

NEW TESTAMENT AS NORMATIVE: THE MORALITY OF
COHABITATION WITH SPECIFIC REFERENCE TO 1
CORINTHIANS 7

by

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I declare that

NEW TESTAMENT AS NORMATIVE: THE MORALITY OF COHABITATION WITH SPECIFIC REFERENCE TO 1 CORINTHIANS 7 is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

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Summary

'Cohabitation' has become another form of 'marriage'. It appears to be challenging what is regarded by many as a traditional marriage practice. As a trend cohabitation has found resistance from those who cling to traditional marriage practices such as Christian marriage and African marriage. It has raised moral concerns, especially among the churches. The New Testament has been used to address moral issues, and consequently, there is a tendency to regard the New Testament as an authority on such issues. The first letter of Paul to the Corinthians, chapter seven, one text among many, in both the Hebrew Scriptures and the New Testament, has been used authoritatively to address issues surrounding marriage, divorce, marriage annulments, celibacy and sexual conduct. Richard Hays sees the New Testament as being 'normative' in dealing with such ethical issues. In this dissertation I argue that when dealing with issues of ethics the New Testament is insufficient to address contemporary moral issues. On its own the New Testament cannot be taken as normative as other sources offer influential views that must be taken into account including the role of conscience as well as how Paul links a theology of the body with his moral theology.

Key terms: Cohabitation, Normative, First and Second Century Marriage Practices, An Integrative Act of Imagination, Bogadi, Commodification, Commercialisation, Freedom, Ethics and conscience.

Dedication

I would like to dedicate this thesis to my mother Maphutsa Handrietta Mochadibane. It is through your encouragement and support that I have made it this far. While I know that you are not around to celebrate with me, I know wherever you are, you are always with me. Thank you for everything. May your soul rest in peace through the mercy of God.

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CHAPTER 1

INTRODUCTION

1.1 Introduction

The New Testament has been used as one of the sources to address moral issues, and consequently, there is a tendency to regard the New Testament as an authority on such issues. The first letter of Paul to the Corinthians, chapter seven, has been one of the texts among many others in both the Hebrew Scriptures and the New Testament that has been used authoritatively to address issues surrounding marriage, divorce, marriage annulments, celibacy and sexual conduct. In the Catholic Church, for example, such a text has been used to annul marriage,¹ as well as for its teaching on celibacy. It is for this reason that whenever questions regarding morality arise, the New Testament tends to be used as a point of reference, as already pointed out. As a result, such an approach by the church has led to the view that the New Testament is ‘normative’ in such matters. The Catholic Church views cohabitation as being immoral. Those whose relationship is one of cohabitation are regarded as living in sin.²

¹ Canon 1143, §1 of the Code of Canon Law is referred to as the Pauline Privilege. It is used to annul marriage according to 1 Corinthians 7: 1-40. The Code further states that ‘in virtue of the Pauline privilege, a marriage entered into by two unbaptised persons is dissolved in favour of the faith of the party who received baptism, by the very fact that the new marriage is contracted by that same party, provided the unbaptised party departs’. Canon 1143 points out that ‘the so-called *Pauline Privilege* derives its name from a response given by the apostle Paul to specific questions concerning the marriage of Christians with pagans in Corinth’ (Canon Law Society 1997, 253).

² This view is illustrated by the following teaching: ‘In 1 Corinthians 7:1-40 he clearly affirms that marriage is the way willed by God for men and women to exercise their sexuality. It is the only legitimate means of satisfying the call inscribed in nature and of mastering the disorder of the passions’ (Lawler, Boyle & May 1998, 43).

While amongst Africans, as Ansell points out, both the customary³ and religious marriage is practised, customary marriage often occurs first, which consequently takes legal precedence (2001, 697). In other words, *bogadi* becomes a prerequisite to lawfully marry a woman. According to Ansell, it is imperative to understand the meaning and function of lobola, because of the many interpretations it has received for nearly two centuries (2001, 698). It is for this reason that she maintains that lobola has to be interpreted in the light of wider political, economic and social contexts. Ansell further argues:

Regardless of context, lobola serves a multiplicity of purposes within Southern African society: functions relating to the distribution of material resources; the establishment of relationships within and between lineages; the maintenance of social control; and the construction of social identity. These functions are intricately interconnected (2001, 698).

The practice of *bogadi*⁴ relates largely to a number of reasons why cohabitation amongst black people of South Africa is on the increase even though it is still prevalent in South Africa today. At the same time, because of the expenses that are incurred due to the commercialisation of *bogadi*⁵, for some of the older generation and young people,

³ Ansell points out that ‘customary marriage, in compliance with section 34(1) of the Laws of Lerotoli, requires both fathers’ agreement and payment of lobola. It is potentially polygamous and has no minimum age’ (Ansell 2001, 697).

⁴ The Bridewealth is given by the groom’s family. Gustafsson and Worku when elaborating further the custom of *bogadi*. According to them, *bogadi* is the transfer of cattle or money by the husband to the wife’s family and this act validates customary marriages (Gustafsson and Worku 2006, 5). They conclude the following regarding marriage markets and single motherhood in South Africa, ‘all the women have at least one child, in most cases born out of wedlock. It is not uncommon for African people first to have a child and to marry later as it takes time to raise the *bogadi* money. Furthermore, one of their observations is the legacy of the apartheid regime regarding the maintenance of the family nucleus of African people. They argue that it makes it difficult for Africans to maintain their family nucleus and as a result there are families consisting of one parent, children and grandparents, a custom which even now seems to be prevalent (2006, 24).

⁵ The introduction of commercialisation in almost every facet of Africans life, systems which were considered sacred as well as used for community building have been tarnished and as a result its original intention has been laid to waste. One of these systems is *bogadi* (<http://www.africanloft.com/bride-price-an-alternative-view-point/> accessed 28/03/2010). Ogbu maintains that though bridewealth price was used to give women status in the past, now it is no longer the case based on the fact that women do further their education. Even though such a practice

cohabitation has become an option. Needless to say, the practice of *bogadi* has tended to be abused by families charging enormous amounts; therefore there are arguments in favour of it being commercialised. As a result, such a practice has led older as well as younger generations in South Africa to cohabit. At the same time, some hold the view that the cause of cohabitation and family disintegration in South Africa could be attributed to labour migration, as I will later argue in chapter four. They opt to cohabit rather than enter into marriage by means of the Christian (Catholic) or African traditions due to the demands made by both systems. This response to the conundrum stems from the (Catholic) Church not recognising African traditional marriage, while African tradition does not recognise Christian marriage without first entering into marriage in the traditional manner. If *bogadi* has been commercialised and Christian marriage practice does not recognise African marriage practice, the question that arises is why, then, should cohabitation be regarded as immoral? What makes it immoral? Is it because they did not stand in front of a Church minister and make their vows, or is it because they are involved in an act that only married people engage in? Yet, at the same time, there are those who have cohabited and are faithful to each other just as a married couple would be. There are young people who argue that although *bogadi* has become commercialised, they will expect their future spouse to pay the required amount because it is their culture to do so and because for young people in Southern Africa, *bogadi* remains an integral part of a valued culture. Even though *bogadi* is contested by some people it is still part of their culture, as Ansell argues, most students understand it as constituting merely a financial exchange (2001, 715).

is still used to legitimise marriages it is no longer the major source of status enhancement for the African woman (1978, 259). Ansell argues that 'since commercialisation in the late nineteenth century, *lobola* has progressively become more of an individual transaction between two men, such that, by the mid-1980s, a Basotho groom's parents were less involved in the transaction' (2001, 701).

1.2 Literature Review

1.2.1 Theories on cohabitation

In their article, ‘Why don’t they marry? Cohabitation, commitment and DIY marriage’, Duncan, Barlow and James make the following observation regarding cohabitation in Britain:

Unmarried heterosexual cohabitation (henceforth ‘cohabitation’) is both widely practised and accepted in Britain. The 2000 British Social Attitudes (BSA) Survey shows that over one-third of people under 35 who live with a partner are unmarried, and over 80 per cent of this age group view cohabitation as ‘all right’. ...while older people practise cohabitation less, the majority are still accepting it – and even think it is a good idea before marriage (2008, 53).

The above quotation indicates the spread of this practice as well as the view that such a practice might be an alternative to the traditional view of marriage⁶. This view is further explored by the above authors in that those who cohabit do not see themselves as practising an alternative to marriage; rather they would prefer to regard it as a period of trial marriage (2008, 66).

In his study, ‘Formation of cohabiting unions in Botswana: A qualitative study’, Mokomane argues that within the traditional Tswana system for social organisation, there is no place for unions in which couples cohabit without the approval of their respective families. Furthermore, what makes it difficult with regard to cohabitation is that amongst the Batswana

⁶ This view of marriage from one angle is further objected to by Stark in her article *Marriage Proposals: From One-Size-Fits-All to Postmodern Marriage Law*. According to her, there is a need to move away from a perception that when one thinks of marriage proposals or even marriage itself, there is a universal *modus operandi*. She contends that one-size-fits-all marriage is dead and therefore we might as well finally bury it. Furthermore, her suggestion that the way in which traditional marriage has been viewed no longer exists, is drawn from family law scholarship with regards to private ordering and postmodern theory in order to articulate alternatives. She further maintains that ‘these alternatives are more compatible with contingent, problematic, but nevertheless enduring human love, than reified abstraction we now call marriage’ (Stark 2001, esp. 1545).

there is no distinctive term that describes this living arrangement. According to Mokomane, this could probably indicate that cohabitation is a relatively new phenomenon (2006, 193). According to Mokomane, cohabitation is not recognised as an institution by both the systems of in Botswana of law (that is, general and customary law) and as a result, those who contract into such an arrangement are not legally protected in Botswana. Property rights of women who have cohabited, as well as the maintenance of those children born within such a union, are not protected. Regarding the attitude of those in a cohabiting relationship, Mokomane further states that those who cohabit mostly experience instability and lack of both security and legal protection. Furthermore, Mokomane argues that when one deals with the issue of cohabitation it is important to take cognisance of the various types of cohabitation as well as the reasons thereof. Sarantakos, as cited in Mokomane, makes the following observations:

In the first place, the reasons for living together unmarried vary from case to case; secondly, in any case it is quite possible that each of the partners has a different reason for adopting this lifestyle; and thirdly, the motives can change while the couple goes through the developmental stages of their relationship (2001, 99).

According to Mokomane, there are reasons why people cohabit, namely economic factors, marriage costs, parental disapproval, lack of trust, family reasons, socio-legal constraints, and the perceived inconvenience of marriage. The prevalence of cohabitation among those who are unemployed as well as those who are relatively low paid is one of the most frequently mentioned reasons for living together in Botswana, argues Mokomane (2006, 200). Another reason that couples cohabit is to share costs. Marriage costs also play a role in their decision to cohabit (2006, 202).

A *Tswana* customary marriage is a process that involves a number of steps. These include, among others, the agreement between a marrying couple's families (*patlo*)⁷ and the payment and acceptance of bride-wealth (*bogadi*). The survey noted that some families have commercialised the custom to a point where it is now considered to be exorbitant and prohibitive. In the absence of any official and/or standard price of one head of cattle, it emerged that prospective grooms could be expected to pay anything between P500⁸ to P1000 per head, with an average of 10 cattle being demanded; although demands of 10 or more are not uncommon.

Parents also play a role in the decision of couples to cohabit. It is for this reason that, according to Mokomane, 'unions in Botswana will count as valid marriages if they are contracted under any one or both of the two [sic] legal systems that operate side by side, namely general law and customary law' (2006, 205). It is evident, according to Mokomane, that customary marriage rites play a significant role in the life of a couple. It is for this reason that marriage contracted under both legal systems expresses social support and acceptance by parents. On the other hand, if parents were disinterested or uncooperative in facilitating a marriage for whatever reason, this would lead most couples to rather wait and hope that their parents would eventually change their view and allow them to marry. It is in this hope that some couples choose to cohabit as the next best alternative to marriage (2006, 205). *Kadimo*⁹ *Practice* is another kind of cohabitation, in which case families can facilitate such an

⁷ This is a Tswana word which literary means: to seek.

⁸ P: is an abbreviation for the Botswana currency which means Pula.

⁹ This is a Tswana word which literary means: to borrow.

arrangement. The *Kadimo* practice, according to Mokomane, implies that the groom's family can borrow a woman (2006, 208).

Guzzo also looks at cohabitation and observes that, despite the increasing occurrence of cohabitation, research tries to understand where it fits into the relationship scale. One aspect of cohabitation that is often overlooked concerns intentions and expectations. Furthermore, he maintains that in determining whether cohabitation is an alternative to the status of being single, or an alternative to marriage, or a forerunner to marriage, is generally based on comparisons across groups or even outcomes of cohabiting unions (2008, 21).

In her article, 'Regulation of Cohabitation, Changing Family Policies and Social Attitudes: A discussion of Britain within Europe', Barlow argues that:

While cohabitation was not known in the late nineteenth and early twentieth century Europe, none of the European civil codes governing family and succession law in Europe looked beyond married partnerships until Sweden extended marriage-like rights for both different-and same-sex cohabitants in two acts in 1987(2008, 488).

One of the identical observations made by both Barlow and Mokomane is that, although their studies were conducted in different contexts, it is evident that the issue of security and legal protection is central to those who have chosen to cohabit. This can be drawn from the argument by Barlow that:

In Scotland, proposals for reform, which will include giving different-sex cohabitants the right to claim financial provision from the deceased partner's estate and will permit them to claim compensation for 'economic disadvantage' suffered as a consequence of the relationship, have now broadly been accepted by the Scottish Executive (Scottish Executive 2000), these were put forward by the Scottish Law Commission as long ago as 1991, Scottish Law Commission 1992 (2008, 497).

In her conclusion, Barlow maintains that it is imperative to take cognisance of the scale of changing trends and attitudes towards marriage and cohabitation¹⁰. This, she asserts, indicates that it is time for Europe to ‘eschew its Napoleonic legacy’ with regard to the sphere of family law and to acknowledge that in the twentieth century there is a need for some new and principled ideas that could be used to meet the needs of the less marriage-centric society (2008, 509).

Lewis conducts her study of cohabitation from a different perspective in that she focuses on the British and American literature rather than law or sociology. Her observation regarding marriage and cohabitation is that there appears to be an assumption that cohabitation is a major driver of family change, because it involves the spread of an individualistic outlook on intimate relations. Lewis concludes that ‘there is evidence that people want to make commitments as well as pursue their projects, and the role that family policies in reconciling these desires is particularly important’ (2008, 199).

¹⁰ Thornton, Axinn and Hill present the issues of cohabitation from the perspective of religion. Their study is based on the question regarding the effect of religion on cohabitation and marriage. They make the following observation regarding the interconnectedness between family and religion: ‘it appears that the importance of religion and participation in it are more powerful and pervasive determinants of marriage and cohabitation than religious affiliation’. They further maintain that their data also confirms the theoretical expectations of the interconnections between family and religion is much more complex than it is usually assumed by social scientists. ‘In addition to the causal influence of religiosity on cohabitation and marriage, there is also an important reciprocal influence of union-formation patterns on religious participation’. What this suggests, according to them, is the decisions that young people take concerning their personal and family lives have important ramifications for their religious involvements. They conclude the following with regard to understanding aggregate trends in marriage and cohabitation: ‘Other research has shown that, during the 1960s and 1970s, the importance and centrality of religion to Americans declined, as did confidence in religious institutions and authorities. During the same year the marriage rate fell dramatically, and cohabitation emerged as a major new life style. It has been suggested elsewhere that these major aggregate trends may be causally interconnected, with religious changes being both causes and effects of familial trends (1992, 648-649). It is evident from their argument that religion to some extent plays a role in one’s own moral decisions. It is for this reason that, according to them, premarital sex, cohabitation and marriage are the determinants of the accompanying trends in religious participation and commitment. Thus, their findings suggest that cohabitation leads toward lower levels of religious involvement, while marriage does the opposite (1992, 649).

In his article *Quaestio Disputata* Cohabitation: Past and Present Reality, Cahill, as cited in Lawler, makes the following observation: 'since the majority of American marriages are now preceded by cohabitation, and since unmarried heterosexual cohabitation has attained broad social acceptance, it appears that cohabitation is here to stay for the long haul' (2004, 623-624). Such an observation by Cahill on cohabitation within the Catholic Church raises serious concerns regarding the church's reflection on marriage and, furthermore, its pastoral response to the matter. Lawler proposes the 'reintroduction of the ancient ritual of betrothal linked to intensive marriage education for cohabiting couples already committed to marriage, perhaps even engaged to be married' (2004, 625). Such a proposal is made on the basis that as cohabitation cohorts become more and more homogenised, it will become more a conventional and socially endorsed reality (2004, 625). Furthermore, Lawler maintains that premarital cohabitation tends to be associated with a heightened risk of divorce (2004, 625). Lawler cites Waite who outlined the two types of cohabitation. 'Couples who live together with no definite plans to marry are making a different bargain than couples who marry or than engaged cohabitators'. This is precisely because, according to Waite, those who are on their way to the altar act very differently because their living together as engaged cohabitators is a step towards marriage, not a different road altogether (2004, 627). This clearly outlines the tension between the normativeness of scripture and conscience. For example, perhaps those who are cohabiting may have consciously decided to do so for many, including financial, reasons. These types of cohabitation incorporate within themselves freedom and knowledge of the intention to cohabit.

This further illustrates that 21st century marriage practices carry their own moral dilemma and therefore they cannot be dealt with in 'an integrative act of imagination' simply because social

scientific data provides us with the in-depth analysis of the institution of marriage. It further makes us aware of the fact that issues of morality cannot be imaged as a one-size-fits-all in the present social climate in the current century. Stark makes the following observation regarding the commodification of marriage in postmodernism. She maintains that:

Rather, marriage proposals would reflect and make explicit the ways in which marriage is already commodified. As Gayle Rubin explained in her groundbreaking essay, *The Traffic in Women: Notes on the 'Political Economy' of Sex*, marriage has always been an economic institution (2001, 1518).

Both marriage and cohabitation constitute the main course for the majority of men and women; it is indubitable that both are relational unions which are difficult for 21st century people to sustain.

The two types of cohabitation outlined by Waite, as cited in Lawler, could be found within the context of South Africa. At the same time, the reasons for such arrangements may be attributed to there being two systems that claim authority over an individual amongst black South Africans, namely, the church in a broader sense and African tradition. This is precisely because these two systems do not complement one another but are rather in tension with each other. This contributes to the moral decisions of those who choose to cohabit, instead of offering a solace to those who are unable to marry according to the regulations of either of the systems.

I have discussed, on the one hand, various studies on cohabitation as well as presented the arguments for such a practice. Scott on the other hand presents a case against cohabitation. He situates his study within religious organisations and argues that there is no doubt that the churches and synagogues can be profoundly influential, particularly in the great events of life.

According to Scott, 'one key area in which churches have failed young adults is in not speaking about the growing prevalence of cohabitation. The number of couples living together has soared six-fold since 1970'. He further maintains that the arrangement of living together is basically rationalisation versus reality. He mentions three rationalisations that are offered in support of cohabitation. Firstly, there are several reasons given in support of the practice. The arrangement of cohabiting by young people is based on the belief that it is one step towards marriage. As a result, churches and parents also engage in this realisation. However, in reality, living together does not translate into marriage (1995, 22). Secondly, cohabitation prepares couples for a successful marriage. According to Scott, 'while it might seem counter-intuitive, cohabitation actually reduces the chances of marital success. Couples who cohabit before marriage experience a 50% higher divorce rate than their more traditional counterparts'. The third assumption is that cohabitation will approach marital bliss. Scott maintains that 'individuals who try before they buy, as one couple put it, may discover that cohabitation is riddled with abuse and violence' (1995, 23).

New Testament scholarship points to the complexities and the tension regarding the issues of sexuality, family, gender, celibacy and marriage. Loader (2005), when discussing 'sexual immorality: attitudes, actions, and assumptions', draws out the common threads. Firstly, it is apparent that most of the texts reveal that they stem from a world in which women and their sexuality is perceived as a problem. Furthermore, he maintains that

A woman is the focus of attention because some aspect of her sexuality, usually with the assumption of wrongdoing. This reflects value systems of the time. Our citation of Philo and Sirach also illustrated this (2005, 44).

Secondly, Jesus acts contrary to normal expectations. This is seen in his attitude towards women such that he allowed a woman to anoint him. He also converses with a woman at the well. He dines in the contexts where prostitutes may have been present. Thirdly, the genealogy narrative in Matthew shows a deliberate inclusion of women whose sexuality often made them suspects. The response of Joseph to Mary's alleged adultery by choosing the more compassionate option in the Law. Fourthly, sexuality¹¹ according to Loader, is no more or less moral than hands, feet and eyes. At the core is the intention as well as the attitude towards others. This includes how one responds to anger in terms of the attitude and action (2005, 44-45). It is without doubt that one cannot deal with the issue of sexuality outside a theology of the body. Note that the body was viewed in a dualistic manner by Hellenistic philosophers, while the Hebrew bible points to the holistic character of the body¹².

Punt (2005) raises three critical issues regarding how body theology enabled Paul to formulate his moral teachings. Firstly, Paul later appropriated images of the divine, by referring not to the God of Israel, but related also to Jesus Christ, thus adding at least two further aspects to the divine body. Secondly, an important aspect of the social location of Paul's life and theology was the increasing impact of the ideas and values of Hellenism. In other words, the body in terms of the ideas and values of Hellenism was generally viewed in a negative light. Thirdly, one cannot ignore the dominance of the patriarchal system in the first century CE. This is

¹¹ Punt makes the following assertion regarding Paul view on sex. He maintains that 'sex is not a private matter only, but also of political concerns and relates to oppression, domination and power. Referring to sexual intercourse, Paul did not use (the expected?) flesh but rather body, indicating his belief that a person is involved in sex as a total being (2005, 375).

¹² This view is maintained by Punt in his article (2005), in which he argues that 'in antiquity a "one-sex" model determined the understanding of human sexuality. The human body was seen as a hierarchy with both male and female characteristics shared by men and women but in different degrees. However, while the two genders were understood as one sex, sharing the same anatomy, female bodies were regarded as inferior to male bodies as symbolised by having internal and inverted male genitals' (2005, 362).

because, according to Punt, Christianity was shaped in a world characterised by patriarchy, whether Jewish or Hellenistic (2005, 365). Punt points out very compelling observation when he links Pauline body theology as moral theology. He argues that

Since the first century, the body was perceived as belonging to some entity or power, '[t]he impact of redemption upon the body is for Paul above all else to transfer it from one form of slavery to another'. Ownership¹³ brings of course its own imperatives, with the owner's exerting influence and exacting morality commensurate with the owner's expectations (2005, 382).

According to Punt, with such ideas of the body being ascribed to Christ, it is without doubt that Christ's life of self-giving would be expected to be emulated in the bodies of the redeemed. It could be argued that these ideas probably influenced Paul's instruction regarding marriage. Countryman (1988) makes the following points regarding the ethics of sexual property in ancient Israel

¹³Countryman shows how ownership could be linked to property. He maintains that 'in a culture where wives, children and slaves were all property of male heads of household, hierarchy within the family group was the principal expression of these property relations. The household was highly stratified and complex in its hierarchy, particularly since it was usual for those men who could afford it to have more than one wife' (1988, 152-153). Furthermore, Countryman also points to the culture of concubinage. He observes that 'a man might also take a free woman as concubine. The Torah does not define the status of concubine, but it must have been something less than that of a full wife...one may guess that concubinage was a way for a younger man to acquire a first sexual partner without committing himself to treating her children as his heirs' (1988, 154). Syreeni makes a compelling argument in her article (2003) in which she maintains that 'whatever happened to Paul at his conversion, or to early Christians at baptism and when entering the community life, the new religious ideology did not demolish at once all that they had learnt about societal values, practices and prejudices they had about purity and impurity, honour and shame, and so on. Furthermore, she argues that 'in early communities and for Paul, "family" was not only a social reality; it also provided a profound source for metaphorical thinking, which in turn affected the communities social life' (2003, 401). This observation by Syreeni indicates the complexities of the first century Christian communities as well as their diversity on matters of ethos and ideals. Syreeni points further to another issue regarding patronage. She maintains that 'of the "power over" relations in Hellenistic societies of the early Christian era, especially two systems have attracted the exegetes' keen attention. Patronage, based on the vertical patron-client relation, is a prime example of the patriarchal system in larger society (city)' (2003, 405). To illustrate her argument, she refers to 'most scholars, in the Pauline letters and in Luke's Acts to hospitality towards visiting missionaries and gathering a group of believers in one's house' (2003, 405). This, she says, indicates the system of patronage. Furthermore, she maintains that, on a small scale, it is a household with its hierarchical structure from master to slave which is the basic socio-economic unit and present in practically all social interchange (2003, 405).

Included both an ideal picture of what was to be desired and a set of prohibitions indicating what was to be avoided. The ideal defined the household, the fundamental building block of society, as consisting of a male head who possessed one or more women as wives or concubines, and children who would either carry on the family (sons) or be used to make alliances with other families (daughters) (1988, 166).

In this section, I outlined various studies on the issue of cohabitation. They indicate the complexity of the issue. Furthermore, these studies present three viewpoints regarding cohabitation from a perspective of law, the social sciences, and religion. As indicated above, while there are those who argue in favour of cohabitation, others argue against the practice.

