuitive reconstruction of the details of the union of Judah and Tamar in order to explain why Zerah and Perez were legitimate offspring, allowing that a marriage between mutually ineligible partners ever could possess the quality of holiness. Despite such differences in ancient conceptions of illegal marriage, we find striking consistency in the communities' concerns about marriage and in their assumptions about the threat to holiness that impure unions and their offspring represented.

(he himself had introduced such concerns!). Paul speaks exclusively in the Corinthian letters about the community as the temple whose holiness must be guarded. In 2 Cor 6:16 he writes, “What agreement has the temple of God with idols? For we are the temple of the living God . . .” (RSV). If the letter fragment 2 Cor 6:14–7:1 came to the Corinthian community before 1 Corinthians was written, then it is likely that the community understood the commandment to avoid “being unequally yoked with unbelievers (ἀπίστοις)” in 6:14 as against mixed marriage, and that they perceived the impurity that mixed marriage brought as a threat against the “temple” of the community. Paul obviously understood these convictions. In 1 Cor 6:19 he calls the individual body of a believer a temple of the Holy Spirit; if one sins sexually, then this temple is defiled.⁵⁰ As Adela Yarbro Collins has argued, Paul’s “excommunication” of the incestuous man in 1 Cor 5:3–5 represents an attempt to guard the holiness of the believing community against the impurity generated by sexual sin.⁵¹ Paul recognized the threat to the holiness of the temple—now the community of believers—that sexual sin posed, but when ruling on the licitness of marriage between believers and unbelievers, he was more influenced by the legal authority of the prohibition of the Lord against divorce than by the thought that believer–nonbeliever intermarriage might generate impurity that would threaten the “temple.”⁵²

⁵⁰ Cf. 1 Cor 3:16–17, in which Paul warns that any who destroy God’s temple—the community of believers—would be destroyed by God. While this warning refers to instigating factionalism, it confirms that Paul’s identification of the community as the temple functioned as a deterrent to behavior that would compromise its integrity. Paul assumed that reverence for the temple would motivate the Corinthians’ obedience.

⁵¹ Adela Yarbro Collins, “The Function of ‘Excommunication’ in Paul,” *HTR* 73 (1980): 251–63.

⁵² *Pace* Hayes, it does not seem necessary to identify a principle of “carnal impurity” underlying Paul’s rulings on believer–unbeliever intermarriage and the status of their offspring. Paul does not anywhere suggest that sexual intercourse with an unbeliever is sufficient to transmit impurity to the believer and into the body of Christ. Instead, impurity comes into the community through specific impure sexual acts, such as intercourse with a prostitute (πόρνη, 1 Cor 6:15–16) or incest (1 Cor 5:1–5). Were impurity contracted by contact with unbelievers, then the community would have to withdraw from all contact with outsiders—and this is precisely what Paul argues is not the case in 1 Cor 5:9–13. Instead, the main source of impurity against which believers must guard is the actions of believers: “Do not associate with the immoral” means “Do not tolerate believers who behave immorally,” not “Do not have dealings with unbelievers.” In Paul’s view, then, unbelievers are not inherently impure, although they engage in activities that are morally impure. Paul’s desire for unmarried or widowed believers to remain celibate or to marry only other believers stems from his desire for the community to avoid the influence of unbelievers, and the appearance that unbelievers have the approval of the community. Hayes’s analysis of later interpretations of Paul’s rulings is excellent: not only the patristic writers but also the Corinthians themselves detected something akin to the principle of “carnal impurity” in Paul’s letters, but this principle is a post-Pauline inference, and one against which Paul argued in his lifetime. It seems to me that Paul’s concern with impurity is virtually identical to that in *Jub.* 30:15–16; see n. 44 above.

Paul used Jewish betrothal language in a new way when he ruled that an unbeliever is “sanctified” by a believing spouse. Given the prohibition of Jesus against divorce, any marriage in which there was a believer was ruled to be licit, and Jewish language of betrothal provided a linguistic proof that the sanctification of the spouse and the licitness of the union were guaranteed. Paul’s legal stance toward intermarriage more closely resembles that of the Mishnah than MMT or *Jubilees*. While he recognizes a boundary separating the community of believers from unbelievers, analogous to the boundary between Jews and Gentiles,⁵³ he does not agree with MMT and *Jubilees* that insider–outsider marriage results in the ritual defilement of offspring. Instead, like the rabbis, Paul allows that (at least preexisting) marriage between an insider and an outsider may be sanctified—that is, licit—although it is not the superior form of licit marriage.⁵⁴ Paul differs from the rabbis, however, in his stance toward the status of the offspring of exogamy: he does not rule that offspring born within an exogamous marriage take on the status of the inferior spouse (see *m. Qidd.* 3:12); instead he affirms that the children are “holy,” that is, have full access to the temple constituted by the sanctified community. Finally, it is worth noting that the two species of sexual sin that Paul addresses at greatest length in 1 Corinthians—incest (5:1–5) and other forms of πορνεία such as prostitution (6:15–20)—appear to be condemned entirely on the grounds that they generate moral impurity which defiles the body of Christ, not *mamzer* offspring whose ritual impurity threatens the holiness of the community. This does not exclude the possibility that Paul, like the rabbis, might have regarded the offspring of incest and other “severe” forms of πορνεία as ritually impure *mamzerim*. We may only point out that Paul emphasizes moral impurity much more strongly than ritual impurity, and his only statement on *mamzeruth* denies that exogamy automatically results in ritually impure children. It is completely possible, however, that Paul would have agreed with the Jewish consensus that the

⁵³ In Romans Paul explicitly reorients the Jew–Gentile ethnic boundary to mark the boundary between the morally and soteriologically defined groups: the “circumcised” are any, Jew or Gentile, who are obedient to God’s commandments, and the “Jew” is one who inwardly and spiritually follows God (Rom 2:27–29). The “children of Abraham” are any, Jew or Gentile, who participate in the patriarch’s archetypal faith in God’s promises (Rom 4). True “Israel” consists of all of the “children of the promise,” Jew and Gentile, chosen by God (Rom 9:6–18), who persist in faith (11:13–24). When Paul proclaims that “all Israel will be saved” (Rom 11:26), he has in mind the promises to ethnic Israel as they apply to the newly defined community of believers, since he seems to maintain that ethnic Jews who “persist in unbelief” (ἐπιμένωσιν τῇ ἀπιστίᾳ) will not be included in the community of God’s people (11:23).