1.3 **Why 1 Corinthians 7:1-40?**

Various studies have been conducted on 1 Corinthians 7:1-40. These studies present the multifacetedness of such a text. One of the perspectives offered by Deming is that 1 Corinthians 7 exerts a certain influence from the Stoic-Cynic philosophical understanding of marriage and celibacy. Deming seeks to clarify issues surrounding matrimony and celibacy, which further offers a perspective of how the Greeks viewed such a status in life. Some of the studies that seek to clarify these issues and contribute to the debate are based on Paul's use of language. This is because it played a powerful as well as a persuasive role in the first century Graeco-Roman society (1995, 19).

Thus 'rhetorical studies' as a tool clarifies the persuasiveness and the style of the author. Both the 'historical-critical' method and 'rhetorical criticism' utilise the primary sources found in ancient speeches, letters and rhetorical handbooks. They seek to 'demonstrate how the species is appropriate to the subject matter of the text, while examining the text as a compositional unit' (2001, 20). Historical studies further clarify that the Corinthian community has been the

subject of multiple social roles played by each member of the Pauline church in relation to one another, to Paul and to the surrounding society. The socio-historical perspective clarifies issues regarding the social composition of the Corinthian community. This is because one of the terms most often used in the New Testament is the word 'church' which somehow denotes a very strong sense of internal cohesion and distinction from both the outsiders and the world.

Corinth was a diverse town. Its religious beliefs were Hellenistic and it attracted a large variety of philosophies. Based on the above background, I would like to suggest that, because it was so diverse, one of the common practices in Corinth was premarital cohabitation. Some refer to this practice as fornication because throughout the New Testament cohabitation is not mentioned as one of the problems of the early church. However, the mention of fornication appears to be prominent in the writings of the New Testament. Could this mean fornication included cohabitation? Here, it is necessary to focus on 1 Corinthians 6: 9-20, as well as 1 Corinthians 7: 8-9.

Paul's teaching on issues of sexual immorality (fornication) as well as his answer to the concerns of the Corinthian community in 1 Corinthians 7:2 and 8-9, reads as follows: 'Yet to avoid immorality every man should have his own wife and every woman her own husband'. Verses 8-9 read as follows: 'To the unmarried and to widows I say: it is good for them to stay as they are like me. But if they cannot exercise self-control, let them marry, since it is better to be married than to be burnt up' (The New Jerusalem Bible). Does this imply that there was cohabitation among the members of the Corinthian community? Furthermore, what of the role of conscience in making a moral decision?

The question that could be asked: Does 1 Corinthians 7:2 answer questions relating to those who are married, or does it also take into account those who may have had sexual relations

with women outside of marriage? Hays is of the opinion that Paul's answer in verse 2 is addressed to those who are married and it does not by any means speak of those who are not married, urging the married or unmarried to continue to have sexual intercourse with their spouses (1996, 48). This is probably mentioned as such because, later in the chapter, the unmarried are encouraged to marry. Hays argues that in the first century the correlation between piety and celibacy was a common feature of Hellenistic culture. In order for one to understand the dynamics of moral issues, particularly those concerning behaviour in marriage, it is imperative to look at the background of Corinth, which will lead to the central issue guiding this study.

1 Corinthians 7:1-40 is considered to be the foundation of on which moral issues of sexuality and marriage are taught. It seeks to answer questions that are posed by the Corinthian people. Above all, it addresses pertinent issues that affected the Corinthians and are still relevant to contemporary society. These subjects are concerned with extra-marital affairs, divorce, fidelity, celibacy, dissolution of marriage, and cohabitation. For many, marriage in contemporary society is no longer viewed as being central or superior to cohabitation or being single. Problems surrounding the trend towards cohabiting could be addressed in this text. However, to comprehend the difficulties that the Corinthians faced, one has to focus on the background of Corinth, since this will place into immediate context why I choose this text and not any other.

1.3.1 Background to 1 Corinthians 7

In outlining the background to the epistle to the Corinthian church, Horsley furnishes a detailed background to the context in Corinth. He argues that the Roman Empire brought massive numbers of slaves into Italy from the conquered lands so that they could work and build the Romans ancestral lands. Furthermore, the Roman state founded colonies in conquered lands, thus providing land to veterans and to which the urban poor and freed slaves were exported. This imperial practice, according to Horsley, set the conditions in which both Jesus' ministry in Galilee and Paul's mission in Corinth occurred (1998, 23).

Another argument by Horsley regarding the vicious treatment of the Roman Empire towards Corinth, was that Corinth served as a notice to the rest of the Greek cities that Rome would brook no opposition to its interest and control of Greece and the eastern Mediterranean. It is for this reason that 'Rome maneuvered Corinth and the Achaean league into war and in 146 BCE ruthlessly sacked and torched the city, slaughtered its men, and sold its women and children into slavery' (1998, 23).

The turning point of Corinth was the naming of it in honour of Julius Caesar by being given the name *Colonia Laus Julia Corinthiensis*. This led to Corinth being used for administrative as well as economic exploitation. The urbanisation of Corinth facilitated trade and communication. Thus, the social constitution of the Corinthian community included the urban poor who were recruited from Rome, half of whom were freed slaves (1998, 23).

Regarding Corinth, Horsley explains that when Paul went to Corinth he encountered a Hellenistic urban ethos. This was a product of the Roman imperial order, which was fully assimilated into it. He also mentions that the Corinthians were fascinated by the manifestation of the Spirit, particularly ecstatic prophecy and 'speaking in tongues'.

1 Corinthians 7: 1-40 is a multi-faceted narrative in that it deals with various questions of morality. The issues surrounding behaviour do not refer to merely any form of morality but are concerned with certain issues of Christian conduct. This text seeks to address questions raised by people of Corinth with regards to the following issues: divorce, marriage, sexuality, celibacy and remarriage. To understand these questions we ought to situate 1 Corinthians 7 within the Graeco-Roman culture, as well the social dynamics of the Corinthian church. The social background to Corinth is vital in order to comprehend the issues that are dealt with in this text. Before Corinth was destroyed by the Romans in 146BCE, it played a vital role in the history of Athens and Sparta in Greece, for example, in the areas of philosophy, culture, art but particularly commerce. Julius Caesar rebuilt Corinth in 46BCE. One of the most important contributions of Corinth was its role as the trade centre for the entire region.

The cluster of questions raised by the Corinthian community makes sense precisely because of the large number of strangers living there; the result of such a situation often leads to loose morals. Apart from playing a vital role in trading, Corinth was also a major centre for Hellenism, while it also drew followers of all sorts of philosophies and religions. It also constituted a *milieu* in which a variety of problems could arise for the newly converts to Christianity.

The composition of the church in Corinth, based on its importance for trading, included both Jews and Greeks. It is evident that diversity was a hallmark of Corinth; hence many problems emerged within the community. Furthermore, Horsley argues that ‘amidst all luxuries of Corinth, the people seemed uncultured and lacking in social graces, partly because the wealthy so grossly exploited the poor of the city’ (1998, 31). The problems may be formulated as questions that need to be addressed. It is for this reason that at the beginning of Chapter seven

Paul begins by saying, 'now concerning the matters about which you wrote' (1 Cor.7:1a). It is clear that these questions were pertinent to the Corinthians. A discussion of these problems should clarify the abovementioned issues.

Even though this may have been the case, Corinth was notorious for its reputation as being the most competitive of all cities, a city of unprincipled profit takers who would stop at nothing to outdo their rivals. This behaviour is exemplified by the cult of prostitution which formed part of the temple worship. To conclude that verses 1-2 answer questions regarding whether it is lawful for a man to engage in sexual intercourse with his wife overlooks many other issues in the community, including those living with their partners outside of marriage and those engaging in sexual activities with their slaves.

Asking whether the New Testament is silent on the issue of master and female slave, Jensen (1978, 183) observes that there was a close connection between slavery and prostitution in the Hellenistic world. Glancy maintains that the words of Pliny give the impression that early Christianity was a religion of slaves. On the contrary, there are no coeval writings of enslaved women and men describing their experiences and roles in the churches of the first and second centuries. Meeks, according to Glancy, argues that 'the Pauline churches were especially attractive to persons of inconsistent status, including freed persons and women who controlled significant wealth' (2002, 130).

Jensen argues that Greek prostitutes were commonly bought as slaves. He further argues that there was also frequent use of female household slaves, who were subject to the 'whims' of their masters who desired sexual relations. This view is substantiated by Glancy who argues that 'Slaves in the Roman Empire were vulnerable to physical control, and abuse in settings as public as the auction block and as private as the bedroom. Since slavery was identified with

the body, it is not surprising that the experience of slavery was conditioned by gender and sexuality' (2002, 10). While male slaves had no right to their own offspring and or the cultural status of fatherhood, slaveholders had unrestricted sexual access to their slaves. This dimension of the lives of the slaves, argues Glancy, affected the female slaves and young male slaves. Above all, a certain value was accorded to the reproductive capacity and lactation of female slaves. Thus it is imperative to locate the problems that emanate from the sexual and gender-specific use of slaves as central in order to understand slavery in the early Christian era (2001, 10).

It is difficult to assess the ethical codes of ancient slaves simply because the slaves did not leave some kind of written records that would enable us to construct a heroic moral world like those of the New World slaves, argues Glancy (2002, 139). Finley, as cited by Glancy, argues that the majority of slaves in Graeco-Roman antiquity confined and accommodated themselves to their condition whether passively and sullenly or positively. Finley, according to Glancy, argues that although the slaves would have absorbed the values that the slaveholders wanted them to embody, confinement to such a moral framework hardly represented the 'apogee' of ethical achievement (2002, 139).

The silence of the New Testament regarding the above mentioned behaviour is surprising. Yet, at the same time, the writers of the New Testament exhort slaves not to seek their freedom (1 Cor. 7: 21-23) but to obey willingly (Eph. 6: 5-8) and to render their masters respect for the sake of God and the church, especially if the master is a Christian (1978, 184). It is evident that this kind of behaviour of exploiting the female household slaves would not only be practised by those who were not Christians, but also by those who had converted to Christianity, including the Corinthian community; hence this exhortation to slaves to have

regard for their masters. The key term here is 'self-control', precisely because in 1 Corinthians 7 sex is not viewed as being permissible outside marriage.

Paul urges them to marry rather than to burn. Therefore, based on the above mentioned verses, I would hesitantly propose that premarital cohabitation was practised in Corinth during the time of Paul; this would include premarital sex. Central to this hypothesis is 'self control'. The text in 1 Corinthians 7: 2 does not necessarily imply that to touch a woman is reserved for a married couple only in terms of their sexual relations. It could also include extra-marital affairs and premarital sex and cohabitation.

1.3.2 **Context and theology**

Robertson makes the following observation regarding the relationships within the Corinthian community, namely the existence of multiple social roles played by each member of the Pauline church in relation to one another. He further argues that social networks could slightly enlarge the conceptual repertoire in examining the multiple roles and interrelationships present in the Corinthian church (2001, 28).

Robertson also takes up the following argument regarding the Corinthian:

From Paul's perspective, the Corinthians' boundaries were overly permeable or, using Meeks terminology, the 'gates' were open far too wide, as is evident in the confusion over purity rituals surrounding sex, marriage and common meals, areas which were addressed by Paul church (2001, 28).

One of the crucial elements in the understanding of the context of the Corinthian church and the theology of Paul is to draw attention to what is said and how it is said. Robertson cites Mitchell and other socio-rhetorical scholars who emphasise the deliberative nature of Paul's

epistle, arguing that his wording and order of topics were strategically selected by Paul, himself with cohesiveness to the overall argument for unity (2001, 48). He further maintains that ‘The Corinthian situation contained an “interweaving” of the members’ perceptions, desires, fears, as well as Paul’s response to them’ (2001, 48).

I therefore concur with Robertson that Paul, as the founder of the Corinthian church, was placed in a social system that was marked by interdependency and interactions. Thus, his concern for the gospel and his own relationship with the Corinthian church at times combined and clashed; as a result, different outcomes to different conflicts at different times emerged. Perhaps one could raise the following question: Could Paul’s theology be an attempt to alter the Corinthian worldview, that is, to shift their paradigm? It is evident that Paul used familial terms when speaking to the Corinthians. A similar argument of Robertson, as outlined by Horsley, is that the movement as a whole may have adopted the form of a network of such household assemblies which met periodically for special occasions such as the Lord’s Supper and discussions (1998, 30).

According to Perkins, by the time Paul wrote his first letter to the Corinthians, groups of Christians were meeting in different house churches in both the city itself and its seaports. Paul had maintained contact with the church in Corinth in order to respond to the questions the Corinthians had put to him. It is evident that Paul’s relationship with the Corinthians was also complicated. This is indicated by the appearance of Apollos and those who claimed to be Peter’s followers (1988, 178).

The material support is also a point of contention since there are those who feel that Paul should not be working hard without any remuneration. They felt that they should support him just as the other apostles received support for themselves and their families. Apart from the

issue of material support, the Corinthian church had encountered a problem with its leadership, while it also drew a distinction between the rich the poor. Hence, the letter addresses various issues surrounding morality and behaviour.

There are various ways to look at Paul's theology. At the centre of his letter to the Corinthians is the image of the church as the body of Christ. According to Perkins, many problems in the Corinthian community can be traced back to an individualistic use of knowledge. Perkins argues that the Corinthians valued individuals who could demonstrate their spiritual powers through speaking in tongues and persuasive preaching, while others thought that whatever they do with their bodies does not matter at all. It is for this reason that Paul rejects their claim that it is 'all right' for a Christian whose body belongs to Christ to have sex with a prostitute. Meanwhile, there are others who thought that the better way to serve the Lord is not to engage in sex at all (1988, 182).

Paul, on the other hand, insists that they should remain married since God gave human beings marriage as a proper way to express their sexuality. The theology of the letter speaks of the sanctity of the body and Christian liberty, as well as the union of husband and wife in marriage. Focusing on 1 Corinthians 6: 9-20 and 7: 2. 8-9, the theology of Paul refers to the sacredness of the body because it belongs to Christ. Hence, the issue of sexual immorality is central to the two chapters. According to Instone-Brewer, Paul's advice with regard to marriage is not to avoid sexual activity (as ascetics were to teach later) but to get married in order to avoid fornication, especially those who are burning with desire as mentioned in 1 Corinthians 7:8-9, 37 (2001, 13). It is evident from the above text that Paul adopted a positive approach to marriage.

1.4 Problem Statement

In this dissertation, I reflect on ‘cohabitation’ because it has become another form of ‘marriage’ that appears to be challenging what is regarded by many as a traditional marriage practice. Cohabitation as a trend has found resistance from those who cling to traditional marriage practices such as Christian marriage and African marriage. It has raised moral concerns, especially among the churches. Amongst blacks in South Africa, in particular, there are three systems that seek to have a claim over a person, namely African tradition, Christianity, and Civil law. Of these three practices, two claim precedence over each other, that is, African tradition and Christianity, while civil law does not present itself as the point of departure. African tradition and Christianity (Catholic) expect their ‘subject’ to begin with them. This result in a huge tension such as: Which is the legitimate route? The New Testament has been used to address moral issues, and consequently, there is a tendency to regard the New Testament as an authority on such issues. The first letter of Paul to the Corinthians, chapter seven, one text among many, in both the Hebrew Scriptures and the New Testament, has been used authoritatively to address issues surrounding marriage, divorce, marriage annulments, celibacy and sexual conduct. Richard Hays sees the New Testament as being ‘normative’¹⁴ in dealing with such ethical issues.

According to him, one cannot but use the New Testament to find answers to contemporary moral problems. I argue that the letter was written in a certain context and addresses particular

¹⁴ **Norm (verb) Normative (adv)**

Normative can be defined as implying or prescribing a norm or a standard. R. C. Sproul (2008, 1) defines normative in relation to scripture as ‘*Norma Normans* (the rule that rules), whereas tradition is *norma normata* (a rule that is ruled)’.

social issues that were meant to address specific issues in the Corinthian community at the time. One can therefore ask to what extent the New Testament can be used to address contemporary issues? Or rather, can the New Testament provide a norm in seeking to find answers to contemporary moral issues? Is it possible to situate 21st century moral debates within Graeco-Roman world society with the hope of finding moral answers? It is in this context that the ultimate question is whether we can we speak of the New Testament as being ‘normative’?

Hays seems to suggest what could be termed as a ‘universal morality or ethics’. In what way can the moral teaching of the New Testament be regarded as universal? Does the original context of certain texts inform us about how we view matters of ethics? If so, in what manner do our experiences and the context of contemporary society fit in? Such questions and many others raise issues surrounding the authority of the New Testament, or at least of certain texts, when addressing the complexities of contemporary existential problems. Furthermore, what is the role of conscience in making a moral decision in relation to an individual rather than a community?

1.5 Can the New Testament be normative?

The text in 1 Corinthians 7: 1-40 serves as one of the passages that have been used to advocate the ‘normativeness’ of the New Testament. Richard Hays is one of those scholars in the field of New Testament ethics who advocates that the New Testament is ‘normative’. It is plausible to suggest that those who do not accept the guidelines that he proposes should somehow take up the challenge to articulate alternative guidelines that will promote equal methodological clarity. It is for this reason that he proposes ten ‘fundamental proposals’ (1996, 309-310).

Throughout this dissertation I argue that the normativity of the New Testament is problematic, particularly working on Hays' assumption that the canonical scriptures consist of what he calls *norma normans* for the church's life.

The consequence of such an approach has led to the neglect of other ethical norms, such as African ethical practice regarding matters of marriage and sexuality. Cohabitation, as one of the contemporary moral issues among many other ethical problems, is one of the emerging challenges to traditional, civil and religious marriages in South Africa today.

This raises ethical problems in society today, for example, whether it is to be regarded as ethical or not for people to cohabit. What is the role of the New Testament in dealing with such matters? One of the basic questions is: Can the first letter of Paul to the Corinthians be used as a starting point in addressing such ethical issues? The difficulty arises because it is evident that the letter seeks to deal with questions that were addressed to Paul by members of the Corinthian community regarding their own experiences. The letter was thus written within a certain social context, which is different to that in society today.

1.6 Overview of the Dissertation

This dissertation consists of five chapters. Chapter One furnishes an overview of the dissertation as well as the problem statement. Chapter Two focuses on the contribution of Richard Hays in the field of New Testament Ethics. His contribution is outlined in great detail so as to put into perspective some of the issues found in 1 Corinthians 7: 1-40. An analysis of the protagonist is dealt with at length, particularly concerning his third and fourth method 'The hermeneutical task: relating the text to our situation' and 'The pragmatic task: living under the

word – test cases’. Chapter Three focuses on first and second century marriage practices in the Graeco-Roman world and early Christianity. Chapter Four focuses on the relevance of the debate, as well as theological issues. Chapter Five concludes with proposals for further research.

1.7 The New Testament and Early Christianity and the Practice of Cohabitation

The canonical books of the New Testament appear not to address the issue of cohabitation. However, there are ethical teachings that the Catholic Church has used to argue against cohabitation as immoral. Though the canonical books speak of sexuality, one cannot simply assume that those passages characterise sexuality as being immoral outside of marriage. This includes polygamy. Therefore, it is imperative to also study material that is outside the accepted texts. In other words, the historical development of the text is crucial to the understanding of any text.

1.8 Methodological Aspects

I engage Richard Hays as a central interlocutor in order to focus and delimit my study. Firstly, I outline his work on New Testament ethics. This will be drawn from his book (1996). As part of my dialogue with Hays, I focus on his four tasks, namely, the descriptive task: vision of moral life in the New Testament; the synthetic task: finding coherence in the moral vision of the New Testament; the hermeneutical task: the use of the New Testament in Christian ethics, and the pragmatic task: living under the Word – test cases.

Since the study is on the New Testament as being normative, I specifically focus on the hermeneutical task: the use of the New Testament in Christian ethics, and the pragmatic task: living under the Word–test cases. To further advance the dialogue with him, I also look at various marriage practices in the first two centuries as well as tracing the possibility of the practice of cohabitation amongst Graeco-Roman people.

1.9 Hypothesis

The first and second century Graeco-Roman world had its own marriage practices. These marriage practices differed from one region to another, among which a diversity and richness are evident. Furthermore, when one deals with texts such as 1 Corinthians 7: 1-40, as with other biblical texts, in the light of the problems that arise from contemporary moral issues, it is imperative to take into account socio-historical influences, such as those of Graeco-Roman moral discourses. In my study, I include Graeco-Roman politics, socio-anthropological approaches, as well as archaeological and textual evidence.

It is impossible to suggest that in addressing contemporary moral discourses one can and should turn to the New Testament for guidance without taking into account the above-mentioned theoretical frameworks and practices, as well as the diversity of the early Christian communities. I contend that the New Testament concerning the teaching and practice of marriage cannot be regarded as a ‘norm’ or an absolute authority in such matters. I would therefore propose the formation of conscience as the basis for moral decision making as an alternative in the context of contemporary South Africa where three systems exist, namely that of the church, African tradition and civil law, each claiming authority over an individual, particularly with regards to marriage.

1.10 New Testament Ethics: Hays' Hermeneutical Methodology

1.10.1 Definition

One of the arguments presented by Hays is that scripture is 'normative'. This implies that the New Testament is imbued with an overriding authority, and therefore he advocates for a form of ethical *sola scriptura*. It is for this reason that he finds some implicit unity underlying the explicit diversity of the literary compositions. The argument for a form of ethical *sola scriptura* suggests that scripture is *norma normans*, rather than *norma normata* (see section 1.3.1).

1.10.2 Hays' contribution to New Testament ethics

Hays' study is clearly based on the above definition, namely, that there is no space for relativism, since, for him, scripture is normative. Hence, the question raised here concerns the normative character of the New Testament as being absolute or relative. One of the questions that could be asked is whether there is uniformity within the obvious diversity of its texts. It is within this framework of the fundamental set of difficult and interrelated problems that the work of Hays should be studied and evaluated. From the beginning, Hays states the goal of his approach clearly. He wishes to clarify how the church should read scripture in such a faithful and disciplined manner that its life may be shaped by the teaching of the New Testament. This would include ethical norms and practices for the church in our time (1996, 3 & 9).

I concur with Johnson that one of Hays' tasks is to demonstrate how Christian moral life might be rooted in and guided by the New Testament (1996, 1). In one of the studies conducted by

Hays, the discussion is concerned with approaching the argument from descriptive to the New Testament as normative. His choice of practical issues, as well as his selection of theories, indicates the eagerness of contributing to the conversation within the Christian community concerning the use of the New Testament. What is observable about his study is that he interacts extensively with the text of the New Testament. Hays uses the three focal images of the community, the cross and the new creation to indicate how the intensely richness of the New Testament is integrally connected to a theology of ethics.

Hays further advances the study by neither shying away from asking pertinent questions nor from providing the answers. Hence the use of four parts: (1) the descriptive task, (2) the synthetic task, (3) the hermeneutical task, and (4) the pragmatic task. As mentioned above, for the sake of this dissertation I will focus on both the hermeneutical and pragmatic tasks in which Hays produces ten proposals offering practical guidelines for the New Testament as a normative theological ethical discipline in which he applies the images of ‘an integrative act of imagination’.

1.10.3 The hermeneutical task: the use of the New Testament in Christian ethics

One of the criticisms that Hays expresses about exegetical scholarship is that it describes the different texts in increasing detail while it cannot it lack coherence. The increasing specialisation of academic exegesis produces fragments rather than a normative vision. Consequently, he addresses this problem by using a synthetic proposal. This calls for an integrative act of imagination to grasp the central story, which is retold from many perspectives in the canon.

1.10.4 **The pragmatic task: living under the Word**

The pragmatic task makes normative judgments by locating today's issues in the symbolic world of the New Testament. In other words, to make a moral judgment one has to 'integratively' enter into an act of imagination. It is for this reason that Hays provides the churches with the tools to discuss moral questions in a more flexible manner by moving analogously and imaginatively from text to life and back again. These moral issues range from nonviolence and peace-making, which he maintains are 'integrally related to the central moral vision' of the New Testament and that no compromise on these issues should be possible (1996, 1).

He also questions the pervasive tolerance of divorce in mainstream churches, which erodes any requirement to remain in a difficult marriage. The most controversial is his treatment of homosexuality. In short, the pragmatic task asks how the life of actual communities can be transformed along the path of discipleship. For one to engage in the pragmatic task one has to discern what it means to be faithful to the gospel in the incommensurable moral issues that divide people today.

1.11 **Conclusion**

The context and theology of the first letter to the Corinthians are covered in this chapter. It is evident that the friction amongst the Corinthians is not the only motive for the composition of the letter. Above all, the issue of sexual immorality plays a vital role in this letter; hence Paul gives his audience the alternative of marrying if they cannot control themselves. Furthermore,

the question of freedom comes into play here. Does 1 Corinthians 7: 1- 40 make any significant contribution to contemporary issues? Also, is there anything that could be learnt from the Corinthian dilemma? These and many other questions are addressed in the chapters below. It is fundamental to focus on first century marriage practices so as to ascertain the normative aspect of the New Testament and to what extent one could be informed by the remote context in which these texts find their origin. The basic question is: Can New Testament ethics be normative; if so, in what way can it be relevant or address contemporary society's moral dilemmas?