⁵⁴ The superior form Paul identifies as that which occurs ἐν κυρίῳ, that is, between two believers (1 Cor 7:39). See Conzelmann’s comments on 1 Cor 7:10, 39 (*1 Corinthians*). Clearly a marriage ἐν κυρίῳ is one in which both spouses have come under the authority of Jesus Christ and so observe the commandments of “the Lord” against divorce (7:10–11), etc.

children of incest and other forms of πορνεία were *mamzer*, and that he would have excluded such children from the holy community.⁵⁵

We have answered the questions posed at the beginning: (1) What does Paul mean when he asserts that a nonbeliever is “sanctified” by the believing spouse? The marriage is between two people of “sanctified” status, so the marriage is licit. The commandment of the Lord against divorce may be observed in mixed marriages without fear that the marriage is forbidden. (2) How does the sanctification occur? It appears that the prohibition of Jesus against divorce effected the sanctification of all marriages in which at least one spouse was a believer. In mixed marriages the prohibition implied that the unbeliever was, for the believing spouse, a licit partner. (3) How is the impurity or holiness of the children related to the sanctification of the spouse? And (4) how does the holiness of the children prove that the unbelieving spouse is made holy by the believing spouse? Paul proves that believer–unbeliever intermarriages were licit by pointing out that their children are not *mamzerim*, impure offspring of illegal marriage, but holy. The children of such intermarriages were allowed into the holy space of the temple; that is, they were allowed to participate fully in the religious life of the community of ἅγιοι. If their parents’ marriage were not licit, or, as Paul and the rabbis put it, if the unbelieving spouse were not “sanctified,” then the impurity of the children would exclude them from the “temple.” With this proof Paul points to the Corinthians’ practice of including the children of mixed marriages in the life of the community, aiming to persuade them by presenting their own actions as confirmation that they already knew and acted in accordance with the truth that he proclaimed.

It is interesting that in 1 Cor 7:14 Paul’s conception of the threat to holiness that the offspring of sexual impurity posed did not differ much from that of other Jewish interpreters of the law in the centuries preceding and following his career. For his contrast between the children’s potential statuses as impure or holy to work, Paul had to accept that certain kinds of nonmoral impurity legitimately should exclude individuals from participating in the worship of the community.⁵⁶ It is questionable whether Paul would have enforced such exclu-

⁵⁵ Would Paul have included a *mamzer* in the life of the community? What stance would Paul have taken toward the offspring of the stepmother–stepson incest condemned in 1 Cor 5:1–5? Acceptance or rejection are both conceivable; I suspect that the latter is likely, given that it would have been difficult to admit *mamzer* offspring into the community without appearing to approve of the sexual union whence the child came, and that Paul applies the principle of *mamzer* exclusion in 1 Cor 7:14. It is possible that elsewhere Paul might have argued that while the sexual sin was morally defiling, the offspring were not ritually defiled and could become full members of the holy community, but there is no direct evidence to support this view. Possibly Paul could have conceived of a person who was ἀκάθαρτος κατὰ σάρκα ἀλλὰ ἁγιαζόμενος ἐν Χριστῷ Ἰησοῦ. Such speculation lacks historical precision, but makes good theological and ethical sense in communities that continue to esteem Paul’s writings as authoritative.

⁵⁶ Paul’s ruling does not leave open the possibility that the offspring of illicit marriages should

sion, since he argues at length elsewhere that other traditionally excluded statuses, for example, uncircumcised Gentiles, are not to be excluded from full participation in the holy community of believers.⁵⁷ If Paul would have included a *mamzer* in the community just as he included the uncircumcised, as we might hope that he would, then we may perceive an ad hoc quality in Paul's argument in 1 Cor 7:12–16 and an inconsistency in his interpretation of Jewish law. He uses Torah positively when he anticipates that it might be effective rhetorically, given a particular audience with Jewish concerns, and elsewhere negates it when it is more useful. This might, however, be too hasty a judgment and perhaps should be phrased more positively: Paul employs legal language that suits his rhetorical context and is free to vary his interpretation of the law in order to maximize his persuasiveness. In the apostle's own words,

To the Jews I became as a Jew, in order to win Jews; to those under the law I became as one under the law—though not being myself under the law—that I might win those under the law. To those outside the law I became as one outside the law—not being without law toward God but under the law of Christ—that I might win those outside the law. (1 Cor 9:20–21 RSV)

II. Interpretations of 1 Corinthians 7:14 among Moderns and Ancients

The logic underlying Paul's ruling has been described as "inscrutable" by many modern scholars, and attempts to discern the reasoning have produced amazing varieties of interpretations. Gerhard Delling provides an appropriate maxim: "so viele Köpfe, so viele Sinne."⁵⁸ The range of modern scholarly opinions surveyed by Delling and many other interpreters after him confirms the near opacity of Paul's logic.⁵⁹ Modern attempts to contextualize Paul's language and logic within various social and linguistic environments have produced readings that cohere with certain strands of thought about sanctification and impurity, but coherence is gained by violating the grammar and syntax of the words or at the cost of the integrity of Paul's argument: problematic terms in 1 Cor 7:14, especially "holiness" and "purity," are ignored or altered, or statements elsewhere in 1 Corinthians that contradict a proposed interpretation are

be freed from *mamzer* status as a general rule: if this were the case, then his argument that the unbeliever is a licit partner for the believer would have no proof.

⁵⁷ See, e.g., Rom 2:28–29; 3:29–30; 1 Cor 7:18; Gal 2:11–3:28.

⁵⁸ Delling, "Nun aber sind die heilig," 84.

⁵⁹ *Ibid.*, 84–87; see also, e.g., Jerome Murphy-O'Connor, "Works without faith in I Cor., vii, 14," *RB* 84 (1977): 349–52; Raymond F. Collins, *Divorce in the New Testament* (Collegeville, MN: Liturgical Press, 1992), 40–64.

ignored. Such coherence-producing innovations occur with equal frequency when scholars use comparative material in rabbinic and pagan sources, or no comparative material at all. I would like to suggest that the various approaches of contemporary scholars to Paul should be understood as analogous to the various backgrounds of Paul's Corinthian contemporaries: Paul's contemporaries at Corinth most likely had as much difficulty understanding Paul's language and logic as modern interpreters do.

The varieties of interpretation fall into three broad categories. In the first group are scholars who argue that the sanctification of the unbelieving spouse can mean only that the unbeliever becomes one of the ἅγιοι by coming under the influence of the believing spouse. J. C. O'Neil takes the perfect verb ἡγιάσται "to refer to a future event," citing such usage in classical literature and other parts of the NT, including Rom 14:23.⁶⁰ On the basis of these parallels he concludes that "Paul means to signify by these words that there is hope for the salvation of the unbelieving partner," since, for Paul, sanctification occurs only through baptism and entry into the community of believers.⁶¹ The same logic convinces him that the children's holiness could only have come through baptism.⁶² Margaret Mitchell proceeds similarly, arguing, "Because ἅγιος is the specific term for a Christian insider, if an unbeliever becomes 'sanctified' [ἁγιάζεσθαι], this means that they join the community. . . . Their contact with 'the body of Christ' through their spouse may bring sanctification."⁶³ In a bolder formulation, W. D. Davies cites 1 Cor 7:14 as evidence that "[a] Christian husband or wife can make his or her partner Christian."⁶⁴ The physical

⁶⁰ See J. C. O'Neil, "1 Corinthians 7,14 and Infant Baptism," in *L'Apôtre Paul: Personnalité, Style, et Conception du Ministère* (ed. A. Vanhoye; Leuven: Leuven University Press, 1986), 358–59.

⁶¹ *Ibid.*, 360, 358. As proof that the sanctification of the unbelieving spouse and the holiness of the children come through baptism, O'Neil points to 1 Cor 1:13, in which Paul seems to argue that the salvation of the Corinthians came only through Christ's crucifixion and the believers' baptism in his name.

⁶² *Ibid.*, 360–61.

⁶³ Mitchell, *Paul and the Rhetoric of Reconciliation*, 123 n. 352. Mitchell adduces Heb 10:14; Acts 20:32; 26:18; and 1 Cor 6:11 as proof that the sanctification of unbelievers must mean that they join the community. Against claims that Paul consistently uses forms of ἁγιάζω to mean "sanctified through baptism," or "sanctified by joining the community" it should be recognized that the verb occurs only five times in the undisputed Pauline letters, and only in 1 Cor 6:11 does it seem to have a connection to baptism. Even there it is not clear that the sanctification is a concomitant of baptism. Elsewhere it means "consecrated" in a quasi-cultic sense as an offering to God (Rom 15:16), "made holy" by Christ Jesus, without reference to baptism (1 Cor 1:2), and "made holy" by God, not Jesus Christ or baptism (1 Thess 5:23). To be sure, these uses presuppose that the sanctified are οἱ ἅγιοι, the body of believers, most of whom had been baptized, but the verb is rare and has a range of meanings that precludes simple identification with a result of baptism or even faith in Christ.

⁶⁴ W. D. Davies, *Paul and Rabbinic Judaism: Some Rabbinic Elements in Pauline Theology* (2d ed.; Philadelphia: Fortress, 1955) 56. It is surprising that Davies does not note the halakic

union of the unbeliever with the believer within the marriage results in the unbeliever's inclusion into the "quite physical" unity of the body of Christ.⁶⁵ A close reading of 1 Cor 7:12–16—especially the doubtfulness of the unbeliever's salvation expressed in v. 16—demonstrates that these interpretations are wrong. In Calvin's still-insightful words, "Interea nihil prodest haec sanctificatio coniugi infideli: tantum eo valet, ne eius copula fidelis inquinetur, et profanetur ipsum matrimonium."⁶⁶

The second approach is by far the commonest: most scholars analyze the act of sanctification as the transmission of an "objective," or *dinglich*, nonsoteriological holiness, as though in this situation Paul used or invented a conception of holiness not found elsewhere in his letters. It is a thing or quality transferred from one person to another, in a way identical to ancient conceptions of impurity. These scholars argue that the holiness of the children is a result of the same process that sanctifies the spouse. Paul's argument is, in effect, that if the principle that sanctified the spouse were not active, then the children could not possibly be sanctified. But because they are holy—and somehow the Corinthians agree that they are—then the unbelieving spouse must also be affected by the sanctifying process. G. R. Beasley-Murray puts it thus:

Above all it is to be recognized that the holiness of the child is commensurate with that of the unbelieving parent; a valid explanation of the former must also account for the latter. "The unbelieving husband has become consecrated (ἡγιασται) in the wife . . . as may be understood from the fact that your children are consecrated (ἅγιοι). It is impermissible to draw a distinction between two conceptions of holiness here, on the grounds that the parent is said to be only ἡγιασται, whereas the child is ἅγιος."⁶⁷

nature of 1 Cor 7:12–16 in his study of "rabbinic elements" in Paul's thought. Almost equally surprising is the omission of any discussion of the relationship between the children's status and the sanctification of unbelieving spouse in Peter J. Tomson, *Paul and the Jewish Law*. His explanation of the unbeliever's sanctification is similar to that of Davies: "Apparently *de facto* union with a Christian constituted *de facto* union with the body of Christ" (p. 119). See his analysis of "Paul's divorce halakha" (1 Cor 7:12–16) (pp. 116–22).

⁶⁵ Davies, *Paul and Rabbinic Judaism*, 56. Richard Hays argues almost identically: "Or, to put it a bit more provocatively, holiness is—as it were—a venereal disease, passed from one spouse to the other. . . . [Paul] deduces that the unbelieving spouse is sanctified through the believing spouse. This line of thought leads naturally to the idea expressed in verse 16, that perhaps the unbelieving spouse will be saved through the believer. . . . It is usually assumed that Paul refers here to the hope that the unbeliever will be converted through the love and witness of the believer; however, given Paul's mysterious notion of quasi-physical vicarious sanctification (v. 14), it seems equally possible that he holds out the hope for God somehow to save even the unbeliever on the soteriological coat-tails of the believer" (*The Moral Vision of the New Testament* [San Francisco: HarperCollins, 1996], 360).

⁶⁶ Calvin, *Commentarius in Epistolam Pauli ad Corinthios I*, 412.

⁶⁷ G. R. Beasley-Murray, *Baptism in the New Testament* (Grand Rapids: Eerdmans, 1962),

Because he insists on equating the unbeliever's sanctification with the children's holiness, Beasley-Murray must conclude that Paul uses a conception of holiness that differs markedly from that which occurs regularly in his epistles: it is not the result of baptism, nor does it refer to the inclusion of the children or the unbeliever in the people of God, either by conversion or by vicarious participation in the believer's sanctification.⁶⁸ Instead Paul conceives of holiness as a quality setting apart the entire family through the sanctification of a single member, just as the ἀπαρχὴ φυράματος consecrates the entire φύραμα in the Jewish sacrificial system.⁶⁹ Beasley-Murray appeals to Paul's use of this sacrificial analogy with reference to Israel in Rom 11:16–20: while that which is specially set apart for God might persist in unbelief, the possibility exists that the consecrated people will come to believe, and thereby become fully sanctified in Christ. In the same way the unbelieving children and spouse become consecrated to God as a result of the believing spouse's sanctification, and the possibility exists that these unbelievers will attain salvation as a result of the believer's influence.⁷⁰

This appealing—and very Lutheran⁷¹—explanation fails on several

193. Beasley-Murray cites with approval the paraphrastic NEB: "The heathen husband now belongs to God through his Christian wife . . . otherwise your children would not belong to God, whereas in fact they do" (p. 193 n. 3).