CHAPTER 2

HAYS' CONTRIBUTION TO THE FIELD

OF NEW TESTAMENT ETHICS

2.1 Introduction

The study of ethics in the New Testament is broad in the sense that one can approach it from the point of view of the Gospels or from the letters of Paul, James, Peter, John I and II, Jude or the Book of Revelation. Hence, many authors have attempted to approach this study from various perspectives. What is evident from the beginning to the end of the New Testament is that the authors of the Gospels attempted to seek to address the problem of ethical living through the image of Jesus. Even Paul himself, in his letters, seeks to address this dilemma. Ethical living is centred on the teachings of Jesus; hence, ethics in the New Testament is vast and includes diverse methodologies. A summary and analysis of Hays as a protagonist, as well as his contribution to the field of New Testament ethics, will be considered in this study. The following questions form part of the analysis: In what way does the study of Hays advance the discussion? What is problematic about it?

2.1.1 The importance of the study

Hays's focus falls on the canonical books in his study of New Testament ethics. He observes the broad scope of this field and thus acknowledges the limits of his study. Hence, in the preface he states that 'the works cited in the notes and bibliography represent only a fraction

of the literature from which I have learned materially, and that fraction in turn represents an even tinier fraction of what has been published on these topics' (1996, xii). Clearly, as Hays observes, there has been a large contribution to the field of New Testament ethics. Therefore, Hays commences with the function of the subject in his introduction to the problems surrounding New Testament ethics. He argues that the dilemma is the same no matter how one chooses to view it. This predicament, according to him, is that 'the text has inexhaustible hermeneutical potential' (1996, 1). In substantiating his argument, Hays further avers that Christians claim that Scripture is the foundation of the church's faith and practice. However, he furnishes two reasons why these kinds of appeals to Scripture are suspect. Firstly, it is precisely because the New Testament itself contains diverse points of view as well as miscellaneous methods of interpretation that give rise to diverse readings of any given text. He offers various examples to demonstrate this kind of appeal to Scripture as being suspect and furthermore provides a list of a number of politicians who have sought to use the Scriptures to win elections, as well as to justify their reasons for war, including Christian ministers who have done the same. He argues that such use of biblical rhetoric in political language illustrates a persistent difficulty for anyone wanting to make claims on the New Testament (1996, 2).

Secondly, Hays argues that critical exegesis aggravates the hermeneutical predicament rather than solving it (1996, 3). The basis of his argument is the attitude of seminary students who, on completing New Testament courses, remain puzzled and alienated. One could perhaps argue that it is not the role of critical thinking to raise questions and to demonstrate the problems that underpin the study. Critical exegesis, however, challenges the biblical rhetoric used by politicians and Christians alike who claim the Scriptures to be their moral guide at

face value and without any critical thinking. These are people who can naively affirm the bumper-sticker slogan that says ‘God said it, I believe it, that settles it’. Hays, at the same time, acknowledges that because of the diversity within the New Testament, careful exegesis improves one’s awareness of the ideological diversity within Scripture, including the historical distance that exists between the reader and the ancient communities. It is for this reason that Hays observes that:

Unless we can give a coherent account of our methods for moving between text and normative ethical judgments, appeals to the authority of Scripture will be hollow and unconvincing (1996, 3).

Based on the above presuppositions, Hays aims to articulate more clearly a possible framework within which New Testament ethics might pursue a normative theological discipline. The goal would be to clarify how the Church can read the Scriptures in a faithful and disciplined manner so that Scripture might come to shape the life of the church. It is evident that Hays’ approach to New Testament ethics is based on how the church community understands and interprets Scripture from an ethical perspective. He refers to Scripture as normative and New Testament ethics as being a normative theological discipline. To understand Hays’ theological viewpoint, we have to analyse his methodology so as to get a clearer picture of how he arrives at his conclusion. It is therefore appropriate to outline his methodology which he sees as necessary for one to study New Testament ethics, which is a multiplex discipline (1996, 3).

2.2 Hays' Methodology

In this section, we look at the four-fold task of New Testament ethics as outlined by Hays. According to him, because New Testament ethics is multiplex it is necessary for us to engage in four overlapping critical frameworks, which he names the descriptive, the synthetic, the hermeneutical and the pragmatic tasks. Hays argues that these four tasks interpenetrate each other; hence, he maintains that it is pivotal to distinguish them for the purpose of what he refers to as 'heuristic' (1996, 3). A description of each of the four tasks of New Testament ethics follows below.

2.2.1 The Four Tasks

2.2.1.1 *The Descriptive Task: Visions of the Moral Life in the New Testament*

Hays maintains that for one to understand New Testament ethics, one has to elucidate in detail the messages of the individual writers in the canon, without prematurely harmonising them. This he calls the descriptive task which is essentially exegetical in character. It is in reading the text in this manner that one will extract the distinctive themes and patterns of reasoning from the various authors. Hays acknowledges the hidden impediment that demonstrates the difficulty of doing New Testament ethics even at the descriptive level (1996, 3).

He maintains that any formulation which appears to contradict the teaching of the historical Jesus arises within the Christian community itself. He thus implies that the descriptive task entails an attention to the developmental history of moral teaching traditions within the canon. Hays proposes to sketch the distinctive moral vision embodied in each of the texts of the New

Testament by asking how each one of them portrays the ethical stance and responsibility of the community of faith (1996, 3) .

2.2.1.2 The Synthetic Task: Finding Coherence in the Moral Vision of the New Testament

Hays refers to this task as placing the text in its canonical context. He begins by posing the question: ‘If we are pursuing New Testament ethics with theological concerns in view, however, we must move on to ask the possibility of coherence amongst the various witnesses’ (1996: 4). Hays maintains that it is in posing such questions that we move from the descriptive to the synthetic task. This leads to his next question: ‘Is it possible to describe a unity of ethical perspective within the diversity of the canon?’ (1996, 4).

Wayne Meeks, as cited in Hays, deems this phase of operation to be impossible. This is because he views the ideological diversity as being irreducible (1996, 4). Contrary to Meeks’ opinion, Hays argues that if that is true, then there has to be a shift from talking about New Testament ethics to ethos and practices of the individual communities represented in the New Testament. He further argues that the task of discerning some coherence in the canon is both necessary and possible, while at the same time acknowledging that the difficult problem would be to know what methods might allow one to provide an appropriate account of this canonical coherence.

2.2.1.3 The Hermeneutical Task: Relating the Text to our Situation

Hays asserts that the role and function of hermeneutics is to appropriate the New Testament message as a word addressed to the Christian community. In other words, the task of hermeneutics is to attempt to bridge the gap between the text and us, including areas of culture and temporal distance (1996, 5). Hays maintains that to suggest that no hermeneutical

'translation' is necessary for us to understand these texts could only be historical ignorance, calling such a supposition cultural 'chauvinism' (1996, 6). Furthermore, he argues that the more we understand something, the more we will appreciate it. This then leads to questions such as 'how can we preach from these texts anymore? How can we take our moral bearings from a world so different from ours? If the New Testament teachings are so integrally embedded in the social and symbolic world of the first century communities, can they speak at all to us or for us'? (1996, 6).

Therefore, according to Hays, the task of hermeneutical appropriation involves an *integrative act of imagination*. What he means is that we are to work out a life of faithfulness to God through responsive and creative re-appropriation of the New Testament Scriptures in a world far removed from the world of the original writers and readers. Furthermore, he maintains that the appeal to the authority of the New Testament is engaging in *metaphor-making*, that is, placing the community's life imaginatively within the world articulated by the texts. By *metaphor-making* one is to discover analogies between the words of the text and our experience; this includes their world and our world (1996, 6).

Therefore, for Hays, the act of reading is already a basic exercise of the analogical imagination (1996, 298). Reading the New Testament with understanding is to engage in what he calls an ambitious imaginative project of discerning analogies between the present world and the world of the New Testament writers. What Hays suggests is that the role and task of *an integrative act of the imagination* is a discernment of how our lives and those narrated in the New Testament might adequately answer our moral questions. We thus participate in the truth we find there. Clearly what Hays advocates, appears to rule out a critical analysis of the texts; hence, he argues that the hermeneutical problem of reading an ancient text is only one

example of the problem that attends all acts of reading (1996, 298). In other words, imaginative integration would not be essential if it were possible to separate what Hays calls 'timeless truth' in the New Testament Scriptures from 'culturally conditioned elements'. He refers to 'timeless truth' as a special form of revelation which would be pertinent in exactly the same manner in all times, places, and cultures. On the other hand, the 'culturally conditioned elements' could be dismissed as being dependent features with no normative significance (1996, 299).

For Hays, the effort to distinguish timeless truths in the New Testament from culturally conditioned elements is wrongheaded and impossible. This is so because these texts were written by people in particular times and places, and they bear the marks of humanity like any other human utterances in their historical setting. Hermeneutics must value rather than denigrate the particularity of New Testament texts (1996, 300). This includes things such as the stories and culturally specific forms of the apostolic testimony which are to be received and observed just as they present themselves to us. What Hays suggests is that New Testament ethics is essentially an exercise in metaphor-making. Hence, he maintains that:

If we seek to honour the particular forms of texts that are predominantly narrative and occasional, without subjecting them to analytical procedures that abstract general principles from them, we will find that the most promising hermeneutical strategy is one of metaphorical juxtaposition between the world of the text and our world (1996, 300).

What Hays argues is that an analysis of the texts leaves little space for metaphor-making. Hence, there is a combination between the two worlds, because for him metaphors are strange conjunctions of the two images that turn out to be like one another in ways not ordinarily recognised. Therefore, this sort of metaphorical hermeneutic is fundamental to New Testament

ethics. Hays further argues that our normative appeals to Scripture will most often be what he calls *paradigmatic mode*, which is a construction of a symbolic world.

The difficulty lies in knowing how to judge the validity of proposed metaphorical appropriations of the New Testament. This is precisely because there are no foolproof procedures (1996, 304). Therefore, metaphorical readings must be tested prayerfully within the community of faith by those who seek God's will, together with those closely reading the text. Communities that seek to be shaped by Scripture must therefore in the end claim responsibility for judging between good and inferior readings. This kind of approach seems to suggest that the community does not need to be critical and analytical when reading a text, since the onus rests on them to measure the quality of the readings. It further suggests that a hermeneutical framework is not necessary because the individual community has the privilege of determining its own understanding of the text apart from the hermeneutical framework.

Hays proposes ten guidelines for New Testament ethics. These guidelines are to function in the construction of normative Christian ethics and are as follows:

Serious exegesis is a basic requirement. Texts used in ethical arguments should be understood as fully as possible in their historical and literary context. The Christian Scripture texts must be read with careful attention to their Old Testament subtexts. We must seek to listen to the full range of canonical witnesses. Substantive tensions within the canon should be openly acknowledged....

Our synthetic reading of the New Testament canon must be kept in balance by the sustained use of the three focal images: community, cross, and new creation. The New Testament texts must be granted authority (or not) in the mode in which they speak (i.e., rule, principle, paradigm, symbolic world). All four modes are valid and necessary. (1996, 310)

We should not override the witness of the New Testament in one mode by appealing to another mode. The New Testament is fundamentally the story of God's redemptive action;

thus, the paradigmatic mode has theological primacy, and narrative texts are fundamental resources for normative ethics. Extra-biblical sources stand in a hermeneutical relation to the New Testament; they are not independent, counterbalancing sources of authority. It is impossible to distinguish 'timeless truth' from 'culturally conditioned elements' in the New Testament. The use of the New Testament in normative ethics requires an integrative act of the imagination; thus, whenever we appeal to the authority of the New Testament, we are necessarily engaged in metaphor-making. Correct reading of the New Testament occurs only where the Word is embodied.

Hays maintains that these ten proposals offer feasible guidelines for New Testament ethics as a normative theological discipline. He acknowledges, at the same time, that some of these guidelines might be viewed as being controversial, particularly numbers 4, 5, 7 and 9. The guidelines are as follows (1996, 310):

Guideline number 4:

Our synthetic reading of the New Testament canon must be kept in balance by the sustained use of the three focal images: community, cross, and new creation.

Guideline number 5:

New Testament texts must be granted authority (or not) in the mode in which they speak (i.e., rule, principle, paradigm, symbolic world).

- a. all four modes are valid and necessary
- b. we should not override the witness of the New Testament in one mode by appealing to another mode.

Guidelines Number 7:

Extrabiblical sources stand in a hermeneutical relation to the New Testament; they are not independent, counterbalancing sources of authority.

Guideline number 9:

The use of the New Testament in normative ethics requires an integrative act of imagination; thus, whenever we appeal to the authority of the New Testament, we are necessarily engaged in metaphor-making.

2.2.1.4 The Pragmatic Task: Living the Text

According to Hays, the final task of New Testament ethics is the pragmatic task. This task embodies the imperatives of Scripture in the life of the Christian community. Without living the text, Hays maintains, none of the above deliberations matter. This living of the text comes after all the careful exegetical work, reflective consideration of the unity of the New Testament message, the imaginative task of correlating this world and that of the New Testament, and lastly the value of exegesis and hermeneutics will be tested by their capacity to produce persons and communities whose character is reflective that of Jesus Christ and thereby pleasing to God (1996, 7).

Hays argues that distinguishing the pragmatic task from the hermeneutical task is easier in theory than in practice. Hence, it would be possible to group the hermeneutical and pragmatic tasks together under the heading 'application'. The hermeneutical task is the cognitive application of the New Testament's message to our situation, while, on the other hand, the pragmatic task is the acting out or application of the New Testament's message in our situation. What he seems to suggest is that one cannot apply hermeneutical principles to the text and leave it at that stage, but one must also apply it to daily living so as to make sense of the New Testament message.

It is for this reason that Hays says that the 'living out of the New Testament' cannot take place in a book, but it can only take place in the life of the Christian community. In other words, for Hays, the acting out of the New Testament message is in and through the community. The

pragmatic task offers some particular judgments on how the New Testament might address moral issues that are of concern to the church, such as divorce, violence, homosexuality, cohabitation, racism, abortion, and many others.

Hays forges a link between what he calls the four-fold task of New Testament ethics. While, at the same time, he acknowledges that his approach might raise some objections from various quarters. Hence, he outlines some of the possible objections of his methodological framework in his book and provides preliminary responses to these objections. He commences by acknowledging the possibility of some readers objecting to his four-fold methodology in that they might be viewed as artificial. He maintains that the four-fold tasks of the method overlap in practice. Hence, the description and synthesis can never be totally divorced from the interpreter's concerns. Hays observes that if the above mentioned remarks on embodiment of the Word are correct, then one's own experience of the pragmatic enactment of Scripture will therefore condition one's own reading from start to finish (1996, 8).

One other potential objection that Hays anticipates is linked to his omission of the Old Testament account. He maintains that his intention of not looking at the Old Testament does not suggest a bias towards New Testament. On the contrary, his approach to the New Testament is primarily shaped by his conviction that the New Testament Scriptures are intelligible only as a hermeneutical appropriation of Israel's Scriptures (1996, 9). He is aware that his methodology accords pre-eminent authority to the New Testament without offering a reasoned defence for ascribing such normative weight to this collection of documents.

Hays maintains that this study proceeds on the working assumption that the canonical Scriptures make up what he calls *norma normans*¹⁵ for the church's life, while, on the other hand, every source of moral guidance must be understood as *norma normata*¹⁶. Thus, for Hays, normative Christian ethics are essentially a *hermeneutical* enterprise because it begins and ends with the interpretation and application of Scripture in the life of the community of faith (1996, 10).

I have highlighted the four tasks that Hays adopts in order to examine the New Testament records. In my critique of this protagonist, I concentrate on two of these tasks. The first is the *descriptive task: visions of moral life in the New Testament*, and the second is the *pragmatic task: living under the Word*. In his fourth task Hays focuses on Paul's ethics, part of which relates to the subject of this research and is addressed now.

Hays commences by posing the question 'Is Paul's ethics theologically grounded?' He argues that, although Paul was separated from the Christian communities, he continued to provide exhortations and counsel on issues of behaviour in a manner that is worthy of the Gospel of Christ. He also maintains that as belated readers of Paul's letters, one is always confronted with the gaps. These are questions such as 'how had Paul preached the gospel to them originally? What norms of behaviour had he already sought to inculcate? What shared assumptions were so fundamental that they remained implicit rather than explicit in Paul's correspondence?' These and many other questions leave us to imagine how the gaps should be filled in. This is precisely because the communities that Paul founded were familiar with his

¹⁵ Scripture is the 'rule of rules' by R C Sproul, 2008. He is the founder and president of Ligonier Ministries, and the author of the book *Truths we Confess*.

¹⁶ Tradition is 'a rule that is ruled' by R C Sproul, 2008.

preaching and teaching. The consequence of such an acquaintance, argues Hays, leaves much unsaid and taken for granted (1996, 16).

Yet at the same time Hays maintains that the letters also offer us some clues. When we read them continually we are faced with a paradox and a provoking challenge of what he calls the 'unspoken' (1996, 16-17). Paul did not 'set forth a systematic presentation of "Christian ethics" nor does he offer his communities a "manual of discipline", a comprehensive summary of community organisation and duties' (1996, 17). Such summaries were not uncommon amongst the first century communities. To illustrate his argument, Hays indicates that documents such as the Didache, the Dead Sea Scrolls, the teaching of Jesus in Matthew's gospel, and the codification of *Jewish Halakah* in the *Mishnah*, all indicate the genre presented by the Community Rule. Hays further observes that Paul, on the other hand, does not formulate such a code. Instead, he responds in an ad hoc manner to the pastoral problems that arise in his churches. Paul seeks to answer questions such as: 'Should the Gentile believers be circumcised? Should converts to Paul's movement divorce their unbelieving spouses? Are Christians obliged to obey the Roman authorities? In each of these Paul offers answers' (1996, 17).

Hays reflects on one of the fundamental questions relating to whether Paul's answers are based on some coherent set of theological convictions. Has Paul unconsciously taken some of his moral norms from his traditional sources? Hays further poses the question: Could Paul have taken his theological reflection from what he calls 'a logic internal to his gospel'? (1996, 17). According to Hays, New Testament scholars have suggested that there is no direct connection between Paul's ethical discernment and his theological proclamations. He avers that Martin Dibelius has proposed that the blocks of moral advice that occur at the end of

Paul's letters should be understood as what he calls *parenesis*,¹⁷ that is, a collection of maxims that he adopted from Hellenistic philosophy. Hays argues that, according to Dibelius, the early Christian community expected the end of history to take place instantaneously. This is why they did not concern themselves with formulating an ethic. Dibelius, as cited in Hays, argues that, when noting that the end of time was not approaching as expected, the Early Christians filled the ethical vacuum by appropriating philosophical persuasion (1996, 17). His argument is based on the view that the ethical teaching in Paul's letters such as Galatians 5-6 and Romans 12-15 are not fundamental to the gospel of Paul or derived from 'revelation'. He further maintains that they are a reuse of a general moral wisdom widely shared in Hellenistic culture. In other words, Christian writings became the transmitters of what he calls popular ethics of antiquity. This idea is further argued by Hans Dieter Betz as cited in Hays as follows:

Paul does not provide the Galatians with a specifically Christian ethic. The Christian is addressed as an educated and responsible person. He is expected to do no more than what would be expected of any other educated person in the Hellenistic culture of the time. In a rather conspicuous way Paul conforms to the ethical thought of his contemporaries. (1996, 17)

Betz, according to Hays, views the gospel of Paul as providing some motivation to do what is right, yet at the same time it does not generate a particularly Christian account of 'what is right'. In other words, Paul's moral teaching is based on the adoption of the norms that were found amongst the culture of the educated. It seems, according to Dibelius, that the early Christians did not have an ethical teaching. Despite this, certain elements of ethical teaching can be found in Paul's writings and those of the evangelists.

¹⁷ The *paraenetic* style is that which we give someone, *paraenesis*... persuading... him to pursue something or to avoid something. *Paraenesis*... is divided into two parts, i.e., persuasion and dissuasion. http://www.proz.com/kudoz/german_toenglish/art_literary/265824-paraenese.html (accessed on the 13 /05/ 2010).

Above all, could a movement not be based on some kind of teaching? Their concern for the *Parousia* had to be influenced by some ethical teaching on the end time and how they ought to behave before the return of their Risen Lord. This view is summarised well by Hays in that he claims that Paul's ethical teaching is based on his theological thought (1996, 18), because Paul's ethical teaching is integrally related to his theological teaching. Therefore, for him, it is difficult to draw a clear distinction between the two. Could it mean, therefore, that Paul's theological thought could be understood as his ethical teaching? Or can we draw his ethical thought from his theological teaching? If one were able to draw an ethical perspective from his teaching, then it follows that one could also draw at least some kind of a distinction between his theological and ethical teaching.

Hays maintains that Paul's theological vision brings everything out under the scrutiny of the gospel. Thus his attempt is to deal with all pastoral problems in the light of the gospel (1996, 18). This is illustrated in the various issues that he attempts to address in a number of his letters, such as 1 Corinthians 7 on marriage and divorce. What is evident is that Paul appears to have something to say on the very subjects that are posed to him by the various Christian communities.

Hence, it is imperative, according to Hays, to approach the letters of Paul one at a time, because each one explores particular problems and his responses to them. He suggests that for one to grasp Paul's ethical teaching it is crucial to begin with Paul's theological thinking is the basis of his ethics. It is interesting to explore the theological framework of Pauline ethics which Hays divides into three sections: a new creation: eschatology and ethics; the cross: paradigm of faithfulness; and redeemed community: the body of Christ. He argues that this

theological framework can offer an insight into Paul's ethical teachings which are briefly discussed below (see section 2.2).

2.2.2.1 Paul's Eschatology and Ethics

New creation: eschatology and ethics

Hays commences by asking whether contributed to shaping the counsel he accords to the churches. To achieve this, he focuses on the following letters: 1 Thessalonians, 2 Corinthians, and Romans. He conducts a survey based on these letters and observes the following: suffering and joy are intertwined and present in the church. The church should expect this paradoxical condition to persist until the end of time, or what he calls the *Parousia*. Yet, in the midst of this paradox God has made a promise to make things right and this allows the community to live faithfully; confident no matter how bad things may seem. The church also has to anticipate rejection as Jesus did. Therefore, there is a battle taking place that ought to be fought, not according to the flesh, but with the proclamation of the truth (2 Cor. 10:3-6).

With regard to ethics, Hays observes that the imminent return of the Lord intensifies rather than negates the importance of ethical action. Hence, the community is encouraged to pursue this ethical living with urgency: the task to love each other in mutual service. Paul points to the sanctifying work of the Spirit that is already underway in the community, acting as a ground for reassurance and hope. Therefore, the gospel of Paul is the proclamation of the redemption of the whole of creation. It is for this reason that Paul's dualism, characteristic of apocalyptic schemes, is tempered by Paul's insistence that even those who have received the Spirit still groan with the unredeemed world (1996, 26).

In summary, what Hays seems to suggest is that Paul's ethical teaching could be summed up in the following manner. The eschatology of Paul attempts to locate the Christian community within a cosmic, apocalyptic frame of reference. Above all, the church is God's eschatological beachhead, the place in which God has invaded the world through his power. This is why Hays views Paul's ethical judgment within this context. Most of all, Hays views the dialectical character of Paul's eschatological vision as the basis and a framework for moral discernment (1996, 26-27).

The cross: paradigm of faithfulness

According to Hays, the letters of Paul offer very little information about the man called Jesus. Yet at the same time, Paul refers to Jesus over and over again, particularly concerning what he did on the cross. Hays observes that Paul's concentration on the death of Jesus is what he calls the outworking of Paul's determination 'to know nothing...except Jesus Christ, and him crucified' (1996, 27). Hence, for Hays, the cross is a complex symbol for Paul, more so in terms of his world view.

Hays embraces one aspect of Paul's interpretation of the cross which, according to him, is determinative in understanding the church's ethical task. He further observes that Paul views the death of Jesus as an act of love, self-sacrificial obedience that becomes a paradigm for those who are in Christ through obedience. This is why the death of Jesus, according to Paul, was not an accident or an injustice that befell him; rather it was an act of sacrifice freely offered on behalf of the people of God. Hays substantiates his argument by citing the letter to the Galatians in which Paul in the salutation wishes for the Galatians 'peace that comes from the Lord Jesus Christ, who gave himself for our sins to set us free from the present evil age, according to the will of God and the Father' (Gal.1:3-4).

In summary, the faithfulness of Jesus Christ on the cross becomes the animating force in our lives. This is because it indicates that there is a deep connection in Paul's thought between Christology and ethics (1996, 32). Hence, Hays proposes that to be in Christ is 'to have one's life conformed to the self-giving love enacted on the cross, always carrying in the body the death of Jesus, so that the life may also be made visible in our bodies' (2 Cor. 4:10).

Redeemed community: the body of Christ

Hays views Paul's theme of community as a link to the churches. Above all, this was to strengthen and offer support to the group and to accord them identity. Hence, for him, the emphasis placed on community formation is not merely for practical necessity; instead, Paul develops his account of the new community in Christ as a fundamental theological theme in his proclamation of the Gospel (1996, 32). This is why, for Paul, in between the resurrection and the *Parousia* God continues to work through his Spirit who creates communities which prefigure and embody the reconciliation and healing of the world. In other words, Christ is present in these communities through his Spirit that is not passive but actively involved in their lives. This active involvement of the Spirit becomes the fruit of God's love that enables the formation of communities, which confess, worship and pray together (1996, 32).

To illustrate this further, Hays cites Daniel Boyarin who views Paul's vision of community as a 'particularist universalism'. Hence, Paul's community bears different marks from those that were around at that time. His was a community of the faithful who confessed their faith, were baptised and experienced the presence of the Holy Spirit. This is why Hays views the unity that Paul seeks in the community as that of a particular community of the church, and not that of the human community as a whole (1996, 33).

Hays argues that these three themes frame Paul's ethical thought, namely, the new creation in collision with the present age. While the cross represents a paradigm for action, the community serves as the locus of God's saving power. It is within this framework that one can somehow ascertain and examine the processes of Paul's moral reasoning (1996, 36). Therefore, I examine Hays' understanding of Paul's moral reasoning by focusing on the theme: Paul's moral logic: warrants, norms, and power.

2.2.2 Paul's moral logic: warrants, norms, and power

Hays reflects on the four themes that, according to him, serve as the basis for Paul's moral logic: firstly, Why obey God? Warrants for the moral life; secondly, What is the shape of obedience? Norms for the moral life; thirdly, How is obedience possible? Power for the moral life; and fourthly, Conclusion: our story in Christ. These four themes are briefly examined so as to ascertain how Hays forges a link between them and Paul's moral logic.

2.2.2.1 Why Obey God? Warrants For The Moral Life

Hays commences by raising the question: Does grace undo ethics? (1996, 37) Hays uses this question to illustrate that Paul was forced to be concerned about this problem because there were already those who were asserting that his gospel did away with the Law and, consequently, order; it also removed the necessary restraints on human sinfulness. Furthermore, both his Jewish compatriots and Jewish Christians were concerned about his preaching, in particular his dismissal of certain commandments of the Torah. This not only raised their concerns about his preaching, but also made them fear that through his preaching

Paul provided a 'carte blanche' for the flesh. Hays observes that Paul realised that his preaching could be interpreted as a license for 'antinomianism' after his zealous defence of Christian freedom from the Law in Galatians, therefore he introduced a final section his argument in which he offers a major caution concerning any abuse of freedom (1996, 37).

Paul's warning against the abuse of freedom is further outlined by his distinction between the works of the flesh and the fruits of the Spirit, hence his teaching that 'those who belong to Christ Jesus have crucified the flesh with its passions and desires' Galatians 5:16-26 (1996, 37). What appears to be evident in his letter to the Galatians is that those who are in Christ Jesus, through his death and resurrection, have died and been resurrected with him should as a result have left behind all the divisive and self-indulgent practices of the past. While at the same time, those who live by the Spirit are also guided by the Spirit.

This conformity draws a particular distinction between those in Christ Jesus and those outside a relationship with Christ Jesus. The conduct of believers, then, is to be different from that of those who are not in this communion. Furthermore, those in this communion are to conduct themselves in a manner that responds to the life-giving power of God that they experience. The metaphor of 'fruit', according to Hays, suggests that those who are in communion with Christ are sanctified. Hence, what Paul expects of the Galatians is not so much what Hays refers to as 'the product of moral striving as that [of] following the mysterious power of God's Spirit to work in and through them' (1996: 37).

Hays argues that the notion of effective transformation through union with Christ Jesus is essential to Paul's theological ethics. This argument is based on Paul's understanding of new life in Christ which is received in baptism. In other words, baptism allows those who are in communion with Christ to participate in his death and resurrection in a mysterious way and

therefore experience the effects thereof. Based on the above, Hays maintains that the gospel that Paul preaches does not merely deal with forgiveness, but also with transformation. Thus, the paschal mystery expresses the passing through from the realm of sin and death to the realm of righteousness and life.

According to Hays, the theme of *transfer of lordship* is closely related to participation in the death of Christ. This is why Paul depicts sin as a slave master from whom we have been rescued. Thus, baptism becomes a vehicle by which believers are transferred from one area of power to another. Hays further observes that this formulation of Paul causes him to try and avert any possible misunderstanding, and so he raises a rhetorical question one more time, namely, whether the followers are to continue sinning, since they are no longer under the law but under grace. His response is 'No', which further illustrates that Paul's use of the metaphor of slavery is his final response to the idea of *transfer of allegiance*. This transfer of allegiance is the human response to God's gracious act that is elaborated on in Romans 6:19bc (1996, 38).

This liberating grace is an act of God that does not change humanity into free moral agents; rather, it is a movement from one sphere to another. It can be summed up as: 'you have been freed from sin and enslaved to God' Romans 6:22a; (1996, 39). Believers are transformed and set free for the sake of obedience only through God's gracious act in Christ. This is why there are three fundamental warrants for obedience that are intrinsic to Paul's gospel and they are:

Through union with Christ we undergo transformation that should cause us to 'walk in newness of life'.

Because God has liberated us from the power of sin we should transfer our allegiance to the one who has set us free.

Because the Holy Spirit is at work in the community of faith the fruit of the Spirit should be manifest in the community's life (1996, 39).

Hays further views Paul's moral exhortation as taking the form of reminding his readers that they are to view their obligations and actions in the cosmic context of what God has accomplished in Christ. He observes the following with regard to moral warrants in Paul:

Any full account of moral warrants in Paul, however, must also acknowledge the presence of the negative warrants, sanctions against sinful behaviour. One of Paul's fundamental convictions is the belief that God will ultimately pronounce judgment on the whole world, including the community of faith; in accordance with their conviction, Paul sometimes seeks to influence the behaviour of his communities through threats of punishment for disobedience (1996, 39).

It is evident that belonging to the body of Christ does not make one immune to being disobedient. This is why Paul seems to be urging his Christian communities to remain obedient; failure to do so will result in severe judgment. Hence, future judgment becomes what Hays calls an explicit warrant for moral action because one's moral actions, whether good or bad, will be judged in the future. Therefore, Paul's community is encouraged to remain faithful so as to avoid future judgment.

2.2.2.2 What is The Shape of Obedience? Norms for The Moral Life

Under the above title, Hays argues that it is evident that Paul uses a theologically complicated range of warrants for obedience to God. He further observes that it is another matter for one to enquire how that obedience can be defined when Paul's theological ethics are based on Hellenistic philosophy, or what Hays calls 'what was in the air', in other words, Hellenistic popular culture. To qualify his observation Hays outlines the discussion between Paul and the Corinthians on the issue of covering their heads. This response from Paul leads Hays to regard

popular culture as one of the influences on his ethical teaching of 1 Corinthians 11:14 (1996, 41). Yet Hays also acknowledges that Paul could have been influenced by his pharisaic Jewish heritage, even though he formally rejects the Torah as a directly binding set of regulations for his churches.

Hays outlines Paul's teaching on sexual morality so as to illustrate the extent to which his Jewish heritage could have influenced him. 1 Thessalonians 4:3-5 illustrates the fusion of cultures in Paul's thought world. The Jewish and Hellenistic cultural background had influenced his ethical categories and vocabulary (1996, 41). He further acknowledges that both cultural traditions play a slight role in Paul's actual ethical arguments in comparison to two fundamental norms to which Paul points repeatedly, namely, the unity of the community and the imitation of Christ.

To clearly demonstrate his observation, Hays focuses on the Corinthian dispute over food offered to idols in 1 Corinthians 8:1, 4. Furthermore, he maintains that the Corinthian dispute can be characterised by two groups of people. The first are those who were confident in their knowledge and therefore saw no harm in participating in such rituals. While on the other hand, there were those who were scandalised by their actions. What is interesting about Paul's response is that he does not settle the matter among them by issuing a set of rules and rulings. He appeals to those who have knowledge to act differently and with love towards those who do not share their views. This outlook of Paul could be summed up in the following words:

Knowledge puffs up, but love builds up (8:1b; cf. 10:23-24). Those who insist on their own spiritual prerogatives and refuse to place concern for the community first are pursuing a disastrous course: So by your knowledge the weak one is destroyed, the brother for whom Christ died (1996, 42).

Paul concludes that those who have knowledge are to be sensitive towards those who feel scandalised by their actions. Hence, his basic advice on the matter is thus that if food causes one to fall, then they should not eat the food offered to idols, and thus avoid being responsible for the fall of others. Paul addresses this pastoral problem of Corinth not by seeking to determine the suitable law, *halakah* in the Torah; neither is he pointing to the authority of Jesus' teaching, or even relying on the resolution of the Apostolic Council in Acts 15. What emanates from this teaching is that he seems to be urging the Corinthian community, especially those who regard themselves as strong, to follow the example of Christ Jesus, as well as of himself, by surrendering their places of privilege. According to Hays, the following can be deduced from the teaching of Paul:

The ethical norm, then, is not given in the form of a predetermined rule or set of rules for conduct; rather, the right action must be discerned on the basis of a Christological paradigm, with a view to the need of the community (1996, 43).

This is why Paul is reluctant to offer what he calls 'narrow behavioural norms'; perhaps it was one of the factors that led to trouble in the Corinthian community. Hays further indicates that in light of their spiritual discernment there were those among them who were acting in ways that Paul found objectionable. To further illustrate his observation he furnishes the example of 1 Corinthians 5:1-5 where Paul condemns a relationship between a man and his mother-in-law, in which Paul refers to it as 'sexual immorality of a kind that is not found even among Gentiles'. Another observation of Hays on this matter is that Paul does not provide any reason for objecting to this kind of behaviour. What Paul seems to be doing is pronouncing a condemnation. What could be deduced from this, according to Hays, is that Paul formulates his moral righteous anger, not according to Gentile practice, but rather according to Jewish

cultural sensibilities that are based completely on Leviticus 18:8 which reads as follows: ‘You shall not uncover the nakedness of your father’s wife’. According to Hays, this Jewish cultural background remains hidden (1996, 43).

2.2.2.3 How is Obedience Possible? Power for The Moral Life

In addressing the issue of whether obedience is possible or not, Hays draws a distinction between understanding one’s ethical obligation on the one hand, and living one’s life in accordance with an understanding of that ethical obligation on the other. To illustrate this tension, Hays uses Romans 7 as an example of the tension between intention and action (1996, 43). He argues that, according to Paul, the difficulty with the Law of Moses is that it could point to righteousness, yet it could not produce it. The inclination to sin is viewed as a powerful and mysterious ‘law of sin’ that appears to be at work in the human heart and it relentlessly defeats the human intention of doing good as well as obeying God. This tendency to sin can result in one listening to the Law and, at the same time, applauding the vision of the moral life communicated by the Torah which is to be ‘holy and just and good’ (Rom.7:12). Yet the complexity of the Law is that it can also produce condemnation and frustration (1996, 44). ‘The Hollow Men’ by T.S. Eliot captures the tension between intention and performance that foreshadows the human predicament.

Hays outlines what he calls the strength of the Lutheran tradition which recognises the radical grace of God at work in human imperfection. The hermeneutical key in the Lutheran tradition, for Hays, is in the honour given to Paul’s motto that ‘all have sinned and fall short of the glory of God’ (Rom. 3:23). Yet, at the same time, Hays acknowledges the weakness of the slogan *simul iustus et peccator*, in the sense that it could underestimate the transformative power of

God's grace and furthermore obscure what he calls the major emphasis of Paul's moral vision (1996, 44). He maintains that Romans 7:25a ('Thanks be to God through Jesus Christ our Lord') is not just giving praise to God for his forgiveness but is also celebrating liberation from the bondage of and paralysis that seemed to block the obedience to God's will (1996, 44).

Therefore, according to Hays, Paul moves from declaring the death of Christ as a 'sin offering' to affirming the role of the Holy Spirit as the source of power that enables the followers of Christ to 'walk' in the way that fulfils the real meaning of the Law (1996, 45).

This idea of Hays is summed up thus:

The fundamental force of Paul's claim must not be missed: God is present in power in the Church, changing the lives and enabling an obedience that would otherwise be unattainable. The motif of transformation by the Spirit appears repeatedly in Paul (1996, 45).

In other words, the presence of God in the Church is manifested in the lives of the people. At the same time, through this transformation the followers of Christ are able to be obedient to God's will, which is something unattainable without assistance from God. According to Hays, 'the obedience of faith' in Paul's gospel is to instil a sense of obedience among the Gentiles also (Rom.1:5). He suggests that human moral action is accorded a different place in the language rules of the divine-human relationship. This is why obedience becomes the consequence of salvation rather than its condition.

At the same time, the Holy Spirit is the manifestation of God's presence in the Church community and renews the Church; through the renewal of the Church community everything is made new. The Holy Spirit, then, should not be viewed as a mere theological concept (1996, 45). This presence of the Holy Spirit in the Church is expressed in various activities of the

Church, such as community worship. Thus, for Paul, the moral life is not a matter of reason controlling the passions or an exercise of unaided human will: 'Those who are in the flesh cannot please God' (Rom 8.8). Obedience comes because, through God's act of salvation, the power of sin is broken and those who believe are made to transform into the image of Jesus Christ (1996, 45).

2.2.2.4 Conclusion: Our Story in Christ's

Paul, according to Hays, views the community of believers as part of the story of God's renewal of the world through Jesus Christ. This is why ethical discernment is a participation in the economy of salvation. Thus one cannot make a distinction between ethics and theology in Paul's thought because the theology of Paul is essentially an account of God's act of transforming his people into the image of Christ. Hays views the story of God's renewal as pointing to the death and resurrection of Christ which is the apex of the rebirth of the cosmos and the end of the old. This rebirth finds its source in God's eschatological justice that has intruded on the present and renewed everything (1996, 46).

Obedience to God is expressed in the death of Jesus Christ on the cross. Thus, the death of Jesus Christ becomes a metaphoric paradigm for the obedience of the community to obey God through offering themselves unconditionally for the sake of others. Furthermore, Hays maintains that the fundamental norm of Pauline ethics is found in the 'christomorphic life'. Imitating Christ is to follow the apostolic example of surrendering one's own privileges and interests.

The duality in the story is that, although the community is shaped by the story of Christ, its members find themselves having to wrestle with a constant need and desire for spiritual

discernment so as to imitate and understand the obedience of faith. Therefore, at its core, ethics cannot sufficiently be guided by law or by institutionalised rules; rather, it is guided by what Hays refers to as ‘Spirit-empowered, Spirit-discerned’ guidance which is required to conform to Christ. Therefore, the community vocation is to act in creative freedom so that it can become ‘a living sacrifice, holy and acceptable to God’ (Romans 12:1). It is through this calling that the community experiences and discovers *koinōnia* with one another in and through the sufferings of Christ with the hope of sharing in his glory (1996, 46).

I have explored Paul’s moral logic according to Hays in order to ascertain how he views and understands the processes of Paul’s moral reasoning. One of the elements in Paul’s ethical teaching is the influence of both the Hellenistic and Jewish traditions on ethical issues and how he uses both traditions, as well as his own ethical understanding. Hence, there is a gap between action and intention. The use of metaphor in his teaching is viewed as an integral part of his teaching so as to inculcate the idea of being transformed and obedient to the will of God. Hays developed the four themes in order to indicate how they constitute both theology and ethics in Paul’s thinking.

He also emphasises transformation as well as obedience as the integral parts of Paul’s moral teaching. This is why the community of believers is transformed into the image of Christ through his death and resurrection, while the Spirit enables them to be obedient to the will of God, thus becoming a living sacrifice; holy and acceptable to God through the experience of *koinōnia* which is the calling of the whole community of believers.

Now I explore two themes that Hays deals with, amongst others: sex at the turn of the ages, and divorce and remarriage. This will effect an understanding of Hays’ views on these themes

in the light of New Testament ethics, especially in view of 1 Corinthians 7 on matters of divorce and cohabitation.

2.3 **Sex at the Turn of the Ages: 1 Corinthians 7**

Descriptive exegesis is the first step in the construction of New Testament ethics. Thus, 1 Corinthians 7:1b is an excellent illustration of the importance of careful descriptive exegesis, according to Hays (1996, 47). He further maintains that this text is one of the most misinterpreted texts in the New Testament. This is why Paul is often viewed as misogynistic in character with pathological attitudes towards sex. One of the mistakes made regarding this text was to treat it as a polemic against sex. What needs to be noted is that Paul was not writing a treatise on sex and marriage; rather, he was responding to the questions posed by the Corinthians. This, according to Hays, is clarified at the beginning of the passage. This is clearly visible in the first six chapters in which Paul seeks to respond to the reports of the Corinthian community. To comprehend 1 Corinthians 7 one needs to reconstruct the questions posed as well as the situation it presupposes (1996, 47).

In reconstructing the questions and the situation, Hays observes that Paul uses a slogan which is popular among some of the readers. The intention is to qualify, or to correct, or to challenge the Corinthian perceptions that they were drawing from this slogan. To illustrate this further, Hays draws from the preceding text of 1 Corinthians 6:12-14 which leads to 1 Corinthians 7. According to him, there are no quotation marks in the ancient Greek manuscripts to separate the Corinthians' questions from Paul's responses.

The readers of Paul, though, were familiar with the slogans and they would not have had a problem in following the dialectical character of the passage. Hays further observes that there

is a similar pattern in 1 Corinthians 8:1 which is structurally analogous to 7:1. The response of Paul to these issues is not to attack the Corinthians' slogan but, on the contrary, to first accept it and then to deflate it. The aim is to set up a foil for his response; hence, he quotes their position first (1996, 47-48).

Hays argues that one must firstly recognise the rhetorical pattern in the letter, because for him 1 Corinthians 7:1 is another illustration of the same technique. The following example, furnished by Hays, demonstrates the rhetorical pattern in the letter (1996, 48).

Corinthians: it is well for a man not to touch a woman.

Paul: but because of cases of sexual immorality, each man should have his own wife and each woman her own husband.

Hays maintains that the above cited text indicates that the notion of anti-sex comes from the Corinthians rather than from Paul himself, because Paul's response begins by attending to the matter at hand about which they have written to him. One of the reasons why Paul quotes the statement is to draw their attention to the topic of discussion. What is intriguing is that Paul does not commence by directly challenging the slogan; instead, he is sympathetic towards it, yet he also poses a corrective for it (1996, 48).

The key to understanding the position of Paul lies in the interpretation of verse 2, which reads:

...each man should have his own wife and each woman her own husband.

Hays maintains that this verse has always been interpreted as an encouragement to those who are not married to pair up and get married. On the contrary, Hays argues, this solution is impractical. What Paul seems to be encouraging is that those who are unmarried should remain unmarried. In contrast, one could then pose the question: What does verse 2 then

mean? According to Hays, the verb *echein*, which means ‘to have’, is a common euphemism for sexual intercourse (1996, 48). He compares this verb ‘to have’ in 1 Corinthians 7:2 with its use in 1 Corinthians 5:1 and deduces that Paul must be speaking to those who are already married and persuading them to continue to have sexual intercourse. He argues that such a teaching on sex in the first century context was not at all unnecessary, because pity and celibacy in Hellenistic culture were common features. A common attitude was that the body belonged to the material world and therefore should be regarded as inferior to the rational soul. In this regard, Stoic philosophy taught that the goal of life is to subdue the body by bringing its animal urges under the control of reason. This ideological perception is found in the letter to the Colossians (1996, 48).

Hays makes two observations regarding the ideology of celibacy. The first is that celibacy was viewed as a sign of spiritual power since it signified freedom from attachment to the basic realm of the material world. The second observation is the plausibility that there were factors in the early Christian tradition suggesting that sexual abstinence is superior or even went further by making it mandatory for those who would like to participate in the new faith. In 1 Corinthians 1:13, when citing the baptismal formula, Paul omits ‘no longer male and female’ as he does in Galatians 3:28. Hays argues that perhaps some of the words in the baptismal formula in Corinthians were omitted because some of the Corinthians believed that they were already living in the state of resurrection. Those who saw themselves as living thus might have concluded that married couples should cease to have sex. One of the possibilities might have been that those who spoke in tongues could have viewed themselves as being transformed into an angelic state. Based on the above mentioned possibilities, Hays proposes the following hypothesis: (1996, 49)

Paul is seeking to counteract radical Corinthian asceticism. Against an idealistic hyperspirituality that forswears sexual union even within existing marriages, Paul urges that married couples may and must continue to have sexual relations. This hypothesis seems to rule out the possibility of those who were not married and were engaging in sexual activities. It only focuses on those who are married, which constitutes a narrow way of viewing the text. It therefore suggests that there were no such activities among the unmarried, which is highly unlikely. Could this passage be challenging radical asceticism only or does it address the core issue of sexual immorality by both the married and the unmarried?

Hays focuses on 1 Corinthians 7:3-4 especially on the equality of both male and female. One of his observations is that Paul appears to be challenging the patriarchal culture which assumed a one-way hierarchical ordering of the husband over the wife. Paul does so by prescribing mutual submission. In other words, neither of the married partners controlled their bodies in a marriage covenant. Each partner surrenders authority over his or her own body to their spouse. This is why Paul encourages them to honour their commitments; to act in contrast to that is to deprive their partner of what he or she might legitimately expect from their marriage partner (1996, 50).

Therefore, according to Hays, withdrawal to celibacy might be dangerous, simply because Satan might tempt the 'superspiritual' ascetic to find sexual fulfilment elsewhere (1 Cor. 7:5). This could, for example, take place through fornication with a prostitute. One exception that Paul concedes is that a couple might decide to abstain from sexual intercourse due to a spirit of fasting, as long as the time is strictly limited, and in view with the understanding that they will resume their sexual relations. According to Hays, this permission for a temporary moratorium on sex is the 'concession' mentioned in verse 6: 'This I say by way of concession,

not of command'. Hays views this text as having been interpreted traditionally to entail that Paul reluctantly allows the legitimacy of sex within marriage. For him, the passage makes sense if the pronoun *touto*, 'this', in verse 6 is to be understood to refer to the immediately preceding verse 5 which is Paul's concession to the Corinthian ascetics and his cautious endorsement of temporary suspension of sexual relations (1996, 50).

Through his exegetical observation, Hays paraphrases 1 Corinthians 7:1-9. The aim is to fill some of the silences and gaps in the conversation. He supplies explanatory expansions so as to indicate how Paul's advice attempts to address the particular issues that were raised by the Corinthian community. In so doing, he draws attention to what is not said in this passage with regard to sex within marriage and makes the subsequent comment that what appears to be lacking is the reference to sexual relations as an expression of love between the spouses (1996, 51). Another observation by Hays is that Paul seems not to speak of the role of sex and procreation.

Hays makes the following observations with regard to 1 Corinthians 7:

We see that the passage has been subject to drastic misinterpretation. Rather than deprecating women or sex, Paul is actually arguing against those who regard sexual intercourse as inappropriate for Christians. He stoutly and realistically affirms the necessity of mutual sexual satisfaction within marriage (1996, 51).

The notion of those who are not married to remain unmarried is viewed in terms of the effects of Paul's apocalyptic eschatology in 1 Corinthians 7:8. This is why Paul draws an important distinction by clearly stating his own opinion as the preference on this matter. At the same time Paul acknowledges the paradox of remaining unmarried while they are subject to the temptation of burning physical desire. He also knows that the resurrection remains a future

hope rather than a present reality. This is why he is able to offer realistic counsel to the Corinthians due to his understanding of the *eschaton* as 'not yet'. He thus permits marriage and encourages sexual relations within the covenant of marriage (1996, 52).

In summing up, one could enquire whether the question of sexual relations is central to 1 Corinthians 7, or whether it is rather a question of behaviour. Hays has attempted to reveal how Paul addresses the issue of sexual relations amongst married couples. This, he maintains, is at the core of the pericope, because the text appears to answer the questions and concerns raised by the Corinthian community. He therefore argues that there are two groups in the community of Corinth: those who are ascetics and believe that sex is not vital in their marriage, and the second group who engage in sexual relations. Paul, then, appears to be cautioning both groups, married and unmarried. This text has often been misinterpreted and as a consequence has led to the belief that Paul warns against sex and endorses celibacy. In the light thereof, I now examine the two issues of divorce and remarriage. In the given context this is important because Hays uses his method of reading the text (synthesis, hermeneutics and living the text) in order to negatively criticise the church for allowing both.

2.4 Divorce and Remarriage

Hays focuses on five passages in the New Testament Scriptures, namely Mark 10:2-12, Matthew 19:3-12, 5:31-32, Luke 16:18 and 1 Corinthians 7:10-16. Mark 10:2-12, he argues, examines the question of marriage and divorce in light of Christian discipleship, above all because marriage is a reflection of God's prime purpose for creating humanity, both male and female. Divorce becomes a violation of God's intent. He continues:

Consequently, his answer, as initially formulated, is stricter than even the school of Shammai. The Pharisees then protest Jesus' statement by appealing to Deuteronomy 24:1 (saying, in interesting contrast to the Markan account,

‘why, then, did Moses command us...?’). Jesus offers the customary response that the Mosaic permission was a concession to their hardness of heart and concludes with a dictum that effectually locates him in agreement with the school of Shammai: ‘And I say to you, whoever divorces his wife, except for *porneia*, and marries another commits adultery’ (Mat. 19:9).

Hays makes the observation that even his disciples were astonished by his answer, and hence they exclaim that it is better not to marry. A further observation he makes is that the Matthean text accords provision for divorce while the Markan text lacks such a provision. The same Matthean teaching can be found in Luke and Paul (1996, 347-353).

Hays raises the question: What does *porneia* mean? He proposes three general lines of explanation that are exegetically justifiable. I briefly consider the proposed answers to this question within the Graeco Roman context here because in Chapter One I focused on the second century premarital cohabitation practices in ancient Judea, exploring the notion of premarital sex. Firstly, according to Hays, *porneia* refers to adultery, ‘the wife’s illicit sexual relations with another man’ (1996, 354). However, in terms of the Hellenistic Greek the term can cover a range of sexual improprieties. Raymond Collins observes the following with regard to the term, as cited by Hays: ‘It is probable that adultery was not punished by the imposition of a death penalty in Palestine during Roman times’ (1996, 354). Secondly, *porneia* refers not only to adultery, but also to premarital unchastity. Thirdly, according to Hays, this presents a different explanation and has found acceptance among a number of scholars. *Porneia* in this instance refers to marriage within degrees of kinship prohibited by the Jewish law found in Leviticus 18:6-18 (1996, 254-255).