⁶⁸ Ibid., 194. See also his polemic against the notion that holiness is transmitted to family members through physical contact, both sexual union and childbirth (pp. 194–95).

⁶⁹ Ibid., 195–96; see Num 15:20 (LXX); Rom 11:16.

⁷⁰ Ibid., 196–97, 199. Raymond F. Collins argues similarly: the unbelieving spouse and the children "are not separated from God; rather they belong to God because of the holiness of their parents. Paul's argument is analogous to the Jewish understanding of the family. In traditional Judaism, the family was subsumed into a covenantal relationship with Yahweh because of the father. . . .

"Since children of mixed marriages have been drawn into the holiness sphere of their Christian parent, there is no need to assume that these children are called holy because they have adopted a mode of conduct similar to that of their parents. There is certainly an ethical implication in Paul's use of 'holy' and its cognates (*hagi-*) but there does not seem to be any reason to assume that in verse 14cd 'holy' has a denotation that is principally ethical, whereas, in the first part of the verse (v. 14ab), its principal meaning was 'belonging to God'" (*Divorce*, 53).

⁷¹ Beasley-Murray repeats the basic argument set forth by Delling ("Nun aber sind sie heilig," 91–92) four years prior to Beasley-Murray's *Baptism*: "die [erwachsene] 'Kinder' selbst lehnten die Taufe ab," in the same way as the unbelieving parent. The aim of Paul's instruction in 1 Cor 7:14 is to address the believing spouse's fears "daß der Verkehr mit ungetauften Kindern verunreinigen könnte (und natürlich so verunreinigen könnte, daß die christliche Existenz der Eltern dadurch gefährdet wäre). 'Von euren Kindern trennt ihr euch ja auch nicht!'"

As Delling acknowledges (p. 91), his argument closely follows that of Martin Luther. Luther writes: "Wenn ein christlich Gemahl große Kinder hätte mit einem unchristlichen Gemahl (wie es dazumal oft geschah), und die Kinder sich noch nicht wollten taufen lassen, noch Christen werden; sintemal niemand soll zum Glauben gezwungen, sondern von Gott williglich gezogen werden durchs Evangelium: so soll darum die Mutter oder der Vater die Kinder nicht lassen, noch mütter-

grounds, the first of which is grammatical: ἐπεὶ ἄρα is an emphatic subordinating conjunctive phrase introducing the causal clause that provides the warrant for the claim that the unbelieving spouse is sanctified:⁷² “because then” (if the unbeliever were not sanctified) the children would be impure, but in fact they are holy. Beasley-Murray interprets the passage as though ἐπεὶ ἄρα were ὡς, οὕτως, or καθώς: “just as” or “in the same manner that” the children are holy. Paul’s Greek identifies a causal, not an analogous, relationship between the unbeliever’s sanctification and the children’s holiness. The two statuses exist in some relationship; indeed, Paul’s Greek makes clear that the children’s holiness proceeds out of the unbeliever’s sanctified status. Paul, however, also makes clear that the unbeliever is sanctified *by the believing spouse*—and so the statuses of the unbelieving spouse and of the children are clearly of different origins. Further, if we affirm a causal relationship between the unbeliever’s sanctification and the children’s holiness, then we need not identify the statuses as perfectly equal. The holiness of the children and the unbelieving spouse provided both with access to the community. The forms in which the unbelieving parent and the children exercised this access, however, might have differed dramatically. The unbeliever may have been eligible for קדוּשִׁין, licit marriage to a member of the believing community, without being sanctified in Christ through faith and baptism, while the holy children may have been raised as believers; it is also possible that the sanctified unbeliever may have been saved through the believing spouse by becoming a believer, while the holy children may have abandoned faith in Christ as adults. The strength of Paul’s argument lies in the fact that the offspring of licit marriages were holy, that is, eligible to participate in the religious life of the community. Doubtless many children of believer–unbeliever mixed marriages did thus participate, which provided Paul with proof that such marriages were licit.

Conzelmann implies that Jewish conceptions of impurity and holiness have been transformed by the eschatological framework of Paul’s thought. Following Delling, Conzelmann argues that Paul subtly corrects the Corinthians’ conception of holiness and impurity as transmitted by a purely material fashion, and introduces the idea that both are communicated by “ascription” (*Zuordnung*).⁷³ While formerly holiness was constantly threatened by impurity that

liche oder väterliche Pflicht entziehen oder versagen, als thäten sie Sünde daran, und sich verunreinigten an den ungläubigen Kindern, sondern sollen ihnen leiblich vorstehen und sie versorgen, eben sowohl, als wären sie die allerheiligsten Christen. Denn sie sind nicht unrein noch unheilig (spricht er), das ist, dein Glaube kann sich an ihnen üben, daß er rein und heilig bleibe” (Martin Luther, *Auslegungen des siebenten Capitels der ersten Epistel St. Pauli an die Corinther*, in idem *Sämtliche Schriften*, Band 8 (ed. J. G. Walch; Groß Oesingen: Verlag der Lutherischen Buchhandlung, 1987], 1061).

⁷² See Smyth, *Greek Grammar*, §2240–41.

⁷³ See Delling, “Nun aber sind sie heilig,” 93.

could be transferred by physical contact, Paul reveals that, through Christ, the holiness of the “saints” now overcomes impurity and renders all relationships—and therefore all participants therein—sanctified *for the believer*:

the “world” is denied any power of its own; in concrete terms, this means any such power over believers. The world is desacralized. . . . Through the believing partner, the marriage between a pagan and a Christian is withdrawn from the control of the powers of the world. In living together with the world, the ‘saints’ are the stronger party.⁷⁴

Conzelmann equates the sanctification of the unbeliever with the children’s holiness by asserting that “the understanding of holiness (and uncleanness) in v. 14b is the same as in v. 14a,” and he then contributes two suggestive questions, which he answers with tentative affirmation: “Is Paul . . . simply appealing to actual views and to facts, that is, that the Christians do not as a matter of fact regard their children born of mixed marriages as unclean? Not even the unbaptized?”⁷⁵

Conzelmann suggests that the relationship between the holiness of the unbelieving spouse and the children is that of analogy: *just as* the children of believers are holy and undefiled/undefiling to the believer, *so also* holy/sanctified status is ascribed to the unbelieving spouse, who remains undefiling to the believer. Jerome Murphy-O’Connor proceeds similarly but protests that the sanctification of the unbeliever must mean something equivalent to other discussions of sanctification in Paul.⁷⁶ He concludes that the unbeliever’s act of remaining in the marriage must justify Paul’s assessment of her or him as “holy,” since the unbeliever acts in accordance with the commandment of the Lord against divorce. His or her behavior is marked by a certain uprightness, as is that of the children, which makes the analogy between their holiness and the unbeliever’s sanctification perfect:

just as children whose conduct has been formed according to Christian standards grow naturally into the act of faith, so there is hope that the unbeliever, whose conduct (at least in one area) already conforms to Christian standards, will also come to accept Christ one day.⁷⁷

Similarly O. Larry Yarbrough and Dale Martin argue that Paul viewed the statuses of the children and the unbelieving spouse as the result of the same

⁷⁴ Conzelmann, *I Corinthians*, 122.

⁷⁵ *Ibid.*, 123. Conzelmann provides some guidance: the children are born of mixed, not Christian, marriages, and were most likely not baptized; if they were baptized, “the whole problem becomes unintelligible,” since the baptismal source of their holiness would make the unbelieving parent’s status irrelevant (pp. 123 nn. 39, 41).

⁷⁶ Murphy-O’Connor, “Works without faith in I Cor., vii, 14,” 352–56.

⁷⁷ *Ibid.*, 361.

sanctifying or purifying force radiating out from the believer. Yarbrough argues that Paul inferred from the holy status of the children, whom the Corinthians agreed became holy “because of the believing parent,” that

the believing partner also sanctifies the non-believing partner, because otherwise (ἐπεὶ ἄρα) the children would also be unholy (lit. “unclean”). That is, what the believing partner accomplishes for the child he also accomplishes for the non-believing spouse.⁷⁸

Martin’s argument is similar: Paul claims

that the unbelieving partner is made holy “in” the believing partner (7:14). That is why their children, who would otherwise be “unclean” (*akatharta*) are now “holy” (*hagia*). In Greek, “holiness” language does not always function in opposition to “uncleanness” or pollution; but here it obviously does, as indicated by Paul’s opposition of *hagia* and *akatharta* in verse 14 (*hagiotēs* is the solution to the problem of *akatharsia*). Paul extends the boundaries of purity to include even the unbelieving partner and the children in a marriage. Whereas we often think about contamination as resulting from proximity, Paul here allows that the opposite of contamination, cleansing, may also work by proximity.⁷⁹

This approach leaves the logic of holiness and impurity in the passage unclear; indeed, both Yarbrough and Martin attempt to clarify the opposition between ἀκάθαρτα and ἅγια in v. 14b by glossing the terms as perfect antitheses: holy versus unholy (Yarbrough) or pure versus impure (Martin).⁸⁰

Finally, Martin interprets the preposition ἐν in the phrases ἐν τῷ ἀδελφῷ and ἐν τῇ γυναικί as a marker of location or association, as in the phrase ἐν Χριστῷ Ἰησοῦ (e.g., Rom 8:1):

Paul extends the boundaries of purity to include even the unbelieving partner and the children in the marriage. . . . He insists that the purity of Christ holds such power that it may, in certain situations, purify even nonbelievers. The Christian is purified by his or her location “in” Christ; by extension, the

⁷⁸ O. Larry Yarbrough, *Not Like the Gentiles: Marriage Rules in the Letters of Paul* (Atlanta: Scholars Press, 1984), 112.

⁷⁹ Dale Martin, *The Corinthian Body* (New Haven: Yale University Press, 1995), 218.

⁸⁰ Compare Luther’s claim that Paul says that the children “sind nicht unrein noch unheilig” (*Auslegungen*, 1061). The identification of holiness and impurity as opposites is not without support, since Paul opposes holiness or sanctification and impurity in 1 Thess 4:7 and Rom 6:19 (cf. also 2 Cor 6:17). (Neither Yarbrough nor Martin cites these parallels.) However, in these passages the opposition is between categories of moral activity, whereas in 1 Cor 7:14 the impure or holy status of the children is not related to their moral activity, but is strictly legal insofar as it is determined entirely by the legal status of the parents’ marriage. Therefore the opposition in 1 Cor 7:14 is not directly parallel to the oppositions in 1 Thess 4:7 and Rom 6:19. Discussions about licit marriage and the status of offspring in the literature of the rabbis, Qumran, and *Jubilees* provide the most illuminating parallels.

unbelieving spouse is purified by his or her location “in” the believing spouse.⁸¹

As Martin acknowledges, this reading leaves a major problem unresolved: if the unbeliever is sanctified by location and contact within the believing community, how is it that she or he remains without salvation? What concept of sanctification does not include salvation?⁸² If we understand the phrase ἡγιασθαι ἐν instrumentally and recognize it as a Greek appropriation of the Pharisaic/rabbinic betrothal idiom בִּקְדוּשָׁה, then the problem is resolved: Paul simply means that the marriage is licit, since by Jewish convention the eligible status of one spouse was confirmed by the other’s act of entering into a “holy” or licit marriage contract.

Attempts to interpret the sanctification of the unbeliever and the holiness of his children as results of the same process create as many problems as they solve. For one thing, the glosses required to turn holiness and impurity into a perfect antithesis obscure the logic of the legal formula behind Paul’s ruling,⁸³ and the relationship between the spouse’s sanctification and the children’s holy status becomes merely an analogy. The children’s holiness is not dependent on the unbeliever’s sanctified status, nor is it clear how their impurity would be related to the unbeliever’s lack of sanctification. The logic underlying Paul’s ruling, as I have argued, is best expressed in a formula that retains his categories: “saint” (male or female member of the holy community) + legal (“sanctified”) partner → holy offspring; “saint” + illegal partner → defiled, impure offspring, *mamzerim*.⁸⁴ This formula was hardly an innovation, as its appearance in other

⁸¹ Martin, *Corinthian Body*, 218.

⁸² *Ibid.*, 218–19.

⁸³ See Hayes’s discussion of the relationship between the categories holy/profane and pure/impure (“Intermarriage and Impurity,” 5). See also Jacob Milgrom, “Priestly (‘P’) Source,” *ABD* 5:454–61; D. Wright, “Holiness (OT),” *ABD* 3:237–49.