According to Hays, the question of divorce in 1 Corinthians 7 is to be understood within the series of questions that the Corinthians have asked Paul. Hence, Paul offers a string of

directives regarding divorce, which the Corinthians probably inquired about. One of the possibilities, as Hays puts forward, is that the issue might have arisen in the Corinthian church for reasons related to their interest in practising abstinence from sexual intercourse within marriage. This was probably a concern due to holiness. Apart from this hypothesis, Hays also alludes to the fact that there could have been women who were hoping to dissolve their marriages so as to indicate that they have made a new life and have found freedom in Christ and therefore are committed to Christ single-mindedly (1996, 357-358).

What is noticeable is that Paul makes an appeal to Jesus' authority and teaching. This is the first time that he quotes the teaching of Jesus in his letters. A further observation by Hays is that the ancient Mediterranean culture did not have the modern institutions of 'separation' as well-defined from divorce. He uses the verbs *chōrishēnai* and *aphienai* which both refer to divorce. Paul uses his Jewish background by using a passive verb for the woman ('be separated from her husband') and an active one for the man ('send his wife away'). Apart from the usage of these verbs, what is interesting is his comment that seems to suggest the Hellenistic custom of Corinth where the wife appears to have the right to initiate divorce. This is demonstrated in verse 13 (1996, 358).

Hays compares the formulation of Paul and that of Mark regarding divorce. He asserts that Paul's teaching is closest to Mark 19:11-12 with regard to the application of a prohibition of divorce on both spouses. One of his observations is that Paul seems not to be quoting from tradition but appears to be summarising it. The text of 1 Corinthians 7:11a becomes Paul's own gloss on tradition which Hays sees as a 'parenthetical remark' (1996, 358). Furthermore, Paul does not characterise remarriage as adultery as the gospel traditions do; instead, he discourages remarriage. Paul's approach to this issue is noteworthy because what he does not

state is that 'if she does separate, throw her out of the church', or 'If she does separate, she is committing adultery'. On the contrary, he points to the teaching of Jesus on the issue and at the same time surmises the possibility that some of the members may not heed the commandment (1996, 358).

In verses 12-16, we observe a clear distinction between the believers and the nonbelievers; the community of faith and those who belong to the world. The basic question that appears to be raised is how Christians are to deal with the marriage of nonbelievers. Hays (1996, 358) argues that those who became Christians were probably married before they were converted. However, the question we could ask is, was there a particular rite that the Christians were following in solemnising marriages? Further questions would be in relation to the marriage contract: Was there any Christian marriage contract? Hays maintains that one of the tensions within the Christian community could have been the question of how one deals with a nonbeliever to whom they are married.

Hence, there could be a possibility of some Corinthians questioning the suitability of maintaining such marriages. Paul furnishes a rather surprising answer which perhaps was not what they anticipated. In 1 Corinthians 6: 12-20 he writes about the issue of sexual union with prostitutes. Here he maintains that such unions defile the body of Christ; furthermore, he describes that as *porneia*. With this thought in mind one could assume that the same trend of argument will apply in this case by making a comparison between prostitutes and nonbelievers, both belonging to the world. Paul on the contrary does not make such a comparison; rather, in 1 Corinthians 7:12-13, he encourages them to maintain their marriages (1996, 359).

To the rest I say- I and not the Lord- that if any believer has a wife who is an unbeliever, and she consents to live with him, he should not divorce her. And if any woman has a husband who is an unbeliever, and he consents to live with her, she should not divorce him.

There are three features which encompass Hays' analysis of the text. I focus on them briefly. The first analysis is that Paul's teaching is his own pastoral improvisation. Jesus' teaching which he has used does not cover this specific situation, therefore the advice he gives is based on his own authority. An assumption that Paul makes is that there are those in the Church who have unbelieving spouses. Yet at the same time, he does not assume that Christian wives will not defer to the religious preferences of their unbelieving husbands, nor does he presuppose that Christian husbands will automatically command their unbelieving wives to join the Church (1996, 359).

This view of marriage mirrors marriage as an independent partnership and the religious independence of marriage stands in contrast to the conventional expectation, articulated by Plutarch (1996, 359) in a frequently quoted passage:

It is becoming for a wife to worship and to know the gods that her husband believes in, and to shut the front door tight upon all queer rituals and outlandish superstitions. For with no god do stealthy and secret rites performed by a woman find any favour.

What is interesting about this quotation is that it reflects the role of women in society and the probable tensions that could have arisen based on this text. There could have been those who had the same kind of belief and those who could have wanted their spouses to join the Christian Church based on this teaching and not on the conversion of the individual. This could be one of the reasons why Paul encouraged those who had unbelieving spouses to

remain in their marriages. The consequence of this encouragement is reflected in 1 Corinthians 7:14 in the following words:

For the unbelieving husband is made holy through his wife, and the unbelieving wife is made holy *through her husband. Otherwise, your children would be unclean, but as it is, they are holy.*

What Paul seems to be supposing is that the couple may not yet have children. Their marriage will make their children holy because one partner is a Christian. The question is what if they already have children: are these children made holy by their father or mother's conversion to Christianity? Hays argues that Paul makes a shift from unholy to holy. In other words, the holy influences the unholy and sanctifies it. Here we see the conviction of Paul that holiness is more powerful than uncleanness. One can, then, presuppose that even those who already have children are assured that their children are made holy by the one partner who has converted to Christianity. The suggestion here is that the holiness of the one spouse affects all the members of the family. This view of Paul, according to Hays, becomes a reversal of the conventional Jewish concepts about ritual defilement which is utterly opposed to the call for separation as expressed in 2 Corinthians 6:14-7:1 (1996, 360).

The consequences of Paul's counsel on marriage forces one to look at the other side of the coin. What is it that Paul is encouraging the Corinthian community to do? It is evident that he is supporting those who are in mixed marriages to remain in those marriages where possible.

But if the unbelieving partner separates, let it be so; in such a case the brother or sister is not bound. It is to peace that God has called us (1 Cor. 7:15).

The unbeliever is saved by the believer; therefore, the believer is called to remain in the marriage as long as possible. Yet, at the same time, participating in the community of faith is

the most important commitment and more basic than marriage. Hays argues that the line that divides the new creation and the old order can run through a marriage. Hence, when it comes to the impossibility of being in such a commitment and the unbeliever wishes to terminate the marriage contract then the believer should without any doubt know which side he or she must finally stand (1996, 360).

Hays concludes that according to this verse the Jesus tradition seems not to provide specific guidance for the situation in the Gentile mission with which Paul is confronted. This means that the specific counsel that emerges from this process both extends and modifies the content of Jesus' teaching. Basically, Paul is encouraging the believer not to initiate divorce, based on the teaching of Jesus. At the same time, if the believer is in a mixed marriage, he or she is not bound to the marriage (1996, 360).

This raises the question of remarriage. Since the believer is 'not bound' does this imply that the believer has the freedom to remarry?¹⁸ Hays makes the following observations in this regard. The first observation is that Paul does not address the question explicitly. Throughout the chapter, Paul calls those who are unmarried not to seek to change their status. Hence, the advice is 'it is better to remain single and to serve the Lord with undivided attention'. The provisional advice of this chapter is equally clear and it appears to be directed at widows and virgins, namely that if they choose to marry they do not sin; in some instances such a choice is

¹⁸ Regarding the issue of marriage in 1 Corinthians 7 Johnson argues that 'readers familiar only with the stereotype of Paul as misogynistic and against sex are surprised to discover not only the most liberated ancient discussion of sexuality (Paul addresses both genders equally in terms of power, and refuses to define females in terms of marriage and progeny), but also one of the most robust and positive treatments of sexual activity anywhere' (2013, 306). It is worth noting that scholars such as Johnson, Countryman and Loader maintain that Paul makes a clear link between the teaching of Jesus about marriage and divorce with Gen 2:24, it is for this reason that for 'Paul oneness constitutes the basis for mutual obligation, though, beyond the underlying assumption of the divine order oneness which it generates Gen 2:24 (2012, 192). According to Johnson, Paul's comprehension of sexual intimacy bears ontological implications by implicitly rebuking the Corinthians for their failure to recognise the meaning of Gen 2:24 (2013, 309).

preferable to being 'afame with passion'. What is interesting is that Paul at the same time leaves it to the believer to discern and use their own discretion on the matter because he himself acknowledges that his teaching is his own opinion. Furthermore, according to Hays, it is evident that Paul does not share the Damascus Document or Luke's view that all remarriage is adulterous. What concerns Paul is the freedom to be able to serve the Lord with undivided attention. This will then lead the believers to experience the eschatological peace of the people of God. Therefore, according to Hays:

It is difficult to come away from this chapter thinking that Paul would place a categorical prohibition on remarriage for the believers described in verses 12-16, rather, he would invite them to engage with him in a process of discernment about how they could best serve God in the 'present necessity' (v. 26) in the time that remains (1996, 361).

Clearly, according to Hays, Paul does not limit the believers in terms of the Levitical rules but seeks to encourage both the married and unmarried to remain faithful. Yet at the same time he is open to the possibility of those who are unable to remain celibate to marry so as to avoid punishment, and to those who are in mixed marriages to strive to make their marriages work because of the role they play in the sanctification of their marriages so that both the unbeliever and the believer may experience the peace of the Lord.

It is essential to also draw attention to one of Hays' books where he deals with the interpretation of 1 Corinthians. I briefly outline the seven theological and ethical issues he raised in his reading of 1 Corinthians 7:1-40. In his book (1997), Hays offers a reflection for teachers and preachers after he has dealt with the exegesis and the theology of 1 Corinthians 7:1-40. He outlines what he refers to as a 'list of reflections on the theological and ethical

issues raised by our reading of 1 Corinthians 7'. I outline only three of the seven reflections (1997, 130).

2.4.1 The tone and texture of normative reflection

Paul makes a distinction between his own teaching and that of the Lord. He further encourages the Corinthian community to join him in this task of moral discernment. 'What does it mean for us to acknowledge as scripture a text that says, "I have no command of the Lord, but I give my opinion as one who by the Lord's mercy is trustworthy"?' (1997, 130). It is Paul's way of encouraging the Corinthians to weigh the matter seriously, as well as to make their own decision, thus entering with him into the process of discerning God's will. Hays further argues that Paul actually offers them not a packaged pronouncement, but rather an invitation to engage in reflection (1997, 130).

2.4.2 Mutual submission in marriage

Paul offers what Hays refers to as a paradigm-shattering vision of marriage. This is because for Paul marriage is a relationship in which the partners are bonded together in submission to one another, each committed to meet the other's needs (1997, 131). Furthermore, he suggests that any congregation that begins to reflect seriously on the implications of this Pauline model of marriage will have to re-evaluate many of their assumptions and habits. Hays maintains that:

In our time, no less than in first century Corinth, the church has unthinkingly absorbed many assumptions about sex and marriage that are simply 'in the air' in our culture -disseminated in our case through television, movies, magazines, and self-help books. Grappling seriously with Paul's alternative vision may

help us begin to identify the false images of sex and marriage that surround us (1997, 131).

2.4.3 The purpose of sexual intercourse in marriage

Hays points out that Paul never mentions procreation; instead, he advocates for partners in marriage to satisfy one another's desires. This is why Hays sees this approach as taking seriously the reality and power of the human sexual drive – and the danger of sin and self-deception when that reality is denied (1997, 131). He further maintains that:

in no case should Christian teaching ignore Paul's fundamental insight that one of the good purposes of marriage is to provide sexual satisfaction for husband and wife together (1997, 131).

2.5 The Authority of the Bible and Other Voices on Homosexuality

Dealing with the issue of homosexuality, Hays (1997) discusses the issue under three headings: What does the Bible say? The wider biblical framework, and the biblical authority and other voices. I briefly discuss questions surrounding homosexuality and the Bible as discussed in his chapter (Hays 1997, 207-211).

2.5.1 What does the Bible say?

Hays briefly discusses the following texts: Genesis 19:1-29, Leviticus 18:22, 20:13, 1 Corinthians 6:9; 1 and 2 Timothy. He posits that the story of Sodom and Gomorrah has nothing to do with homosexuality. He also maintains that the closest and clearest statement regarding the sin of Sodom 'is to be found in an oracle of the prophet Ezekiel: This was the guilt of your sister Sodom: she and her daughters had pride, excess of food, and prosperous

ease, but did not aid the poor and needy' (1997, 208). The Leviticus text is one of the texts that explicitly prohibits male homosexual intercourse. Hays further argues that since:

Some ethicists have argued that the prohibition of homosexuality is similarly superseded for Christians: it is merely part of the Old Testament's ritual of purity and therefore morally irrelevant today (1997, 208).

Regarding the New Testament response to homosexuality, Hays points out that the early Church, in dealing with issues of morality and homosexuality in particular, consistently used and adopted the teaching of the Old Testament. 'In 1 Corinthians 6:9 and 1 Timothy 1:10 we find homosexuals included in lists of persons who do things unacceptable to God' (1997, 208).

2.5.2 The wider biblical framework

Hays outlines how Scripture frames the discussion more broadly. Below, I discuss the four key issues that he describes as dealing with the matter explicitly. Firstly, Hays commences by outlining what he refers to as *God's creative intention for human sexuality*: He maintains that it was God's intention from the beginning to create man and woman for one another. This is affirmed throughout the Scriptures starting from Genesis 1. Thus, our sexual desires rightly find fulfilment within heterosexual marriage¹⁹ (1997, 211). Secondly, he deals with *the fallen human condition*, an account of human bondage to sin. 'The biblical analysis of the predicament is mostly expressed in Pauline theology' (1997, 11). This is why for Hays we

¹⁹ He sustains his argument by citing the following scriptural texts: Mark 10:2-9; 1 Thessalonians 4: 3-8; 1 Corinthians 7:1-9; Ephesians 5:21-33 and Hebrews 13:4.

must discard the apparently commonsensical assumption that only freely chosen acts are morally culpable. He further maintains that:

Quite the reverse: the very nature of sin is that it is not freely chosen. We are in bondage to sin but still accountable to God's righteous judgment of our sins. In the light of this theological anthropology, it cannot be maintained that homosexuality is morally neutral because it is voluntary (1997, 211).²⁰

Thirdly, Hays (1997) outlines 'the eschatological character of Christian existence'. The Christian community finds itself in a tension of the 'already' and the 'not yet'. The notion of the 'already' is experienced through the transforming grace of God. Yet, at the same time, they have not experienced the fullness of redemption; therefore, they walk by faith and not by sight (1997, 212). The 'not yet' could be expressed by the testimonies of those who pray and struggle in the Christian community and seek healing unsuccessfully. Lastly, 'demythologizing the idolatry of sex' (1997, 212), according to Hays, is one of the things that the Bible does by undercutting cultural obsession with sexual fulfilment. He further maintains that 'Scripture, along with many subsequent generations of faithful Christians, bears witness to lives of freedom, joy, and service which are possible without sexual relations'²¹ (1997, 212).

2.5.3 Biblical authority and other voices

One of the assertions that Hays makes regarding the teaching of the Bible and other sources of moral wisdom is that one needs to consider their weight in relation to each other. He offers

²⁰ The argument of Hays is problematic because here he seems to disregard the role of informed conscience. Above all, he rules out the notion of human freedom, which could then suggest that the mythological story of creation and the fall found in Genesis 1 and 2 do not illustrate sin as a free choice but sin as something forced upon us.

²¹ Hays points to the following biblical texts to substantiate his argument: Matt. 19:10-12; 1 Cor. 7.

brief reflections which I outline below. Firstly, 'the Christian tradition', that is, the moral teaching tradition of the Christian Church has for centuries declared homosexual behaviour to be contrary to the will of God. Yet only two decades ago questions were raised about the Churches' universal prohibition of such conduct. Secondly, in terms of 'reason and scientific evidence', Hays maintains that:

Even if it could be shown that same-sex preference is somehow genetically programmed, that would not necessarily make homosexual behaviour morally appropriate. Surely Christian ethics does not want to hold that all inborn traits are good and desirable (1997, 213).

Hays asserts that the argument which supports the statistical incidence regarding homosexual behaviour is not useful when it comes to ethical deliberation. The basis of his argument is based on the following observation:

Even if 10 percent of the people in the United States should declare themselves to be of homosexual orientation, that would not settle the normative issue, it is impossible to argue simply from an 'is' to an 'ought' (1997, 213).

What Hays is clearly saying is that even if the statistics suggest otherwise, ethical reflection is not sufficient. This raises serious concerns because any ethical deliberation has to be informed by tradition, science, philosophy and context. This seems not to be the case with Hays. Lastly, a reflection on 'the experience of the community of faith' is offered. Robin Scroggs, as cited in Hays, argues that:

The New Testament's condemnation of homosexuality applies only to a certain 'model' of exploitative pederasty that was common in Hellenistic culture; hence, it is not applicable to the modern world's experience of mutual, loving homosexual relationships (1997, 213).

Hays responds to the above argument by pointing out that Scroggs' argument fails to reckon with Romans 1 adequately. Hays asserts that Romans 1 describes the relations as pederastic and Paul's disapproval as having nothing to do with exploitation. Furthermore, Hays maintains that one of the things that can be affirmed in relation to the New Testament is that it tells the truth about human beings as sinners and as God's sexual creatures. Thus, marriage for him is between a man and a woman and it is the normative form for human fulfilment. Homosexuality is one among many tragic signs that the human race is a broken people, alienated from God's loving purpose (1997, 213-214).

2.6 Hays' Contribution to the Study of New Testament Ethics

In reflecting on Hays' contribution, it is evident that there is such a field as New Testament ethics. He immediately identifies the central problem in trying to use the Scriptures for moral guidance today. He does this in various ways: firstly by discussing the diverse voices that are authoritative and then discussing those that are not considered to be authoritative. In his article 'Is there such a thing as New Testament ethics', Spohn makes the following observations regarding the New Testament ethics dilemma. He identifies two schools of thought, one being the school of liberals, and the other, the school of literalists. The literalists insist on translating every moral directive from the text into the contemporary world without any interpretation. On the other hand, the liberals doubted that the New Testament had any lasting relevance because the biblical texts stemmed from contexts that are so alien to the contemporary world (1997, 1)²².

²² www.religion-online.org/showarticle.asp?title=124 accessed 2010/05/03.

In the 1990s, the discourse about New Testament ethics led to a deepening of doubts on the very status of the texts themselves, compared to the earlier discourse about the problem of how to use scriptural texts. Spohn²³ observes that one can wonder whether any text has a definite meaning at all. The consequence of this trend of thinking then raises a concern about the tools of interpretation, such as historical criticism, which aim to establish the meaning of the text. The basis of historical criticism is to draw the attention of the reader to the particular standpoint from which the historian writes, that is, a specific angle that involves class, race, and gender bias. The question is whether it is possible to speak of a coherent moral vision of the New Testament. Hays, in his book (1996) seeks to answer this question by arguing that one can discern a coherent moral stance within the various witnesses in the New Testament. His approach is to pursue New Testament ethics as a ‘normative theological discipline’ that can shape the life of the Church, both in its communal identity and behaviour.

Joel in his review of the *Moral Vision of the New Testament*, observes that Hays interacts comprehensively with the New Testament texts (2010, 2). He does so in order to shape both the manner in which the Church should use the New Testament in forming the lives of her people, and also what the Church has to say about specific ethical issues. A further contribution of Hays, in the study of New Testament ethics, is the use of the three images of community, the cross and the new creation. These three images indicate the richness of New Testament theology and their connectedness to the ethics of the New Testament. Although there is such richness and connectedness, there is also another aspect of the New Testament, namely that it has unique voices which at times are not compatible. This poses a question to Hays’ affirmation of the normative aspect of Scripture.

²³ www.religion-online.org/showarticle.asp?title=124 accessed 2010/05/03.

2.7 **Conclusion**

Found in Hays' methodology are the four tasks which he uses to examine and ascertain the New Testament records and how they might shape ecclesial ethics. It is important to point out that positive elements exist in this endeavour. Further to the study of cohabitation with reference to 1 Corinthians 7, these positive elements could be regarded as his contribution to New Testament ethics. Moving forward from here, the next chapter consists of a study of the background to this text, namely marriage and cohabitation in the Graeco-Roman world of the first two centuries BCE.

CHAPTER 3

FIRST AND SECOND CENTURY MARRIAGE PRACTICES IN THE GRAECO-ROMAN WORLD AND EARLY CHRISTIANITY

3.1 Introduction

In this chapter, the focus falls on three marriage practices of the first and second century: firstly, the marriage practice of the Graeco-Roman and divorce Papyri in the light of 1 Corinthians 7; secondly, the marriage practices of the Jewish Greek and Aramaic and divorce papyri in the light of 1 Corinthians 7; and thirdly, second century premarital cohabitation practices in ancient Judea. Some of these practices date from before the Common Era. Yet the one common thread throughout the said papyri is that they indicate the diversity of marriage practices before and during the early formation of Christianity. Furthermore, such marriage practices formed the culture of the first century community. I begin by discussing the work of Instone-Brewer who deals with the teaching on marriage in 1 Corinthians. He bases his study on the marriage and divorce Papyri of both the Graeco-Romans and the Jewish Greek and Aramaic communities. Lastly, I outline the possibilities of premarital cohabitation practices in second century ancient Judea. I also attempt to illustrate that cohabitation existed, even though people were encouraged to marry, as I have indicated in the previous section. This leads to the central problem that guides this study.

Is cohabitation a modern trend or can we also speak of cohabitation in antiquity? It is noteworthy that there appears to be two institutions in antiquity, that is, one based on a

marriage contract and the other on a divorce contract. One could therefore ask whether there is no indication of cohabitation in antiquity, or did the makers of the laws choose to ignore the trend of cohabiting? Does this imply, then, that legal rulings were created in a vacuum rather than being composed within a society that functioned in accordance with ancestral customs, various foreign influences, and confusing legal systems? Considering the above mentioned factors, why does it appear that the issue of cohabitation, or rather premarital cohabitation, is not addressed?

3.1.1 First Corinthians 7 and Graeco-Roman marriage and divorce papyri

First century marriage practices in the Graeco-Roman world and in early Christianity were diverse. This is because each region had its own practices. Because of this diversity, I limit this discussion to Graeco-Roman marriage and divorce, as well as Greek and Aramaic marriage and divorce, in the light of 1 Corinthians 7. The Graeco-Roman marriage and divorce papyri, in the light of 1 Corinthians 7, discuss Paul's view on marriage and divorce as well as the notion of remarriage.

Instone-Brewer argues that the language and social context of 1 Corinthians 7 'is compared with that of the Greek and Latin marriage and divorce papyri' (2000, 1). He observes the following regarding the essentiality of the papyri in understanding the use of divorce which 'Paul seems to be combating in verses 10-15. Not only do they give a clarification, they also give insights into Paul's unusual view of divorce, and the curious absence of teaching about remarriage in this chapter' (2000, 1). According to Instone-Brewer (2000, 2), the background

literature, which is the most comparable with 1 Corinthians 7, consists of the legal papyri regarding marriage and divorce.

Instone-Brewer argues that Paul is presenting a Christian response to the problems concerning marriage as faced by the Greek converts, and to a lesser extent, the Jewish converts. He appears to be dealing with the legal concepts which would be found in the marriage contracts and divorce certificates of his readers rather than giving a complete outline of the Christian teaching in this area.

In outlining the Graeco-Roman marriage and divorce papyri, Instone-Brewer observes that most of the preserved papyri originate in Egypt (2000, 3). Comparisons with a few of the papyri which have survived beyond the borders of Egypt reveal a general homogeneity in the legal papyri throughout the Graeco-Roman world. This is clear with regard to the marriage and divorce papyri. However, there was no fixed set of words that the scribe had to follow when writing a marriage contract or divorce deed; nonetheless, the same features appear in most of these papyri.

These features are present partly through custom and to a certain extent because they were necessary for reporting facts. Instone-Brewer uses a marriage contract, 66 CE, *Bacchias*, Egypt (GM66, i.e., *P. Ryl II 154*) to illustrate typical Graeco-Roman marriage and divorce agreements. He argues that whenever a couple lived together with the intention of being married, this constituted a legal marriage. It is interesting that they lived together before being legally married. This constituted some form of cohabitation as will be seen in the section on second century ancient Judea where the people there also cohabited before being married.

The idea of living together, according to Instone-Brewer, is that they had previously committed to an unwritten marriage. This argument is also presented by Ilan, as mentioned

below, in that the Judeans also lived together without a formal contract of marriage; a formal one later replaced this informal arrangement. Instone-Brewer argues that the formal or written contract was drawn up when they begot children (2000, 5).

Instone-Brewer further argues that this was a widespread practice and therefore there is no hint anywhere that an unwritten marriage was less valid or less pious. On the other hand, the Latin marriage papyri are very similar to the Greek contract except for their reference to the *lex Julia*. *Lex Julia* was introduced by Augustus in order to encourage marriage and to reduce the large number of illegitimate children who were not citizens, and consequently, to increase citizenry. This was also used to allow for the punishment of adultery, as well as to introduce certain restrictions with regards to divorce. These efforts to reduce divorce and adultery failed, largely because of private citizens bringing actions against offenders, while, at the same time, the financial rewards for having children were more popular (2000, 13).

Instone-Brewer argues that:

Paul's advice in 1 Corinthians 7 that they should remain single was probably also related to childbirth. Augustus was able to assume that most people who got married and stayed married were likely to have children. Birth control strategies existed, but they did not work very well (2000, 13).

Furthermore, Instone-Brewer maintains that Paul's advice against marriage is not to avoid sexual activity. Rather Paul's reason for avoiding marriage is 'the present distress' which, according to Instone-Brewer, was probably the recent famines (2000, 13-14). He maintains that:

This is confirmed by his explanation that he doesn't wish them to have 'worldly troubles' (v.28) and his other references to current problems (vv.29-31), as well as the later reference to weakness and deaths among the congregation (11:30). All this appears to be spoken with conviction that the

end is near, but he is referring to present troubles and not future ones (2000, 14).

Instone-Brewer arrives at the following conclusions regarding 1 Corinthians 7 in the light of the Graeco-Roman Marriage and Divorce Papyri. Firstly, Graeco-Roman marriage and divorce share vocabulary and assumptions regarding the social structures with 1 Corinthians 7. 'It is therefore likely that Paul is addressing the concerns of believers from Gentile origins and these papyri will help us to understand the meaning of this chapter' (2000, 14). Secondly, the hypothesis which lies behind vv.10-15 is that 'a divorce can be initiated and completed simply by a return of the dowry and separation of the couple, and that both partners are then free to remarry' (2000, 14). Paul, on the other hand, does not deny the existence of these legal rights. However, as Instone-Brewer argues, Paul encourages believers to avoid divorce by separation, and as far as possible, to prevent it. Thirdly, Paul's advice against marriage was not based on an ascetic tendency, but rather on the practical difficulties of feeding a family during a famine. Lastly, Instone-Brewer maintains that:

Paul does not forbid divorce and remarriage. These rights were so entrenched in Graeco-Roman law that even legal documents do not bother to mention them (2000, 14).

3.1.2 First Corinthians 7 and the Jewish, Greek and Aramaic marriage and divorce papyri

Instone-Brewer argues that much of 1 Corinthians 7 is based on Graeco-Roman vocabulary and social structures. He compares Graeco-Roman marriage and divorce with that of Jewish Greek and Aramaic marriage and divorce, and finds that the believers at Corinth were facing

the problem that divorce under the Graeco-Roman law was legally complete once the dowry was returned and the couple separated (2000, 2).

Instone-Brewer further observes, in terms of the Jewish marriage and divorce papyri, that the life style and morals which Paul wishes them to adopt are based on the Jewish interpretation of the Old Testament. In substantiating his argument, Instone-Brewer maintains that this is illustrated in both the Greek Jewish papyri and the Aramaic papyri, both of which demonstrate that Judaism was systematically embedded in the Graeco-Roman world, with concepts that are closely associated with those of Paul (2000, 2).

In discussing the Jewish Greek marriage and divorce papyri, Instone-Brewer maintains that Jews in the first and second century Egypt and Palestine used both Greek and Aramaic for both marriage and divorce contracts and deeds. Their use of words was determined by the language employed, so that the Greek versions are very similar to those found in the rest of the Graeco-Roman world (2000, 2). The early second century Palestine papyri are similar since they are Greek in style but contain some Jewish features. He illustrates this by outlining a marriage contract of around 128 CE, in the city of Petra (JM128 ie *P.Yadin*. 18). This contract is a typical example of a marriage contract that has Greek features with a great number of Jewish elements.

Greek features include the right of a woman to demand the return of her dowry and the ability to leave whenever she wishes. This includes a financial penalty if the payment is not made promptly, as well as the promise to feed and clothe her. The Jewish features are mostly evident in the financial arrangements with reference to a bridal gift. In all Jewish Aramaic and Hebrew contracts, the main financial transaction is a gift from the groom, and not from the bride's family (2000, 7).

The Jewish nature of the contract is also evident in its phraseology such as ‘you will be my wife according to the law of Moses and the Judeans’(2000, 7). The marriage obligation is three-fold: to provide food, clothing and to love. These obligations, together with Deuteronomy. 24: 1-4, formed the basis for rabbinic divorce law. In the case of divorce, both the man and the woman had a right to divorce if any of the obligations were not met; this would imply that the guilty party lost the dowry. While in theory men could write a divorce certificate, women on the other hand could demand a certificate through a rabbinic court. However, in practice a woman may have taken the law into her own hands by asking a scribe or a male guardian to write the divorce notice (2000, 7).

Paul seems to recognise these marital obligations in 1 Corinthians 7:3-5 where he refers to conjugal rights as a moral obligation within marriage. His allowance for a brief period of abstinence was also allowed by the rabbinic law. However, Paul appears not to be in favour of celibate marriages, which seem to be what some of the Corinthians may have wanted. Both the Aramaic contracts and the Graeco-Roman contracts mention only the material support given to the wife by her husband. However, Paul ‘refers to both women and men whenever he discusses the marriage obligations’ (2000, 7). His conscientiously balanced statements in which he often repeats the whole phrase in order to emphasise his point illustrate this. This emphasis on equal responsibilities in marriage is presumed to be an influence from his Jewish background, though he does not explicitly speak of the duties and amounts of money, as in the rabbinic tradition (2000, 7).

3.2 Cohabitation: Second Century Premarital Practices in Ancient Judea

In her investigation, *Premarital Cohabitation in Ancient Judea: The Evidence of the Babatha Archive and the Mishnah (Ketubbot 1.4.)*, Tal Ilan (1993, 247), raises the following question as to whether a man and a woman could or would cohabit before they were officially married. She limits herself to the matrimonial practice in second century CE Judea by studying a marriage contract that was discovered in the Judean desert. In this contract, there is a clause that mentions that a couple had lived together before marriage.

Ilan(1993, 547) argues that this attests to different matrimonial practices in Galilee and Judea, which in turn, would suggest that premarital cohabitation was sometimes practised in Judea, but not in Galilee. She argues that the claim that some men and women in Jewish society of second century Palestine did indeed live together out of wedlock can be actually verified from rabbinic sources.

According to Ilan, rabbinic sources primarily constitute the body of laws that have evolved and other tannaitic corpora that are set out to depict the manner in which Judaism should superlatively function. She argues that the laws were not created in a vacuum; hence, the rabbis could not ignore these elements, although the rabbis could have bent and moulded the laws to fit into their system. Ilan observes that there is a 'rabbinic legal system that recognises a form of marriage that is instituted through sexual intercourse: in three ways is a woman acquired...through money, writ or intercourse' (1993, 256).

Based on the above mentioned, Ilan is of the view that this text assumes intercourse as a valid form, equivalent in all characteristics to the writ, which may be interpreted as a marriage contract. Even though this form of marriage contract may have existed, there is also other

rabbinic literature that is critical of this form of marriage, while in the old *mishnaic* tradition it is presented as being fully legitimate.

Ilan (1993, 256) further observes that the Judeans were disreputed on account of their premarital sexual license. This is evident in that when a Judean husband wished to file a loss of virginity suit, he had to make sure that several precautions designed to guard his wife's virginity on entering wedlock had been followed. In Galilee, however, it was a different situation, precisely because the unmarried couple were never suspected of any delinquency.

To understand this observation, it is necessary to look at the Jewish betrothal practices. This would somehow put into perspective this phenomenon of cohabitation in second century Judea. According to Ilan, *Halakhah* maintains that 'there were two stages in the Jewish marriage: the consecration which is followed by a betrothal period, and then the nuptials in which the husband brings the bride home' (1993, 259).

This period is characterised by the daughter being neither totally under the authority of the father, nor yet controlled by her husband. Ilan maintains that this constitutes one of the complexities from the *halakhic* point of view. The rabbis, on the other hand, maintained this long period of betrothal; hence a virgin is allowed twelve months from the moment when her husband demanded her, so that she may maintain herself. Just as they let the woman do so, they also let the man maintain himself (1993, 259).

This period differed from the period of nuptials precisely because the betrothed couple were not permitted to have sexual intercourse; hence, the bride remained in her father's house. With regard to the Judean practice described in the *mishnaic*, Ilan argues that it may not necessarily be assumed to be a situation of betrothal. She maintains that it is unknown whether the

standard betrothal period, maintained and promoted by the rabbis, was actually practised by all or any.

Ilan believes that this *Mishnah* refers to a period preceding wedlock, where some contact between a prospective but yet unmarried couple takes place. She argues that ‘while there are suspicious voices about premarital sexual misconduct, it does not make an outright accusation that Judeans cohabit prior to marriage’ (1993, 261). On the other hand, the Judean desert contract of Salome Komais and Jesus attest to them having actually lived together prior to wedlock. To substantiate her argument, Ilan argues that:

The commentary of the Palestinian Talmud on this particular issue, however, suggests that premarital arrangements in Judea were more permanent than they care to make explicit. Just as an apologetic tendency discerned to be pointing to Judea as the place where such practices were prevalent – whereas in Galilee, the seat of the editors of, these practices were not followed – a new apologetic tendency is now found in the Palestinian Talmud, which is set out of wedlock. The excuse here is the horrors of the aftermath of the Bar Kokhbah revolt (1993, 261).

What is evident is that there seems to be a trend of cohabitation amongst the Judeans. This is justified by the apologetic stances of attributing this kind of arrangement as a result of a revolt against the Roman decree of *jus primae noctis*, which accords to the local governor the right to deflower all maidens entering wedlock. This ruling is referred to in the Palestinian Talmud when it deals with the issue of the husband’s inhabiting his father-in-law’s house:

In the beginning, they decreed destruction in Judea...and they decreed that a soldier penetrates first. It was (then) enacted that her husband would come into her while she was still in her father’s house (1993, 262).

Ilan maintains that this quasi-historical justification for this Judean custom belongs to the apologetics of the Galilean rabbis. This claim, according to Ilan, is an illustration that the men

and women of Judea continued to practise some sort of premarital cohabitation before the nuptials (1993, 262). Ilan's observation is substantiated by the Talmud which states that even the daughter-in-law of Rabbi Oshaiah entered the bridal chamber pregnant. Ilan maintains that the custom of premarital sex, or cohabitation prior to marriage, did not arise from the conditions of the Roman decree of *jus primae noctis*. This is because of the admission in the Talmudic sources that the custom was not easy to uproot, even when the conditions that brought it about ceased to exist.

Another rationale for her hypothesis rests in the marriage contract of Salome Komais, which is dated August 131 CE; this, according to Ilan (1993, 262), suggests a similar reality of premarital cohabitation, which predates the *Hadrianic* decrees by four years and severs all previously assumed connections between the two. Ilan therefore deduces that this is an indication that premarital cohabitation was a local practice that was peculiar to Judeans and was common amongst them.

3.3 Conclusion

The diversity of first century marriage practices suggests that cohabitation might have formed part of such marriage practices. It is for this reason that there were unwritten marriages, as well as those who lived together without a formal contract. The discussion of the Graeco-Roman marriage and divorce papyri in the light of 1 Corinthians 7 sheds some light on the social structures of that text. It is likely that Paul is addressing the concerns of the believers of gentile origin. One has to take into account that the composition of the church in Corinth was not of gentile origin only, even though they may have numbered more than those of Jewish origin. Furthermore, both the Graeco-Roman, Jewish-Greek and Aramaic marriage and

divorce papyri illustrate how these cultures may have influenced the composition of 1 Corinthians 7, as well as how Paul implicitly advocated remarriage for those who may have experienced desires, and for those who were not married to marry so as to avoid fornication or, rather, premarital sexual intercourse. This further puts into question the normative approach to the New Testament, which Hays seems to advocate in order to seek moral guidance in terms of the metaphoric imagination in the first century Christian communities. However, it is important to note that, in his study, Instone-Brewer does not address the issue of cohabitation within the Corinthian community, which Paul might also have been addressing. Ilan has attempted to demonstrate that there were tendencies towards cohabitation in the second century CE. For that reason, it is probable that the Corinthians were not immune from such practices. Furthermore, this suggests that cohabitation was seen to be normal. It further suggests that one cannot overrule the possibility of cohabitation as being part of the marriage practices in first century Graeco-Roman culture.

CHAPTER 4

THE RELEVANCE OF NEW TESTAMENT ETHICS AND THEOLOGICAL ISSUES

4.1 Introduction

In the previous chapter, I focused on the various marriage practices of the first and second century Graeco-Roman world. This was to ascertain the possibility of the custom of cohabitation and premarital sexual relationships. In this chapter, I attempt to show that the New Testament cannot be normative to contemporary moral issues without taking into account that, just as the Christian communities in antiquity were diverse, so too is society today.

Not everything that is a moral dilemma today can be resolved by ‘an integrative act of imagination’. In other words, one cannot appeal to the authority of the New Testament, and argue that through such an appeal one is engaging in metaphor-making, that is, imaginatively placing the community’s life within the world articulated by the texts. I will therefore look at the central issues in the debate on marriage based on 1 Corinthians 7 so as to determine some similarities as well as dissimilarities in the approaches of various scholars such as Richard Horsley, Will Deming, Stephen J. Chester, Cope and Keck and many others.

This further develops the debate around the normativity of the New Testament under the heading: Can the New Testament be normative and is it relevant to contemporary ethical social issues? I argue that the New Testament, especially on issues surrounding morality, on its own, is an inadequate source for Christian moral discourse. Under this heading, I attempt to

engage Hays, as well as draw attention to the weaknesses in his approach. One of the fundamental questions is the relevance of historical issues for today. I also focus on the authority of Paul and how he influenced the Corinthian community, how he viewed himself as an authority, and his ethical prescription.

The role of historical studies in clarifying the issue, as well as its contribution to the debate, is briefly considered with specific reference to methodologies such as the socio-historical approach, the historical-critical method and rhetorical criticism. A summary of the central problems are outlined, including Hays' contribution and any emerging problems. Conclusions are drawn regarding the normativity of the New Testament and the moral implications arising from cohabitation as a practice based on the concept of freedom, as well as the argument for a form of ethical *sola scriptura* that suggests scripture to be *norma normans*, meaning 'the rule that rules'. Proposals for further research in the context of South Africa are outlined.

4.1.1 The central issues in the debate on marriage based on 1 Corinthians 7 and the relevance of New Testament ethics

There are various issues surrounding the debate on marriage, particularly in 1 Corinthians 7, and many other texts in the Christian Testament, for example, what tradition might have influenced Paul in his writing on marriage, and whether we can speak of Paul's teachings on marriage as being normative. A scholar such as Richard Horsley (1998) reflects on both Paul's influence from the Hebrew tradition while the culture of Apollos and some of the Corinthians was generally Hellenistic. On the other hand, Will Deming (1995) looks at 1 Corinthians 7 from a philosophical angle that probably could have influenced Paul and his teaching on marriage and celibacy.

Another scholar, Stephen J. Chester (2003) in part three of his book, reflects on the Corinthian understanding of conversion, particularly the Corinthian conversion from Graeco-Roman culture. There are scholars such as Richard Hays who focus on the normative perspective of the letter and the authority of the New Testament. Perhaps one can argue that the question of the authority of Paul and the 'normativeness' of his teachings is embedded in the various discussions of their work.

The question is whether there is such a thing as New Testament ethics. This question has been at the centre of discourse for the past decade, particularly because, according to Cope, there has been a wide range of interpretations thereof. This breadth of interpretation is evident in two different approaches (1982, 178). The first is the scholarly appraisal that the ethical teachings in the New Testament are permanently dated to their own time and place. Cope regards this interpretation as neo-evangelical. The second is the fundamentalist approach, which adopts a literalist view of certain issues found in Christian Scriptures as the slogan for both political and religious controversies. I am inclined to suggest that Hays appears to fall within this category, as I have previously argued with respect to his notion of *sola scriptura*. In the latter case, the New Testament is used as an authority to address issues such as homosexuality, marriage, divorce, and cohabitation.

The question then arises as to the decisive authority of scripture in terms of one's moral judgment. Cope argues that even if one decides to grant the New Testament enormous authority, there is still a variety of voices that necessitate some kind of a 'general principle for clarifying a more coherent and simpler view of the message of scripture' within the material.

The problem, according to Cope, is that when one looks at the New Testament teaching on ethics this variety of voices becomes clear, especially with regards to the practical application of New Testament ethical commands. This is evident when one uses one document, or even sections within a document; one realises that it has a counterpart somewhere else. For as long as moral and ethical issues continue to be debated, the question as to whether there is such a thing as a New Testament ethics will continue to form part of the discourse (1982, 178).

One of the observations made by Cope with regard to New Testament ethics is that there is a major controversy relating to issues such as sexuality and sexual ethics in our time. This includes issues such as abortion, homosexuality, equal rights and the ordination of women, divorce and cohabitation, which are all found at the centre stage in our culture today. Therefore, it is not surprising, according to Cope, that comments from the New Testament on these subjects have received attention.

It is consequently appropriate to ask whether there is a need to rethink New Testament ethics. Keck begins by illustrating the various views in this regard and argues that there is little agreement. This is precisely because there seems to be a growing corpus of monographs and articles that address issues of behaviour based on New Testament teaching on these issues. On the contrary, it is not evident that the New Testament actually contains any ethics to be studied (1996, 3).

What can be said about New Testament ethics, according to Keck, is that it makes ethics what is not really ethics at all but rather, consists of an assorted mass of imperatives, counsels, parables, narratives, and theological statements that relate to the moral life without actually being 'ethics' (1996, 4). To speak of New Testament ethics, it is imperative that it possesses its own characteristic mode of ethics. If that is the case then it needs to be made explicit,

precisely because it is only then that a New Testament ethics can have its own say in the wider field of ethics, especially Christian ethics.

What, then, is New Testament ethics? Keck argues that it is the ethics of the New Testament texts. Furthermore, it is essential that we ask the question as to what is the meaning of the word 'ethics', in particular when it is used in relation to the New Testament. Defining the word is critical, precisely because the word has many referents, ranging from general moral teaching to codes of conduct in corporate companies and various institutions.

Although 'ethics' and 'moral' are often used interchangeably they are not the same, argues Keck (1996, 7). It is for this reason that the distinction between the two has been widely ignored rather than being observed in discussions on the New Testament. Keck sees the reason for this ignorance as having to do with presenting the New Testament as being concerned with matters of interest to current readers on issues of marriage and divorce, war and peace, loyalty to the state and dissent, and issues relating to the role of women both in the home and in society.

One other concern is that the texts usually combine ethics with morals. This combination is the result of their warnings and arguments being entrenched in particular social settings which, according to Keck, they are trying to support or to modify (1996, 7) ethical issues. What could be said about New Testament ethics is that it is about theological ideas since there can be no ethics without ideas. Keck further maintains the following regarding New Testament ethics:

Surely the New Testament authors, and many of their initial readers, thought so too. Taking the theological warrants and sanctions seriously as ideas do not, of course, prejudge the adequacy, either in their own time or in our own. Whether they were profound or superficial, broadly humane or parochial, liberating or constructing, seminal or already gone to seed, can be judged only if the ideas themselves are pondered and compared with actual alternatives available to the author (1996, 8).

What could be said about New Testament ethics is that it has a characteristic mode of moral reasoning that manifests itself in a distinct manner. Therefore, the various authors have to be understood in their unique way. It is imperative to draw a clear distinction between the authors as well. To appreciate their uniqueness one has to venture below the surface to determine whether what formed their moral reasoning has a detectable pattern, or a shared origin in deep impulses or confusion.

4.2 Paul's Authority in 1 Corinthians 7:1-40 on Moral Issues: Exegetical Analysis

Perhaps the questions that could be raised regarding Paul's authority are: How is authority invoked in Paul's ethical prescriptions, what rules are authoritative and whose commands count? The passage preceding the above mentioned passage seems to have more than one authority. For Gooch (1983) there appears to be more than one authority and at the same time each says the same thing. The answer is threefold: firstly, Paul does not simply assume that his own words carry weight. Secondly, Paul also calls upon the teaching of the Lord. Thirdly, he mentions commands from God. According to Gooch, this implies redundancy as far as the logic of authority is concerned, or at least they must be ranked in order of precedence (1983, 65).

One of the observable things regarding the above-mentioned texts is that Paul clearly considers his own instructions to possess authority. This is because he is writing to the converts and he is an Apostle, thus the answers he offers are to be taken seriously. Gooch argues that when one looks at 1 Corinthians 7:1-40 it is evident that Paul is giving ethical instructions. Furthermore, 'there are almost two dozen verbs which are hortatory, and such

value terms as ‘good’ (*kalon*) and ‘better’ (*kreitton*) are frequent’ (1983, 65). Verse 17 says the following:

Anyway, let everyone continue in the path which the Lord has allotted to him, as he was when God called him. This is the rule that I give to all the churches.

The above mentioned texts indicate how Paul decrees; in other words, he is setting out authoritative instructions and thus expects things to happen in accordance with his decrees. Verse 17, according to Horsley (1998), refers to Paul’s authority as the ‘rule’²⁴. He argues that (7:17) Paul is referring to one’s life circumstances at the time of one’s call, and that this can be seen in parallel expressions of the same rule in 7:20, 24. According to Horsley, the only case that Paul offers no exception to is a general rule in the whole argument regarding (7:1-24) circumcision or noncircumcision (1998, 101). Notice that both Gooch and Horsley use synonyms when referring to rule and authority. Horsley (1998, 101) points out that Paul’s comment that ‘obeying the commandments of God is everything’ indicates that for Paul the Law was still valid and valued as an ethical code to guide community life and social relations.

Perhaps one of the questions that could be asked concerns what prompts Paul to claim authority upon himself. Gooch argues that perhaps he claims moral authority as the one who is more experienced and mature. A further observation made by Gooch is that Paul in 1 Corinthians 7 does not expect slavish imitation; instead Paul argues that everyone has his or her gift in this matter. Paul further ranks himself as falling under the Lord’s authority (1983, 66).

²⁴ Joubert cited in Syreeni maintains that ‘Paul’s intimate parental image in 1-2 Corinthians is but a mask for his patriarchal superiority. Furthermore Joubert maintains that ‘although Paul oscillated between hierarchy and intimate aspects of his patriarchal role...he still, at all times, claimed the superordinate position for himself’ (2005, 412).

I therefore would concur with Gooch and Horsley that what is determinative for Paul is the *charisma* of God given to each individual which determines what that person's choice should be, and not Paul's own preferences. Thus, the authority of God and of the Lord appears to be intertwined with that of Paul (1983, 67).

I would like to argue that although 1 Corinthians 7 may be viewed as a moral text that can be used in addressing contemporary moral issues, it cannot be limited to such an approach.

Gooch maintains that the heart of this text is about freedom:

The entire thrust of Paul's argument in the text is in the direction of autonomy. His aim is not to strangle the readers with prescriptions, but to have them decide for themselves upon their own gift and call (1983, 71).

It is for this reason that Paul's conclusion to a delicate problem (in v. 36) is, 'let him do what he wishes'. In another passage he says that 'she is free to be married to whom she wishes' (v.39). In other words, the problem that Paul is addressing is secondary; what matters is the manner in which the decision is made (1983, 71). Thus, the agents under question must not make their decision under compulsion, but rather must do so independently and must be in control of their own will. It is under such a condition that Paul argues that they will do well.²⁵

²⁵ Regarding 1Corinthians 7:8-9, Syreeni maintains that 'the principle of self-sufficiency, coupled with the ideal self-discipline, also motivates Paul's stance in marital issues' According to Syreeni, for Paul remaining single does not mean being alone, because the single one is 'in' or 'with' Christ. The Christian self-sufficiency is therefore not simply minding one's own business, but a way of devoting oneself to the Lord'. Syreeni further argues that Paul knew that not everyone has the gift, to impose celibacy on the whole church would have abolished the household structure, and with it, the 'subtle chain of command by which his teachings were passed on to each local community through the authority of local householders' (2005, 408). This view is further observed by Loader in the following manner 'he affirms celibacy, but is prepared to concede that marriage will be the right option for some. Either way Paul's response is a compromise among the principles which he affirms and which influence his understanding of sexuality. They include: that celibacy is preferable; that marriage and sexual intercourse (not just for reproduction) are part of the divine order which pertains to this age, that married people continue a unity which warrants the language of mutuality, including mutual obligation and responsibility in sexual relations; that sexual activity and prayer exist in tension' (2005, 162). Loader makes the following assertion regarding sexual intercourse in Paul's view. He argues that 'Paul's view of sexual intercourse, whether

Horsley maintains that:

In the conditional clauses addressing the contingencies of the decision in 7:36, Paul expresses his concern about potential immorality rooted in the male sex drives. The resolution, 'let him do as he wishes' (NRSV: 'let them marry') suggests that the issue in the Corinthian assembly involved an engaged man eager to marry (or at least in quandary about it), with "his virgin" and/or others defending her continuing 'virginity'. Paul's explicitly repeated emphasis that it is not a sin to marry must be directed against a Corinthian position that it was wrong for a 'virgin' to marry (1998, 108).

Horsley further argues that Paul also goes to great lengths to persuade him to reach an autonomous decision (1998, 108). Conzelmann argues that:

In that case the meaning is that if anyone thinks he is behaving improperly towards his daughter, if she is beyond maturity, then he is free in his decision, 'command', is in this case *potria potestas*. The father, of course, has according to ancient law the power of free disposal. To be sure, with this interpretation there are linguistic difficulties. 'will' is used elsewhere by Paul only of God's will. In profane writings it is often used of the sexual desire of the man. This leads to the interpretation (with Kümmel) that he is free to follow his own urge (1969, 135)²⁶.