⁸⁴ Martin argues that Paul introduced the idea that holiness, like impurity, may result “from proximity,” citing the rabbinic idea that purity could be transferred from pure water to impure water “simply by contact . . . before being introduced into a *miqveh*” as an analogy to Paul’s ideas in 1 Cor 7:14 (*Corinthian Body*, 293 n. 57). This reading is flawed in that the rabbis did not believe that purity could be transferred from one body of water to another “simply by contact.” Martin cites only E. P. Sanders’s discussion of rabbinic/Pharisaic conceptions of purity in *Judaism: Practice and Belief 63 BCE–66 CE* (Philadelphia: Trinity Press International, 1992), 226; it is worth examining the Pharisaic practice and belief in *m. Miqwa’ot*, especially ch. 6, which provides the basis for Sanders’s discussion. In this mishnah the rabbis prescribe a technique by which drawn (and therefore impure) water in one pool may be purified by commingling (עֲרִיב) with pure water in another pool. The procedure for commingling two nearby pools is given as follows: “One brings a tube . . . and puts his hand beneath it until it is full of water, and he draws it along to let [the surface of the pure water in the *miqveh*] touch [the surface of the drawn water], even if [the contact is] by a hair’s breadth, it suffices” (the translation is Blackman’s, with my modifications). As Sanders notes, מִקְוֵה were sometimes constructed next to or below a storage pool (אִצְרָה) or another מִקְוֵה. Drawn water in one pool could be commingled (בְּעֵרֵב; בְּתַעֲרֵב) with pure water in another by the con-

halakic literature proves. Paul's innovation, as most commentators rightly stress, was in the extension of the terms of sanctification to outsiders, his sanctioning of a species of exogamy, that is, that which preceded one of the partner's joining the community of believers.

Other scholars attempt to understand 1 Cor 7:14 within the context of other halakot regarding marriage. Joachim Jeremias contextualizes our passage within rabbinic debates about proselyte baptism and the question of how children born to proselytes were initiated ritually into the Jewish community. He identifies "the language of Jewish ritual" in Paul's unusual usage of ἀγιάζεσθαι, and notes:

Judaism distinguishes between children who were begotten and born "not in holiness" (i.e. before conversion to Judaism), and children who were begotten and born "in holiness" (i.e. after conversion to Judaism). The former were baptized when the parents changed their religion; the latter were not. . . . Anyone who was born "in holiness" did not need the baptismal bath. This terminology of the law concerning proselytes is adopted in I Cor. 7.14c, when Paul says that the children of Christian parents are not "unclean," but "holy."⁸⁵

However, he argues, this does not mean, as might appear, that the Pauline church did not baptize infants born to Christian parents: in Col 2:11 "Paul . . . names baptism 'the Christian circumcision' (ἡ περιτομή τοῦ Χριστοῦ)"; thus it is likely that the holiness of the children in 1 Cor 7:14 depends on baptism, which, as a new form of circumcision, could very well have been administered on the eighth day after birth.⁸⁶

struction of a connecting hole (מִקְוֵה) (*m. Miqu.* 6:1) or by the use of a pipe (סִלְוִין) full of pure water joining their surfaces (*m. Miqu.* 6:8). (See the translation and comments of P. Kehati, *Tohorot*, vol. 4 [Jerusalem: Maor Wallach, 1986], 75–76.) It is important to note that the drawn water was not purified simply by contact; rather it was considered to be mixed into the pure water and to have acquired its properties completely. If the pure water was less than forty *seahs*, then the mingling procedure would not work unless the drawn water were less than three *logs*, but a *miquveh* containing forty or more *seahs* of pure water could not be rendered impure by any amount of drawn water.

The *miquveh* water analogy is misleading, therefore, for two reasons: first, neither Paul nor the rabbis behind *m. Miquwa'ot* suggest that purity could be transmitted in the same way that impurity could be transmitted, that is, by mere physical contact. Second, while Paul rules that an unbeliever may be *sanctified* (not *purified*), he clearly does not mean that the unbeliever becomes thoroughly integrated into the community: while unclean water must become indistinguishably mixed with pure water to take on the latter's purity, Paul clearly rules that the unbeliever *need not become a member of the believing community* in order for the sanctification to occur. A different set of rules governing relationships between unlike entities is at work.

⁸⁵ Jeremias, *Infant Baptism*, 46–47. Jeremias cites *Keth.* 4.3; *Yeb.* 11.2; *Tos. Bekh.* 6.3 (540); *Tos. Yeb.* 12.2 (254); *b. Sanh.* 57b, 58a (Bar); *b. Yeb.* 42a, 98a. It is obvious that he depends on the parallels and comments offered in Str-B 3:374. For criticism of Jeremias's dependence on Strack-Billerbeck, see E. P. Sanders, "Defending the Indefensible," *JBL* 110 (1991): 468–72.

⁸⁶ Jeremias, *Infant Baptism*, 39–40, 47–48. Oscar Cullmann repeats and defends this view in his *Baptism in the New Testament* (London: SCM, 1950), 25–26, 43–46, 61–64.

Several shortcomings mark Jeremias's study. Relatively minor problems are the doubtfulness that Colossians is a genuine letter of Paul,⁸⁷ and Jeremias's simplistic identification of the "circumcision of Christ" in Col 2:11 with the description of baptism in 2:12.⁸⁸ A more important methodological problem is that Jeremias does not quote the rabbinic literature that he cites at any length, and he makes no linguistic comparisons between "similar" concepts and rulings expressed in the rabbis' Hebrew and Aramaic, and Paul's Greek. He points to "the language of the Levitical purification ceremonies" to explain Paul's use of ἀκάθαρτα in 1 Cor 7:14, but cites no examples.⁸⁹ The reader is left to wonder what Levitical law or context Jeremias had in mind. Further, he identifies "holiness" as defining the state into which children are born; this state is determined on the basis of the parents' conversion to Judaism, but Jeremias does not attempt in any way to relate this holiness to the concept of impurity that Paul uses. Perhaps of greatest detriment to his comparative task, the halakot that Jeremias cites discuss the status of children born after their parents converted to Judaism. His parallels do not pertain specifically to true "mixed marriages," and are therefore inappropriate for comparison with 1 Cor 7:12–16.⁹⁰

J. Massyngberde Ford attempted another halakic interpretation of our passage, suggesting that it answers the concerns of a "brotherhood of Pharisees" at Corinth. These "'Pharisee-Christians' regarded themselves as a 'chosen race,' a 'royal priesthood, a holy nation, God's own people' (1 Pet. ii. 9) and began to adopt priestly genealogical rules on account of this."⁹¹ Ford's thesis requires at least one exceedingly dubious interpretation of the text: she must argue that an ἄπιστος husband or wife is not one who does not believe in the gospel of Christ; rather an ἄπιστος is the equivalent of a member of the ⲙⲉⲗⲉⲛⲏ, one "who through ignorance was careless in the observance of laws of Levitical purity and of those relating to the priestly and Levitical gifts," or a

⁸⁷ See Eduard Lohse, *Colossians and Philemon* (Hermeneia; Philadelphia: Fortress, 1971), 177–83.

⁸⁸ Even if we accept the letter as authentic, Col 2:11 does not make explicit the identification of baptism with circumcision, let alone the idea that baptism had come to replace circumcision in the Pauline churches (*contra* Lohse, *Colossians and Philemon*, 101–2). It makes perfect sense to understand circumcision as a metaphor for spiritual or moral transformation; such metaphor was familiar among Jewish communities. This transformation, done "without hands"—that is, by the spiritual power of Christ—was accompanied by the physical act of baptism, done in the community by community members. It makes less sense to identify spiritual circumcision with physical baptism (which, like circumcision, was done "by human hands") than to recognize that the two are separate and complementary aspects of coming under the authority and power of God by entering into the community of believers. For metaphorical uses of circumcision in Jewish literature, see Deut 10:16; 30:6; Jer 4:4; 1QS 5:5.

⁸⁹ Jeremias, *Infant Baptism*, 46.

⁹⁰ So also Ford, "'Hast Thou Tithed Thy Meal?'" 76.

⁹¹ *Ibid.*, 79.

mamzer, offspring of forbidden sexual union or uncertain parentage; both were “non-pure Jewish-Christian[s],” believing members of the Corinthian community but ineligible to be married to those of priestly status.⁹² The impossibility of this interpretation is evident when one reads the immediately following verses: clearly the ἄπιστος is not a member of the believing community, since Paul indicates that he or she is not saved, that is, a “convert” who has believed in Christ and been baptized, nor is it possible to know whether he or she will be, even through the influence of the believing spouse (1 Cor 7:16).

It is thoroughly unclear whether the Corinthians would have understood Paul’s argumentation in 1 Cor 7:14. I suggested at the beginning of this article that some members of the congregation were familiar with Jewish ideas about mixed marriages and the status of offspring; certain prominent members of the synagogue such as Crispus and Sosthenes might have understood Paul’s language and ideas fully, while others would have missed the Hebrew-based betrothal idiom and the logic of marriage laws altogether. If his audience misunderstood Paul and, like so many modern interpreters, made sense of the ruling without any knowledge of the Hebrew idiom and the rules governing the status of offspring of mixed marriages, this would not have been the first time Paul failed to get his point across. Throughout the Corinthian correspondence we witness Paul correcting interpretations and developments of ideas and practices that he himself had introduced to the community.⁹³ Dale Martin argues that Paul’s disputants probably found his argument in 1 Cor 7:14 unpersuasive, since Paul’s claims that sexual intercourse with a prostitute pollutes the body of Christ (1 Cor 6:15–20) while a believer sanctifies an unbelieving sexual partner through marriage seem contradictory.⁹⁴ To those without an adequate knowledge of Jewish law Paul’s logic is inscrutable;⁹⁵ we may safely assume that those who understood his argumentation fully in ancient times, as today, were in the minority—if any may ever make such claim!

This study supports the old notion that Jewish and pagan groups had different linguistic and logical structures governing certain aspects of sociality and

⁹² *Ibid.*, 77, 74–75.

⁹³ See especially 1 Cor 5:9–13. Many scholars argue that problems with libertinism, ecstatic worship, and emphases on knowledge and wisdom at Corinth arose out of teachings and practices that Paul himself introduced. First Corinthians was written to correct a sort of “hyper-Paulinism” by introducing greater theological emphasis on the cross. See, e.g. Conzelmann, *I Corinthians*, 15–16. Further, as Mitchell rightly observes, when judged by its effectiveness in resolving the problems at Corinth, “1 Corinthians was a failure.” Not only were the factions not reconciled, Paul also managed to incur the enmity of both sides, as is evident from the strife in 2 Corinthians (*Paul and the Rhetoric of Reconciliation*, 303; cf. Martin, *Corinthian Body*, 251). Compare Paul’s protests in Rom 3:3–8 against the claim that he taught antinomianism.

⁹⁴ Martin, *Corinthian Body*, 250–51.

⁹⁵ As Martin notes (*Corinthian Body*, 218).

that such structures were not always mutually intelligible—but it also confirms that local logic and linguistic symbols describing social relationships could take on new meanings when transferred to and interpreted within new cultural contexts. This reading of 1 Cor 7:14 illustrates the opacity of one culture's language and logic (ancient Jewish) to another (modern Western) in a way that should suggest the range of difficulties that pagan readers of Paul encountered in first-century Corinth. At the same time that our verse reveals differences between ancient Jewish and pagan ways of thinking about the world and human sociality, it also illustrates the powerful penetration of Jewish culture into Greco-Roman culture. In our verse is embedded, in Greek language, a virtually unassimilable fragment of Hebrew legal thought. Its presence in the Pauline corpus, however, which has been authoritative for all Christian communities since the second century, has *demand*ed its assimilation, and generations of Christian interpreters have struggled and managed to find, innovate, or supply, and then apply its meaning within their various communities, despite their ignorance of the ancient Jewish legal logic upon which 1 Cor 7:14 depends.⁹⁶ Their success—however limited—confirms that a text's coherence, or at least its appropriation within a system of thought, does not always depend on the author's intention. This is, of course, old news to scholars of religion.⁹⁷

Tracing the history of the interpretation of this text among the ancients is a task worthy of fuller treatment than is possible here.⁹⁸ In conclusion, we should take careful notice of the fact that in 1 Cor 7:12–16 Paul used language that held different meanings for pagan and Jewish readers, that he did so in a way that enabled both to understand his message in terms that seemed familiar. Much has been written about the cultural context in which Paul's prohibitions of men's and women's initiation of divorce would have made most sense. Some interpreters, most importantly Joseph A. Fitzmyer, Peter J. Tomson, and E. P. Sanders, and M. Davies, observe that in 1 Cor 7:10–11 Paul followed Jewish law when he wrote that a man may not divorce (ἀφίεναι) his wife, but a woman

⁹⁶ The same could be said for the obscure "Hebrew" thought in 1 Cor 10:4: Would pagan readers have had any context at all for interpreting Paul's reference to the ἀκολούθουσα πέτρα from which the wandering Israelites drank in the wilderness? As Conzelmann notes, in this verse "Paul sets out from a Jewish haggadic tradition," namely, that of the peripatetic rock described also in *t. Sukkah* 3:11 (*I Corinthians*, 166 n. 25, 167).