Gooch, in a similar vein to that of Conzelmann and Horsley maintains that the entire thrust of Paul's argument in the text is towards autonomy. Gooch further argues that

It is especially significant that this notion of one's own free wish or will should be stressed in connection with choices that Paul himself would have considered second best. But perhaps that is because he saw that the conditions

as sin outside marriage or as appropriate within it, is not like his view of any other inter-human interaction' (2012, 221). Furthermore, according to Loader, Paul sees the sexual relation between husband and wife as being two-fold; firstly, 'he places sexuality within marriage in the context of mutual pleasing. Secondly, he sees a tension between this mutuality and pleasing the Lord. The issue is not sexual intercourse itself as an act, nor the desire for it, but the will to please which he sees competing with the will to please the Lord' (2012, 212).

²⁶ According to Loader, one can draw the following with regard to the issue of freedom in 7:37: 'here he describes the father who is not under pressure. It makes sense to take this as meaning that there is no marriage agreement. The father is therefore able to take complete charge of what he wants to do and freely resolve not to give away his daughter in marriage' (2012, 217-218). Another aspect that Johnson points to is that for Paul 'husbands and wives have authority over each other's bodies- that is, each can expect the other to engage sexually' (2013, 306). Furthermore, he maintains that a prolonged sexual abstinence in marriage allows Satan to test the couple through their lack of self-control (2013, 306).

of choice are more significant than the choice itself, at least on the matters under consideration in this chapter. The particular problem is secondary; what matters is the manner in which the decision is made (1983, 71).

Gooch adds that ‘he will fulfil the essential conditions of a morally autonomous action. The moral philosopher could not ask more’ (1983, 71). Hence, ‘freedom’ in 1 Corinthians 7 as not being an ‘eschatological freedom’ is rather autonomy to make a moral decision.²⁷

Horsley presents a different view from that of Gooch. He summarises the text (7:38) as follows:

Paul suggests that there are really two good options. A man can pursue either one without doing wrong, although refraining from marrying the virgin is the better of the two. It is striking in this whole section of his argument (7:25-38) that, despite the pointed gender-inclusive formulations in the previous section (7:1-16), Paul utterly ignores the wishes of the ‘virgins’. The issue of whether a ‘virgin’ continues in her ‘virginity’ is left completely up to the strength of her fiancé’s sexual desire or his ‘authority’ over his own will (1998, 109).

Conzelmann argues that grace creates freedom, hence when one receives a ‘divine calling’ it comes to one just as one is. In other words one does not have to first create a presupposition in order to attain salvation by means of some achievement. It is for this reason that, according to Conzelmann, this is the concretisation of the *sola gratia*. ‘And Grace embraces the world and holds me fast in my worldliness’ (1969, 126). Furthermore, Conzelmann argues that:

The sense of remaining becomes understandable from the point of view of eschatology and of the idea of the Church: in the Church worldly differences are already abrogated, yet not directly, for example, through realisation of a social program, but eschatologically (1969, 126).

²⁷ On the issue of freedom in 1 Corinthians 7:22, Syreeni argues that ‘the crux still remains that Paul seems to metaphorically equate slavery with freedom. If you are a slave, never mind - never mind you are still free “in Christ”, and your brother who is free is actually “a slave” (2005, 410).

According to Conzelmann, one can draw from Paul's teaching that he is advocating a principle of unity in the church order. Rather, Paul is specifically attacking the kind of schematisation which suggests a specific mode of 'calling' (1969, 126). In verse 18, Paul seeks to point to the general rule which is the liberation of the individual. That God has 'called him' is illustrated by the example of circumcision and it is understandable in a context of a mixed congregation of Jews and Gentiles (1969, 126).

Conzelmann (1969, 126) maintains that 'in the church our natural standing no longer counts as it is abrogated in Christ'. Therefore, it has no further influence on salvation, neither positively nor negatively. It is for this reason that for Conzelmann it is free, yet at the same time it is not a matter of personal discretion. 'To change it would be to ascribe such an influence to it. This would be a misunderstanding of grace and would mean the loss of freedom to remain in the condition in which one was called works well in the case of the circumcised and the non-circumcised; however, it becomes problematic in the case of slave-free. He maintains that this problem might be at the root of the recurrent difficulties of seeking to understand Paul's formulation and meaning in 7:21 (23) (1998, 101-102).

Horsley further maintains that 'the last, imperative clause of 7:21, "rather use (it)", requires completion from the context. The most obvious completion grammatically would be from the nearest substantive term "freedom", with which the previous clause ends, and not "slave (ry)" from three clauses earlier in verse 21 or "call" from verse 20' (1998, 102). Horsley maintains that:

Thus, 7:21b should be read: 'but if you are able to become free, rather use it'. Historical social realities confirm this completion of the sentence (i.e., 'use the opportunity to become free'). The social relationship of slave-free was not analogous to those of married-single or circumcised-uncircumcised (1998, 102).

Horsley points out that the justification in verses 22-23 makes sense only if verse 21 reads that the slave should avail himself to accept freedom. 'Whoever was called in the Lord as a slave is (already!) a freed person belonging to the Lord'. He explains verse 22b thus:

Paul finally mentions the second of the pair, 'slave-free', except that he moves directly to the reason why a free person cannot become a slave: 'whoever was free when called is a slave of Christ', hence a person cannot possibly become the slave of another master (1998, 103).

Horsley concludes that in both cases 'slave-free' and 'free-man' or 'master' are covered in 7:23, because they were 'bought with a price'. Neither a slave nor a free person can become 'slaves of human masters' (1998, 103). It is evident that 'freedom' does not refer to eschatological freedom only but also existential freedom, particularly also for the slaves.

Verse 18 first gives the analogy while its theological reason is stated in verse 19, Paul repeats the principle with which he began: (literally) 'Each one, in the calling in (by) which he/she was called, in this let him/her remain' (1987, 314).²⁸ He further argues that:

It has been argued that by this statement Paul intended to emphasize that each one should remain in his/her Christian calling, that is, that each one should remain a Christian. Much more likely the word 'calling' here carries the same kind of double nuance that it did in 1:26 and it seems to be in view in v.17. Paul wants them to live out their Christian life (i.e., their 'calling' to Christ) in the situation ('calling') where they were when God called them to Christ. The emphasis is on both, and therefore they do not need to change situations – precisely because they are in Christ. Let their 'calling' (becoming believers) sanctify the setting of their calling (1987, 314).

²⁸ According to Loader, in 1 Corinthians 7 Paul shows that his understanding is quite contrary, especially in relation to its application to the present. He further maintains that 'Two different kinds of arguments appear to underlie his interpretation. The primary argument is that such differences are to be affirmed and to remain in them is to be seen in a calling and therefore not to be given up or changed, unless for slaves the opportunity presents itself within the normal course of events (7:21)' (2005, 173).

Paul gives the second illustration which is structured like the former. It begins with the word slave in the form of a question, followed by a command, and subsequently a theological reason in support of the command (1987, 315). According to Fee, there are also some significant differences in the command, namely: Paul begins with the condition of the slave, yet at the same time there is no corresponding word for the free person. This is followed by an implication when Paul offers to the theological reason for this in vv.22-23 argues Fee. He maintains that:

To correspond with the former, he would need to have said: were you a slave when called, do not become a freedman; were you a free person when called, do not become a slave. But for the slaves this was not an option; and for free people, although they could-and many did-sell themselves into slavery, that would not be the kind of 'change' that one would normally seek. Thus the differences in the two illustrations may be seen by a display of the structure of each argument (1987, 315).

Fee outlines this as follows (1987, 315):

A. First illustration: circumcision (18-20)

1. To the circumcised: do not change (18a)
2. To the uncircumcised: do not change (18b)

Reason: Neither counts (19)

Conclusion: Stay in your "calling" (20)

B. Second illustration: slavery (21-24)

1. To the slave: do not be concerned (21a)

Exception: if granted, make use of freedom (21b)

Reason: (1) to a slave: one is Christ's freed man (22a)

(2) To a free person: one is Christ's slave (22b)

-additional theological reason (23)

Conclusion: stay in your 'calling' with God (24).

Fee maintains that the notion of ‘remain in your calling’ is continued in (vv. 25-40). Paul begins with a caution regarding what is about to be said, even though Paul thinks it is ‘trustworthy’, yet at the same time it is less than a command from the Lord. In other words it is his ‘opinion’ (v.25). The argument of Paul is tied to ‘I think’ (v.36), ‘I am sparing you’ (v.28), ‘I wish’ (v.32), ‘I say this for your good’ (v.35), ‘let him do as he wishes’ (v.36), ‘he shall do well’ (v.37). The important issues that appear in v.27 are that Paul merely reiterates the stance of verses 17-24 (1987, 324).

According to Fee, Paul’s argument indeed expresses his own (trustworthy) opinion that for the Corinthian believers in their present state celibacy is a better option, yet at the same time not the only option. Paul views marriage as a valid alternative and whatever else, it is no sin. Furthermore, Paul is no ascetic, but rather, is celibate. His argument and reason are basically eschatological. To illustrate this, Fee argues that ‘the truly eschatological person radically altered perspective from which he or she views relationships; verses. 29-31, although they also involve the prospect of “undivided” concern for the things of the Lord (vv. 32b-34)’ (1987, 324). Married or not married, Paul wants them to be ‘free of anxiety’ (v. 32a).

4.3 **Cohabitation: An Alternative to Marriage? A South African Context**

In this section, the focus falls on two tribes²⁹ found in South Africa, namely: Batswana and the Zulus. Furthermore, this will indicate the tension between Christianity and African tradition.

Delius and Glaser (2004) argue that:

Throughout the twentieth century, most observers of black sexuality in South Africa, from anthropology to welfare workers and Christian activists, have

²⁹ There are various tribes in South Africa, but for the purpose of this thesis, I focus on the *Batswana*, and the *Zulus*. This paints a picture regarding the role of *bogadi*, as well as the effects of such a practice which leads to cohabitation.

assumed a close connection between the tradition of polygamy and contemporary male promiscuity. This connection has been argued in two ways. First, polygamy created an expectation of multiple sexual partnerships for men. Second, there was a tendency to romanticise African tradition by insisting that ‘in the old days polygamy successfully contained male sexual urges (2004, 84).

The above citation puts into perspective some of the presuppositions regarding the role of Christianity, tradition, and civil law, regarding issues of sexuality in South Africa. Delius and Glaser come to the following conclusion regarding tradition and Christianity. They argue that an appeal to traditional values and practices rests on a very prejudiced perspective about the past. Furthermore, the impact of Christianity has in many ways stifled discussions on sexuality and forced extra-marital affairs underground. They maintain that it is necessary for the country to recognise the longstanding traditions of multi-partnership sexuality. This, according to them, needs to be not only acknowledged, but also accepted (2004, 113).

Ogbu makes the following observation:

African marriages are established according to socially recognised rules, and for the most part these rules involve the payment of bridewealth. It follows that one function of bridewealth is the establishment of the legal marriage (1978, 246).

It is against this background that I discuss cohabitation as an alternative to marriage in the South African context.

Budlender, Chobokoane and Simelane (2004) make the following observation:

One of the primary problems is the wide range of marriage practices in the country, and differing cultural understandings as to what constitutes marriage. This problem is aggravated by linguistic issues in that the terms used in the data collection instruments will be understood differently by different informants and fieldworkers (2004, 22).

Bledsoe (2008) argues that in order to define marriage in sub-Saharan Africa, one needs to begin by asking what marriage is like in sub-Saharan Africa. This is necessary, she argues, because, it is apparent that there is extraordinary diversity within societies as well as across the continent. Yet at the same time, there are predictions that polygynous societies will inevitably become monogamous. She further maintains that:

Sub-Saharan Africa is the only major world region in which polygyny is still widely practiced [sic], despite the welter of legal and religious codes that colonial as well as modern states have created to curb it (2008, 117).

Bledsoe notes that difficulties also emerge when analysing African marriage. Therefore, she suggests that one has to firstly define marriage within the African context, because initially the problem is how to define when marriage begins and ends. This is evident in that the process may extend over a period of months or even years while the partners and families work cautiously towards a more stable conjugal relationship. Furthermore, marriage transactions do not constitute a clear linear sequence because, as Bledsoe observes, 'at some point, ceremonies may be performed, cash or tokens exchanged, cohabitation and sexual relations begun, and children born' (2008, 118-119). She further maintains that, in defining marriage within the sub-Saharan African context, it is imperative to consider all forms of conjugal relations, from consensual unions to ordinance or church marriages as representing a bundle of interactional possibilities that are associated with political, economic and legal as well as other implications (2008, 119). This view is also explored by Nkomazana (2006). He explains that the betrothal negotiations and agreements meant that the prospective husband has the right to visit the woman's home freely as well as cohabit with her. Another aspect that he points out is the

system of *bonyatsi*³⁰ which entails a flow of rights from a man to return his *nyatsi's*³¹ hospitality. She in turn, according to Nkomazana, looks to him for help with things such as the building of a house or psychological security and other needs (2006, 272).

According to Mokomane, one view regarding cohabitation is that it is an alternative form of marriage, which may constitute a rejection of marriage as an institution or a true alternative (2005, 20). Mokomane further maintains that 'viewed in this way, an increase in cohabitation is a threat to the institution of marriage and may play a major role in the decline in the prevalence of marriage' (2005, 20). In other words, such a view can be partly explained by the process of individualism, a greater need for flexibility, individual freedom and independence, especially among women (2005, 20).³² This view is also explored by Smocks, Casper and Wyse with regards to the influence that economics and culture exert, and continue to do so, on the increasing acceptance and practice of nonmarital cohabitation. Furthermore, these factors function both independently as well as in response to one another (2008, 3). They maintain that such an approach aligns well with the writings of Sewell (see Smocks, Casper and Wyse 2008, 3) on the duality of social patterns. In other words, a duality encompasses both 'cultural schema' and 'resources'. They define both concepts as follows:

As to definitions, cultural schema can be understood as frameworks and habits of thought people use to make sense of the world. They are the 'taken-for-granted' ways of perceiving the world. An important point about resources, a seemingly intuitive term, is that they can be material (e.g., money) or non-material (e.g., information, ritual). Further, resources and cultural schema are seen as mutually constitutive having shared origins and a collaborative future.

³⁰ It is a Tswana word meaning a practice of concubinage.

³¹ Tswana word meaning concubine.

³² Even though Mokomane discusses the issue of cohabitation within the context of Botswana, the value in his study is that the Batswana also live in South Africa. Since the culture and tradition are exactly the same in both countries, his study contributes to a large extent towards an understanding of cohabitation in the South African context.

The amount and kind of resources available to an individual or couple will condition the ways that cultural schemas are used, and which ones are adopted and deployed, ultimately affecting social action (Smocks, Casper and Wyse 2008, 3-4).

Furthermore, they outline the rise of cohabitation in the United States and describe two forms of studying cohabitation in society:

We partition our discussion of the increase in cohabitation into ‘macro-level’ explanations and those that focus on the individual or couple (e.g., micro-level), the latter constituting the bulk of empirical work on cohabitation. While these are categorical labels imposed on a continuum (e.g., individual, family, social networks or peers...city, religion, society) one emphasises individual decision-making while the former describes the societal context in which such decisions are made (2008, 5).

These two perspectives, according to Smocks, Casper and Wyse, play a role towards individual decision-making and consequently, they contribute to ongoing social change. The macro-level has an influence on three aspects, namely economic, cultural, and the interplay between culture and economics. The micro-level influences three aspects, namely the formation of cohabiting unions, economics, and culture (2008, 5-10). They further maintain that it is imperative to take into consideration the interplay which economics and cultural schema play with regards to the increase of cohabitation (2008, 13). They explain that this is because, according to them, data indicate that young people view cohabitation to be almost essential due to the fear of divorce. These fears are also expressed by economically disadvantaged unmarried parents. This then suggests that fear of divorce makes marriage appear to be a very risky proposition, suggesting that great caution needs to be taken when thinking about marriage (2008, 14).

They further argue:

That this feedback is further strengthened as cultural schema about living arrangements, sex in nonmarital relationships, and the centrality of marriage have shifted alongside economic shifts. Another contributing schema, and one we believe has shifted less than typically acknowledged, is the linkage of the role of husband, and indeed masculinity itself, to breadwinning capacities (2008, 14).

One of the issues that Smock, Casper and Wyse are raising is the complexity of cohabitation, and above all the role of the husband in these shifts. It is for this reason that, they explain, one cannot attribute the rise of cohabitation to an economic shift alone or to a cultural shift, rather both of them contribute to it. Furthermore, both of them are to be considered in understanding the overall increase or the influence on entrances into, or exits from, cohabitation at the level of the individual or the couple (2008, 13).

Zwang and Garenne concur with this view in their study on the social context of premarital fertility in rural South Africa. They argue that African societies in South Africa have undergone dramatic social change and economic changes, particularly in the twentieth century. This change, they maintain, is evident in the age at which women marry; this average age also includes a high proportion of women who never marry, as well as the emergence of premarital fertility (2008, 107). At the same time Hosegood, McGrath and Moultrie link this change towards cohabitation rather than marriage to the influence of apartheid-era policies, as well as labour migration. They maintain that:

Of many reasons that have been suggested for the decline in marriage and increases in marital instability among African South Africans, most relate directly or indirectly to the oppressive social and political structures and processes created during the apartheid-era (2009, 281).

They explain that a study of the decrease and increase of marital instability as well as cohabitation must take into consideration the role of the labour migration system. They further assert that one of the effects of such policies required most couples from rural areas to live apart, yet, when one or two acquired paid employment, the application of such policies actively sought to prevent them staying together or to even visit each other (2009, 281). Jones (1993) and Ramphela (1993) as cited in Hosegood, McGrath and Moultrie describe the conditions under which male labour migrants had to live in the hostels. In this context, migrant men and women took other partners and formed second families at the places where they worked. They were not married to these partners but cohabited with them (2009, 281-282). It is in such a context that one can begin to speak of cohabitation.

According to Hosegood, McGrath and Moultrie, ethnographic studies in South Africa highlight the gendered perspectives that exist in negotiating as well as entering marriage. One such perspective is that both men and women often seem to lose more than they gain. This could be attributed to the fact that there are expectations of a woman as a 'traditional wife' being at odds with those perspectives of the modern female identity (2009, 282). While on the one hand, for some contemporary Zulu women, doing without marriage seems to be a survival strategy used by economically disadvantaged women, on the other hand, there are some who argue that marriage remains ideal, even though circumstances have altered, making it rather difficult to realise marriage.

Another observation Hosegood, McGrath and Moultrie make with regard to marriage is the study of masculinity. This study describes the dilemma between marriage ideals and experience. In addition to the dilemma is the financial constraint in paying bridewealth as well

as the costs of supporting a partner, children and other relatives, thus contributing to barriers that cause men not to marry (2009, 282).

One of the attempts made by the present government was to recognise the Customary Marriages Act 12 of 1998. This recognition by the government also constituted an effort to appreciate the diversity of cultural and religious traditions in South Africa, in other words, to build a bridge between the Christian Western formation of marriage (Church) and the African traditional formation of marriage.

Hosegood, McGrath and Moultrie make the following observation regarding bridewealth amongst the Zulus in KwaZulu-Natal, South Africa:

So-called 'Bantu marriages' were thought by many administrators and civic leaders to be a 'great evil' and a cause of family and social degeneration. The legacy of the early Natal administrators is that they co-opted and codified bridewealth. While historically, the amount of bridewealth was negotiated by the families involved and was rarely paid in full before marriage took place, the Natal code subjected the Zulu women to a fixed and very high bridewealth of eleven head of cattle or the equivalent value (2009, 284).

This observation by Hosegood, McGrath and Moultrie points to a very serious matter regarding how bridewealth was viewed, as well as the problematic use of the New Testament against those who might cohabit. Furthermore, the major complexity includes costs of conducting both the traditional and Christian marriage ceremonies and rites which most families follow. With regard to household and residential arrangements, they examine the following:

The very high level of migration in this part of South Africa creates a context in which many married couples live apart. Therefore, cohabitation is one, but not the only, indicator of social connectedness between partners. In Africa Centre Demographic Information System (ACDIS), cohabitation arrangements are recorded separately from the indicator that the couple are in a 'conjugal relationship', meaning that both partners are considered to be a member of the

same household (regardless of whether they are resident or non-resident) (2009, 294).

One of the consistent problems with nonmarital relationships, as I have alluded to in Chapter 1, is that although it is very common, social norms regarding the formation of kinship and family remain a barrier to the social acceptance of cohabiting partners as part of their partner's household. For example, only one third (33 %) of unmarried male partners are considered to belong to their partner's household (2009, 294). Furthermore, they maintain that:

Amongst those couples considered to have a social connection (conjugal relationship), cohabitation is actually more common among unmarried than among married couples in all age groups except 18-24 years (2009, 295).

Certain parallels exist in the conditions in KwaZulu-Natal and the Caribbean. Hosegood, McGrath and Moultrie argue that that African marriages and childbearing patterns in South Africa, especially in KwaZulu-Natal, closely resemble those of the Caribbean. Migratory labour, in terms of marriage, has led to a high rate of extra-marital childbearing, as well as a high percentage of female-headed households. A key difference between the two regions relates to migration. They also argue that:

Although co-residential conjugal unions are the basis of family organisation in most parts of the world, many people in KwaZulu-Natal will not experience extensive periods of cohabitation with their married or unmarried partners (2009, 300).

Could this suggest that there are indications that cohabitation might be decreasing in KwaZulu-Natal? Or perhaps, would this have to do with the manner in which a census is conducted in that part of the region? This is one of the criticisms that they raised in their

article. Furthermore, this might indicate that, although cohabitation is taking place, it is not as radical and rapid as in other parts of the world. At the same time, religions such as the Zion Christian Churches might be contributing to this phenomenon. These churches forbid adultery, and most of their members practise polygamy (2006, 274). Yet it is important to point out that the decline of polygamy due to modernisation, as I have argued previously, could be contributing to an increase in concubinage. One of their reasons for suggesting that couples in KwaZulu-Natal will not experience extensive periods of cohabitation is based on the qualitative research which implies that the extent to which separate households are interconnected may play an important role in shaping the quality, stability and future evolution of non-conjugal relationships. It is important to point out that the said study focuses on the rural parts of KwaZulu-Natal, which is one of its limitations that could influence the conclusion.

4.4 Can the New Testament be Normative and is it Relevant for Contemporary Ethical and Social Issues?

Hays admits that his work pays too little attention to the historical context and the development of ethical teachings in the New Testament. The primary goal of his book is to engage the theological problem of how the New Testament ought to shape the ethical norms and practices of the Church in our time. Thus, questions regarding the historical context of the New Testament are supplementary. I concur with Horsley that it is imperative, when studying Paul, for one to be cognisant of the fact that Paul's understanding of marriage and celibacy could also have stemmed from his own experience rather than from his Jewish and Hellenistic encounters with other philosophies (1998, 36).

A further problem that emerges from the work of Hays is his argument that the task of hermeneutical appropriation involves an 'integrative act of imagination'. Such an exercise

raises problems because one cannot 'imagine' one's own contemporary moral issues in the first and second century Graeco-Roman world, because both these worlds are so different, particularly in terms of their worldview. Another emerging problem is the argument that the appeal to the authority of the New Testament is engaged in *metaphor-making* by which one places the community's life imaginatively within the world articulated by the texts. The question arises of how this is possible when the two worlds are so immensely different and the lifestyle and behaviour patterns are so diverse.

One of the problems in his selection of conversation partners is his choice of ethicists as part of his hermeneutical strategy. Johnson (1997), in his review article on the work of Hays, observes the following:

His exclusion of Paul Ramsey is a real weakness. Ramsey's importance for the shaping of the discipline of ethics...is his approach to scripture, as to ethics, through the establishment of moral principles; he would have provided a distinctive hermeneutical option. Ramsey devoted a major part of his attention to the question of war and peace, and represents a thoughtful version of the just-war tradition that Hays dismisses much too easily (1997).

One further observation by Johnson (1997) is that Hays' argument on specific moral questions carries the same weight he affords to various hermeneutical principles applied to the New Testament times and it shifts dramatically and without much explanation. A further problem with Hays is his focus on the centrality of the Christian community over and above the individual. He overlooks the role of conscience as defined by Gula (1989)³³ in a moral decision, in other words, the formation of the conscience takes place in the community, such

³³ I follow Gula's definition of conscience as 'For man in his heart a law written by God' (1989, 153).

as in the Christian or African tradition, by appealing to various sources of moral wisdom (1989, 153), Bosman also deals with conscience in Graeco-Roman world (2003).

One of the fundamental issues surrounding Hays' view of the authority of the Scriptures is that he holds a highly regarded view of New Testament authority. Hence, he speaks of the 'normative theological discipline'. Therefore, he deals with the issue of homosexuality (1996), which points to his explicit appeal to the authority of the Scriptures. Above all, it indicates how the New Testament can be normative and relevant to contemporary ethical and social issues. Some of the key points that could illustrate his notion of *Sola Scriptura* are briefly outlined below. He raises various questions regarding homosexuality and attempts to answer them by drawing from the Scriptures. Under the heading: *Living the text: the Church as a community suffering with the creation*, he discusses the following questions (1996, 400-403).

4.4.1 Should the Church support civil rights for homosexuals?

Hays responds positively to the question on whether the Church should support civil rights for homosexuals. He then argues that the efforts of the Church to influence Caesar's social policies require complex reasoning. According to him, the complexity of the problem is demonstrated by the controversy regarding the admission of gay people to the military. He argues that Christians have no place in the military (1996). However, for him 'insofar as Christians have done so in the past, we must repent and seek instead to live out the gospel of reconciliation' (1996, 400).