⁹⁷ See, e.g., Krister Stendahl's dry summary of his seminal essay, "Paul and the Introspective Conscience of the West": "We may have wasted too much time in trying to demonstrate a fact well known in human history—and especially in the history of religions: that sayings which originally meant one thing later on were interpreted to mean something else, something which was felt to be more relevant to human conditions of later times" (*Paul among Jews and Gentiles* [Philadelphia: Fortress, 1976], 94).

⁹⁸ Now see Hayes, "Mixed Marriages in Patristic Writings," in *Gentile Impurities* (ch. 5), for a good survey of the topic.

must not be separated (*χωρισθῆναι*) from her husband,⁹⁹ since Jewish law did not allow women to initiate divorce.¹⁰⁰ At the same time Paul's language clearly makes sense within a pagan context, since both verbs mean "to divorce" in common usage,¹⁰¹ and both Greek and Roman law allowed wives or husbands to initiate divorce. Indeed, in the second prohibition against divorce in 1 Cor 7:12–13 Paul uses *ἀφίεναι* to refer to the action of either the husband or the wife, which conforms to pagan, not Jewish, custom. Within Paul's "divorce halakah" we encounter a fascinating blend of language and logic drawn from both Jewish and pagan cultures. Paul phrased his prohibition of divorce in a way that both Jewish and Gentile readers could understand, despite the different legal norms of the two groups.¹⁰² In 1 Cor 7:12–16, I suggest, we encounter Paul—self-consciously or not—performing as mediator between two cultures and transformer of both.

⁹⁹ Fitzmyer, "Matthean Divorce Texts," 80–82, 89–91; Tomson, *Paul and the Jewish Law*, 117; E. P. Sanders and Margaret Davies, *Studying the Synoptic Gospels* (London: SCM, 1989), 327. For an argument against Fitzmyer et al., see Collins, *Divorce*, 16–22. Collins's demonstration that Paul's language makes best sense when understood from a Greco-Roman perspective, in which women could initiate divorce, does not eliminate the possibility that Paul deliberately chose language that would make sense to both Jewish and pagan believers. As Collins himself concludes, "Paul's words are general enough to cover any legal situation" (*Divorce*, 22). More importantly, Paul's use of *ἀφίεναι* and *χωρισθῆναι* in vv. 10–11 is precise enough to cover the legal concerns of Jewish believers, while remaining intelligible to pagans.

¹⁰⁰ See, e.g., *M. Keth. 7:10*. Ancient evidence shows that some Jewish women divorced their husbands, but the most common legal practice allowed only males to divorce. See John J. Collins, "Marriage, Divorce, and Family in Second Temple Judaism," in *Families in Ancient Israel* (ed. L. Perdue et al.; Louisville: Westminster John Knox, 1997), 119–21.

¹⁰¹ See Fitzmyer, "Matthean Divorce Texts" for divorce language in the ancient Greek literature.

¹⁰² The same might be argued for Paul's use of *ἡγίασται ἐν*. While readers or hearers familiar with Pharisaic law might recognize the betrothal idiom *בְּשֵׁרֵךְ* and interpret *ἐν* in a strictly instrumental way, others might have interpreted *ἐν* as denoting proximity or relationship: the unbeliever is sanctified *in* the believing spouse, so that *within* the entire scope of interactions expected for a married couple, including sexual intercourse, there is no risk of defilement. So, e.g., Delling, "Nun aber sind sie heilig," 92; Martin, *Corinthian Body*, 218. The possibility of reading *ἐν* as instrumental and as spatial/relational in 1 Cor 7:14 could support a portrait of Paul as a careful and clever writer who constantly recognized and negotiated the disconnections, tensions, and connections between Jewish and Greco-Roman ways of thinking. This was not, of course, a skill invented only after the birth of Christianity—as Elias Bickerman, Martin Hengel, Saul Lieberman, and others have shown, Jewish peoples interacted with their Greek and Roman neighbors for centuries preceding the turn of the era. (For more recent discussions, see *Hellenism in the Land of Israel* [ed. John J. Collins and Gregory Sterling; Notre Dame, IN: University of Notre Dame Press, 2001]; Erich Gruen, *Heritage and Hellenism: The Reinvention of Jewish Tradition* [Berkeley: University of California Press, 1998]; Tessa Rajak, *The Jewish Dialogue with Greece and Rome: Studies in Cultural and Social Interaction* [Leiden: Brill, 2001].) Doubtless the Pharisee from Tarsus was well practiced and skilled in negotiating between the cultures by the time of his "conversion" to the Jesus movement.

While Paul was without doubt the apostle to the Gentiles, he remained rooted in Pharisaic traditions. The transformation of classical culture through the introduction of elements from the east¹⁰³ can be clearly witnessed in our passage: here the Jewish–Greek boundary is at its most porous, as a former Pharisee writes in Greek to a primarily pagan audience in a prosperous city and introduces an utterly foreign logic of sociality in deceptively familiar terms. Pagan culture deeply penetrated the apostle’s psyche, as recent analyses of his texts against the backgrounds of pagan thought have shown,¹⁰⁴ but, as Paul’s letters prove, Jewish culture also penetrated the pagan world. The symbols and logic of both cultures were transformed, often violently, by the encounter, as the analogy of modern interpretation and appropriation suggests. The implications of pre-Pauline, pre-Christian pagan-Jewish cultural interpenetration fascinated the earliest chroniclers of Christian history. Eusebius saw such moments as evidence of God’s divine hand preparing the world for the gospel of Christ. Others had different opinions, but analysis of such speculations is another project altogether.

¹⁰³ As classically described, e.g., by Peter Brown, *The World of Late Antiquity: AD 150–750* (London: Thames & Hudson, 1971).

¹⁰⁴ See, e.g., the recent work of Troels Engberg-Pedersen, *Paul and the Stoics* (Louisville: Westminster John Knox, 2000), and the essays edited by idem, *Paul in His Hellenistic Context* (Minneapolis: Fortress, 1995). Other outstanding work has been done by Hans Dieter Betz, H. Maccoby, Abraham Malherbe, Dale Martin, Margaret Mitchell, and Jerome Murphy-O’Connor.