4.4.2 Can homosexual persons be members of the Christian church?

Hays offers a clear and straightforward response that homosexual people should be members of the Christian community. If they are not welcome, argues Hays, he would rather walk out with them and leave the righteous to cast the first stone (1996, 400).

4.4.3 Is it Christianly appropriate for Christians who experience themselves as having a homosexual orientation to continue to participate in same-sex erotic activity?

His response to this question is 'No'. Hays offers a rather unsurprising response considering that to say yes would be against the authority of the Scriptures. He argues that:

The only one who was entitled to cast a stone instead charged the recipient of his mercy to go and sin no more. It is no more appropriate for homosexual Christians to persist in homosexual activity than it would be for heterosexual Christians to persist in fornication or adultery (1996, 401).

4.4.4 Should the Church sanction and bless homosexual unions?

Here again Hays' answer is 'No'. He sustains his answer by drawing attention to God's intention that the Church should continue to teach as it has always done, so that 'there are two possible ways for God's human sexual creatures to live well-ordered lives of faithful discipleship: heterosexual marriage and sexual abstinence' (1996, 402).

4.4.5 Does this mean that persons of homosexual orientation are subject to a blanket imposition of celibacy in a way qualitatively different from persons of heterosexual orientation?

Hays argues that ‘a nuanced answer’ must be given. ‘While Paul regarded celibacy as a charisma, he did not therefore suppose that those lacking the charisma were free to indulge their sexual desires outside marriage’ (1996, 402). Hays points out that heterosexual people should abstain from sexual activities unless they marry while homosexuals do not have an option of a homosexual marriage. He concludes by arguing that homosexuals should refrain from such acts. He further compares them to heterosexuals who would like to marry but cannot find an appropriate partner. Both are ‘summoned to a difficult, costly obedience, while groaning for the redemption of their bodies’ (1996, 402).

4.4.6 Should homosexual Christians expect to change their orientation?

The answer to such a question lies in the critical framework of New Testament eschatology, argues Hays (1996, 402). He maintains that the transforming power of the Spirit is really present in our midst. This is expressed by the testimonies of those who claim, on the one hand, to have been healed and transformed into heterosexual orientation and should be taken seriously. He argues that the ‘not yet’, on the other hand, looms large and he points to his friend Gary who has prayed and struggled in a Christian community and unsuccessfully sought healing for years. His plight must be taken with no less seriousness (1996, 402-403).

4.4.7 **Should persons of homosexual orientation be ordained?**

Hays maintains that it is unfortunate that the battle line has been drawn in the different denominations on the question of the ordination of homosexuals. He further observes that the Church has no analogous special rules to exclude from ordination the greedy or the self-righteous. According to him, such matters are to be left to the discernment of the bodies charged with examining candidates for ordination; these bodies, argues Hays, must determine whether the individual candidate has the gifts and graces required for ministry. He concludes by stating that persons of homosexual orientation seeking to live in disciplined abstinence would clearly be appropriate candidates for ordination (1996, 403).

Yet at the same time he fails to define the basis of that authority. One can therefore pose a question as to wherein the authority of the Christian Testament lies. Is it in the inspiration of the texts or their canonicity? A further question could be: does its authority reside in the texts as literary compositions or as expressions of voices of authority? It is therefore imperative that one pays attention to the function of the texts as authority in the church's moral discernment which in itself turns out to be problematic, as mentioned in chapter one of the dissertation.

I concur with Johnson (1997) that the real problem with the New Testament, especially on issues of morality, is the premise that it is in itself an adequate source for Christian moral discourse. For example, if one used an example of cohabitation and tried to argue that 1 Corinthians 7 serves as an authority on the discourse surrounding the immorality of cohabitation it renders the text inadequate. Thus, it is important to draw a distinction between understandings of authority on the basis of function as well as historical precedence or theological coherency, as Hays has done.

I would therefore argue that one cannot refer to the New Testament as being normative and relevant with regard to all contemporary moral issues, as well as being adequate on matters of moral discourse, particularly based on Hays' notion of *sola scriptura*. Such an approach needs to be supplemented by a deeper appreciation of the norms of tradition, reason and experience, which Hays tends to downplay.

A further problem that arises with regard to the 'normative' approach or rather the authority of the Christian Scriptures on moral discourse, or according to Gooch what really justifies the authority's own morality or, to put it another way, what makes it right to obey this authority, is in fact the New Testament:

The authority may have certain practical functions, however it would not serve as the logical ground morality; to obey it without question would be ethically irrational. It is in the very nature of ethics to be autonomous in at least this limited sense of being logically independent of authority, and this independence entails a search for some kind of justification for ethical decisions beyond appeals to authority (1983, 63).

This has been the limitation of Hays' exegesis, namely, that he appealed to authority when dealing with issues such as homosexuality, marriage and divorce, whereas on issues of war and violence he opted to stay close to the most literal reading of the text and thus resist any effort to soften its testimony. Meanwhile, regarding the Jews, he tries to overcome the obvious and overwhelming weight of the New Testament witness concerning them.

At the same time he finds the language of the New Testament concerning the Jews historically understandable but morally unacceptable. Such an approach is further revealed in him overturning the 'normativity' of the New Testament on the basis of experience in the case of anti-Semitism. In other words, Hays is willing to nullify the virtually unanimous testimony of the New Testament authors concerning the antagonism between Christianity and Judaism

simply because, for Hays, ‘experience’ would mean rejecting the violence and hatred shown by Christians, regarding the suffering, degradation and genocide endured by the Jews.

I would further contend that what is evident regarding the ‘normativity’ of the New Testament and its relevance to contemporary ethical issues is its excessive dependence on authority for its attempted justification. If one confesses that all Scripture is indeed from God, then one wonders how Scripture can in fact be incompatible. Perhaps what is even more disturbing is that this places a responsibility on us, fallible and sinful people, to determine which canonical voice to follow. Once one has reached this step, I fail to see how one can meaningfully affirm the authority of Scripture in terms of Hays’ approach.

4.5 How Historical Issues are Relevant Today

The first and second century marriage practices as well as letters such as 1Corinthians 7, and many other texts that are canonical as well as apocryphal, could contribute to the study of contemporary issues. One of the commonalities, one could argue, is that questions surrounding morality, authority and norms are still pertinent as they were in the first and second century Graeco-Roman world. However, one of the considerations is the fact that neither the context nor the worldview is the same. Above all, the question of the freedom and rights of an individual is still a burning issue. Just as socio-economic and socio-relational systems existed historically, that contributed to conflict both within the family, the community and the church system, such issues are still relevant today.

This could substantiate the understanding that no phenomenon is peculiar to contemporary society. Furthermore, an attempt to approach the Christian or Hebrew Testaments as codes from which one can draw norms to guide and counsel contemporary society would constitute an injustice to the contribution of the world of antiquity. Historical issues creates an awareness

that each context is unique. Therefore, to adopt a universal approach on matters of ethics limits the diversity of communities today.

In the previous chapter, I argued that first and second century marriage practices differed from one region to another. Thus, emperors at the time did not force their own cultural marriage practices upon their colonial subjects, while some of the practices emerged because there was a need to address the exploitation of young women from their colonial masters. Similarly, today certain practices have emerged due to exploitation by those in authority, such as issues surrounding traditions, politics and socio-economic injustices, divorce, mixed marriages, and freedom.

4.6 The Tension between Hays' Excessive Dependency on Sola Scriptura and Conscience

The normativity of the New Testament, as argued above, could effectuate an excessive dependence. Hays, in fact, has appealed to this dependence unlimitedly on matters of marriage, divorce and homosexuality. As outlined (1996, 46) in section 2.2.2.4, Conclusion: Our story in Christ's, he emphasises transformation as well as obedience as integral parts of the moral teaching of Paul. This is why the community of believers is made into the image of Christ through His death and resurrection; yet at the same time, the Spirit enables them to be obedient to the will of God. Hays thus places the community over and above the individual because, as mentioned earlier, he views the Christian community as metaphorically enacting the reflections of the biblical stories and thereby casts new light back onto the texts. Notice that the emphasis is placed on community, thereby suggesting that what the community deems to be moral according to the texts is indeed moral and vice versa. This then replaces the role of

conscience, knowledge and the experience of individuals (1996, 305). As a result, it brings about a tension between Scripture as a norm and the conscience as a moral teacher.

According to Gula, as mentioned above, a criterion for a mature moral conscience is the ability to make up one's own mind about what is right (1989, 124). Thus a 'mature conscience is formed and exercised in community in dialogue with other sources for moral wisdom' (1989, 124). This implies that if one spends one's whole life doing what certain authorities require simply because they are an authority or what the community requires, a person never really makes moral decisions which are his or her own. In other words, one tries to make a moral decision by metaphorically placing one's own moral dilemma into the biblical community and one does so on the basis that the text shapes the community and the community embodies the meaning of the text. It is evident that such a person never really makes moral decisions, simply because their moral decisions are completely based on the excessive dependence of the authority of Scripture rather than on enabling a person to grow into making their own moral decisions.

4.7 The Role of Conscience and Freedom: An Alternative to Scripture as *Norma Normans*

Exegetical arguments from various scholars regarding the essence of 1Corinthians 7 have been presented above. It is imperative to discuss the origin of conscience as well as its significance to religion and ethics. This includes the nature and foundation of freedom of conscience in relation to Scripture as *norma normans*. According to Bosman, in an endeavour to answer these questions 'philologist and researchers turned to the literary sources of antiquity and of the New Testament' (2003, 23).

Kähler held the view that for one to fully understand the meaning of conscience, it is imperative to comprehend its meaning in the New Testament alone (2003, 24). Furthermore, ‘the way the word is used suggests that its meaning was familiar to its intended readership’ (2003, 24). Kähler maintains that the term ‘conscience’ should be viewed in the context of general conceptions of morality in the ancient world (2003, 24). He also undertakes a search of the term within the historical context of its initial stages as well as the history of morality of the ancient world. Kähler explicitly finds that the origin of the more specific use of conscience in the fact that societies continually shift moral boundaries (2003, 25). Kähler’s description fits the circumstances of late fifth-century Athens. This is a period that saw its traditional values being questioned among those of certain levels of society (2003, 25).

Bosman maintains that:

The origin of conscience may be described as stemming from a situation in which the relativity or even the invalidity of traditional values has become evident. The individual rejects the traditional/communal views about right and wrong because the authority of those views has been undermined. However, in the very process of withdrawal, he experiences himself as being checked by an inner form of moral control. The internal check widens the gap that has appeared between the individual and the older (obsolete) external control, the inner control, however, is taken very seriously, because it is inalienably part of the individual himself (2003, 25).

Kähler as cited in Bosman draws five conclusions with regard to conscience. Firstly, the concept of conscience had a prolonged birth process in the Graeco-Roman world (2003, 26-27). Conscience only found its ‘heimische Boden’ (home ground) when the Jewish philosopher Philo availed himself of the term. Secondly, the term conscience (*conscientia*) did not have any religious connotations whatsoever in the ancient world. The use of this term by Paul belongs to the purely anthropological. Later the concept of conscience was *vox dei* and as

a result it cannot be related to the apostle. Fourthly, Kähler draws a clear distinction between Pauline and deuterio-Pauline letters. This includes the Letter to the Hebrews which makes use of this word. Furthermore, according to Bosman it remains unclear whether Kähler finds a Christian conscience (in the Lutheran sense) in Paul himself. Kähler maintains that:

Paul encountered the term during his missionary activities and consequently employed it in his correspondence to the pagan churches. Pre-Christian conscience signifies for Paul the 'divine natural order of society' (Rom. 13:4), including the moral demands which make themselves known in the heart, and which, to all intents and purposes, resemble those of the Thora and render even the heathens morally autonomous (referring to (Rom 2:14). Conscience functions by way of self-evaluation through introspection; it may be put on a par with judgement of God because it witnesses even the most secret behaviour. Moreover, conscience is able to evaluate the behaviour of others with regard to its moral quality 2 Corinthians 4: 2; 5:11 (2003, 26-27).

Fifthly, according to Kähler one aspect of Paul's usage of conscience is very unusual and he maintains that an astonishing amount of individuality can be attributed to it. This aspect allows the individual to have a right to decide independently which norms are valid for him or her. It also entails the obligation to maintain them, regardless of external pressures. Furthermore, even an erring conscience may not be disregarded in favour of an external authority, which in Paul's view, would lead to the disintegration of the moral person 2 Corinthians 8: 10-12 (2003, 27).

It is evident that at the heart of the text is the issue of freedom as Gooch also concurs. He further maintains the following:

The entire thrust of Paul's argument in the text is in the direction of autonomy. His aim is not to strangle the readers with prescriptions, but to have them decide for themselves upon their own gift and call (1983, 71).

Perhaps we ought to reflect on verse 36 which says ‘let him do what he wishes’, and in verse 39 he says ‘she is free to be married to whom she wishes’. These two texts indicate an element of moral decision making based on an informed conscience. It is noteworthy that the texts do not refer to a community for guidance but challenge the individuals to do what they deem appropriate. I would therefore argue that since conscience is a criterion for making a moral judgment, the capacity for making such judgments implies that one has to have the freedom to do so. Thus, freedom is an integral component of a good moral decision, inasmuch as an informed conscience itself is. An informed conscience does not alienate the guidance from Scripture or the community.

Fee argues the following regarding verse 37: in no less than four different ways Paul repeats that such a man must be fully convinced *in his own mind*. Firstly, the man ‘has settled the matter in his own mind’. Secondly, the man ‘is under no compulsion’ and thirdly, ‘he has authority regarding his own will’. This implies that no one else is forcing this particular action upon him.

Yet, these two are not the ultimate moral sanctioning notions; freedom of conscience is. Lastly, the man ‘has made up his own mind’ (1987, 353). According to Fee, Paul agrees with the position that the man should remain as he is but not on *moral* grounds. In other words, for Paul the person who takes Paul’s own position must take control of his or her own actions so as not to be ‘under compulsion’ (1987, 353).

So, according to Lonergan, one has to draw a distinction between rational consciousness and rational self-consciousness. The distinction for Lonergan, as cited in Cronin, is that:

Rational consciousness is the awareness of making a correct judgment of fact based on sufficiency of the evidence, the assurance that one is not biased and the fact that further relevant questions do not arise. Rational self-

consciousness is the awareness of consistency between knowing and doing, it is the extension of rationality from knowing to doing. This moral self-consciousness would be equivalent to conscience (2006, 452).

It is thus evident from this citation that what Hays seems to have overlooked is the individual freedom which Paul clearly states. Furthermore, as outlined, Hays acknowledges that this study proceeds on the working assumption that the canonical Scriptures constitutes what he calls *norma normans* (2008)³⁴ for the church's life, while on the other hand, every source of moral guidance must be understood as *norma normata* (2008)³⁵. Thus, for Hays, normative Christian ethics is essentially a *hermeneutical* enterprise because it begins and ends with the interpretation and application of Scripture for the life of the community of faith (1996, 10).

Based on the above assertion by Hays, conscience would fall under *norma normata* because it is a source of moral guidance; it also includes philosophical reasoning, scientific investigation, or claims about contemporary religious experiences. All of these forms part of moral discernment or rather the formation of conscience.

Thus, when one examines the inter-textual analysis between Lonergan's views on the role of conscience and the teaching of Paul on verse 36 which says 'let him do what he wishes', and in verse 39 where he says 'she is free to be married to whom she wishes', the following conclusion could be drawn: firstly, according to Lonergan, as human beings we are aware of the drive of moral obligation, while Paul says let him or her do what he or she wishes. Here Paul reminds them of their moral obligation. In other words he acknowledges that as human

³⁴ Scripture is the 'rule of rules'.

³⁵ Tradition is 'a rule that is ruled'.

beings we are capable of making a distinction between good and evil and are thus obligated to seek the good and avoid evil. Secondly, in the same verse Paul is aware that with the aid of reasoning human beings are able to question a specific value and deliberate thereupon and thus decide freely and responsibly whether to live up to their convictions. Thirdly, one's own conscience urges one towards good actions, in other words to become good people. Conscience is a pervasive awareness, which is present before, during and after evaluating, deciding and acting. Paul in verse 39 informs the Corinthian community that anyone is free to marry whomever they wish to marry, again appealing to the faculty of conscience to choose and evaluate well. Fourthly, because we are ultimately responsible for what we do according to our conscience, Paul makes the community aware of the fact that all of these acts are acts of free will from the beginning to the end. Fifthly, the question of consistency and inconsistency is put forward by Paul to the Corinthian community. Lastly, because conscience includes feelings, intellect and tradition Paul also draws them to an understanding that whatever they choose to do they should not do so with guilty feelings but that they should be able to pass judgment on others, because one's conscience makes one aware of the obligation, the feelings, the judgment, the decision and the actions. Thus the judgment of the conscience on one's own actions is the final judgment of value (2006, 453-457).

Fee further maintains that verses 25 and 40 reflect Paul's own opinion. Paul's concern throughout is that his words are not to be taken as 'scripture', in other words, as some form of commandment or principle; it is an *ad hoc* response (1987, 357).

CHAPTER 5

SUMMARY OF HAYS AND PROPOSALS

5.1 Introduction

In this chapter, I put forward the central issues that have been discussed in the previous chapters. I further maintain that one of the central problems of the New Testament as normative over and above experience, philosophy, tradition and other methods such as social theory lies with the role of conscience and freedom. This constitutes one of the methodological problems with respect to Hays (1996, 10). The relevance of New Testament ethics to contemporary moral issues should find its benchmark with freedom and conscience. Furthermore, New Testament ethics is also relevant to finding diversity within the various churches and traditions.

5.2 Summary of the Central Problems

Firstly, Hays maintains that this study proceeds on the working assumption that the canonical Scriptures comprise what he calls *norma normans* (2008)³⁶ for the church's life, while on the other hand, every source of moral guidance must be understood as *norma normata* (2008)³⁷. Thus, for Hays, normative Christian ethics is essentially a hermeneutical enterprise precisely

³⁶ Scripture is the 'rule of rules'

³⁷ Tradition is 'a rule that is ruled'.

because it begins and ends with the interpretation and application of Scripture for the life of the community of faith (1996, 10).

This over emphasises the New Testament as being 'normative'. Such an approach downplays the role that reason, experience and tradition can contribute to the ethical discourse of the New Testament and its relevance to contemporary issues. Secondly, it is imperative to employ other methodological approaches as cited above; this enhances and broadens the scope of the debate rather than narrowing it. Thirdly, the tension surrounding 'authority' versus 'freedom' becomes a point of contention precisely because the New Testament or the Bible is viewed as being normative over and above reason, tradition and experience. As a result, all other methodologies that are incorporated into their investigation of the above mentioned are downplayed.

Fourthly, the social context of the texts informs the relevancy of the moral teaching of the texts to contemporary social issues. Thus, lack of such an acknowledgement relegates openness to the reality that one cannot speak of universalistic ethical teaching, but rather diversity of cultures and traditions within each context. It is therefore evident that issues surrounding the 'normativity' of the New Testament, or rather, the assumption that the canonical scriptures 'constitute the norma normas for the church's life, whereas every other source of moral guidance (whether church tradition, philosophical reasoning, scientific investigation, or claims about contemporary religious experiences) must be understood as 'norma nomata', summarises the central problem. In brief, Hays' approach puts into question the authority of the New Testament on matters of ethics. Lastly, he ignores conscience as a criterion for a moral judgment, as well as the role of both existential freedom and eschatological freedom in the formation of a conscience. As a result, this could lead to a

possible tension between excessive dependencies on scripture as the ultimate moral guidance over and above conscience.

5.3 Summary of Hays' Contribution and Emerging Problems

The book of Hays is divided into four parts: 'The Descriptive Task', 'The Synthetic Task', 'The Hermeneutical Task', and 'The Pragmatic Task'. The Descriptive Task furnishes a survey of the relevant materials. In part two of the book, 'The Synthetic Task' is addressed under the following subtitles: Community, Cross and New Creation. These serve as three images that bring a moral vision of the New Testament canon into focus and offer, according to Hays, a matrix within which we can speak meaningfully about the unity of a New Testament ethics (1996, 204).

Hays applies these images in Part Four of his book, 'The Pragmatic Task' test cases. In Part Three, 'The Hermeneutical Task' Hays interacts with Niebuhr, Barth, Yoder and Schüssler Fiorenza. In this section he asks 'how the New Testament should function in the construction of normative Christian ethics' (Hays 1996, 309). Subsequently, he produces ten proposals which offer practical guidelines for a New Testament ethics as a 'normative theological discipline' (1996, 310).

However, there are emerging problems. Firstly, the adequacy of the New Testament as moral guidance for Christian behaviour is an open one. Secondly, there is an inconsistency concerning most of the fundamental questions, such as a textual basis for deriving moral teaching from the New Testament.

Thirdly, his explicit commitment to a strong view of the canon at the expense of marginalising other forms of guidance is problematic. All the texts, according to him, are to be considered precisely as literary compositions. Fourthly, Hays holds a strong view that the New Testament is authoritative, yet at the same time fails to define the basis of that authority. He also does not clarify, for example, whether revelation ceased with Jesus and is comprehensively continued in the New Testament or whether God's revelation continues in the world. Hays does not articulate the ways in which the 'theological drama' of idolatry, sin, grace, faith, reconciliation, and forgiveness intersect with the 'moral drama'. Lastly, he does not link the role of conscience, existential freedom and eschatological freedom with scripture as *norma normans*.

5.4 **Conclusions**

In his study, Hays has endeavoured to argue that there is adequacy and coherence solely in the New Testament for Christian moral guidance. Hence, he considers the texts of the New Testament, or rather scripture, to constitute the *norma normans* for the church's life. I have illustrated that each region was unique by outlining first and second century marriage practices. Therefore, a universalistic approach to issues of ethics is impossible, precisely because of this diversity. Above all, it is imperative to incorporate the historical context and development of the New Testament's ethical teachings in one's study.

In the problem statement, I presented cohabitation as a case study and asked the question: Is cohabitation morally unacceptable or not? I would contend that it is not morally unacceptable precisely because, as I have argued in the previous chapters, through the socio-historical context of the texts and other marriage contracts as well as related practices, it has become

clear that premarital sexual intercourse took place and was part of the community system at that time. Therefore, to use texts such as 1 Corinthians 7 as the basis for arguing against such a practice becomes a futile exercise.

Furthermore, although 1 Corinthians 7 contains aspects of moral teaching, I am of the opinion that the moral prescription of Paul to the Corinthians is not at the core of chapter 7; rather, 'freedom' is the nucleus of the said chapter. This freedom ought to be exercised with full knowledge. Therefore, one cannot speak of the New Testament as being 'normative' in addressing contemporary moral issues. Cohabitation, when contracted by those who have full knowledge of what they are contracting into thereof and is pursued of their own choice, cannot be immoral, but rather, it is freedom at the level of individual choice. At the same time Paul cautions against sexual immorality which could be translated into multiple sexual relationships. This, Paul writes, refers to anyone who commits sins of sexual immorality against the body, precisely because every sin a person commits is outside the body (2013, 310). Furthermore, freedom does not stand on its own, but rather, it comes from Christ, It is for this reason that every member is a part of the body of Christ. Any form of sexual immorality does not only harm the person performing the act; it also affects the community which is the body of Christ. This is seen in Paul's expression that 'shall I take the members of Christ and make them members of a prostitute' (2013, 309). It is through an informed conscience that one is able to make a moral judgment, and as a result, develop a mature conscience that is not determined by what authority says, whether it be scripture, tradition or cultural regulation. Informed conscience and freedom enable one to enter into dialogue with the authority or 'normativity' of the New Testament.

5.4 Proposals

The question surrounding individual choices is one of the subjects that needs further investigation, particularly regarding the following issues: mythological thinking of male dominance, cultural subjugation, gender equality, political marginalisation, economic transaction, and many others. One needs to investigate the cultural, religious, political, and economic implications of such practices. For example, the practice of *bogadi* has evolved and has become commercialised; as a result, young people who opt for cohabitation know that their relationship is not recognised by either the Church or their traditional custom. This may lead to further questions regarding freedom to practise any other marriage practice that a couple may choose. One of the future areas for research would perhaps be to investigate the nature and meaning of cohabitation amongst older cohabitators as well as the interplay between economic, cultural and traditional influences. Another area for research is the role of Tswana idioms in the increase in cohabitation and nonmarital status versus the status of marriage. This challenges the universalistic approach to such issues through the use of scripture which consequently downplays the diversity of contemporary marriage practices.

With regard to New Testament scholarship in South Africa, further research is recommended with regard to the intersection between the culture of betrothal in the Graeco-Roman first century Christianity and African tradition. Such a study should further the debate on post-colonial biblical interpretation of sex, gender and body as a property. It is imperative that New Testament scholarship in South Africa reconceptualises new theories surrounding the construction of race, ethnicity and identity as forms of boundary in the twenty first century. A further study in terms of New Testament ethics would be that of the concept of healing in relation to the Graeco-Roman understanding of healing in mega churches. Scholars such as

Vorster and Punt have ventured into raising crucial issues regarding the studies on sex, gender and body. Such a study incorporates queer theories. It further scrutinises the systems of power and construction of sexuality. This is precisely because both theories namely, queer and post-colonial can assist in the analytical processes of textual investigation probing the manner in which gender and sex were constructed and particularly the reasons for doing so. The life context in which interpretation takes place is vital since these issues reflect trajectories that New Testament scholarship in South Africa could contribute to these debates.

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