

## MALACHI 2:16 AGAIN

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Most English Bibles, beginning with the AV, render Malachi 2:16 in such a way that God is saying that he hates divorce – either in the first person (“I hate divorce,” NASB, NIV, NRSV) or in the third person (“he [= the LORD] hates divorce,” AV). Most acknowledge that this is extremely difficult to get from the Masoretic Text, and offer some set of corrections (re-vocalizing, emending the consonants).

An approach that is gaining favor in recent years takes the forms “hate” and “divorce” as two verbs that describe a sequence of actions, with the subject being a member of the restoration community that Malachi addressed:<sup>1</sup>

**ESV:** For the man who hates and divorces, says the LORD, the God of Israel, covers his garment with violence, says the LORD of hosts. So guard yourselves in your spirit, and do not be faithless.

**HCSB:** “If he hates and divorces [his wife],” says the LORD God of Israel, “he covers his garment with injustice,” says the LORD of Hosts. Therefore, watch yourselves carefully, and do not act treacherously.

There are slight syntactical differences between these versions, which we will need to assess; but their basic agreement is what we must attend to now.

Though this approach is gaining favor, assent is not unanimous. Some have even gone so far as to claim that the “God hates divorce” interpretation is traditional, and that the other interpretation weakens the Biblical testimony against divorce.<sup>2</sup> Hence the purpose of this essay is to review the arguments: first, to see whether there really is a “tradition,” and second, to evaluate the syntactical questions to see whether the more recent view really handles the details better. Finally, I will give some thoughts as to how this passage aims to function in the ethical formation of God’s people.

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<sup>1</sup> The two main sources that find this sense in the MT appeared simultaneously: Gordon P. Hugenberger, *Marriage as a Covenant: Biblical law and ethics as developed from Malachi* (Leiden: Brill, 1994), and C. John Collins, “The (intelligible) Masoretic Text of Malachi 2:16; or, How does God feel about divorce?” *Presbyterion* 20:1 (1994), 36-40. Collins also wrote the article on שִׁלְחָה in NIDOTTE 4:119-123, treating Mal 2:16 at 122. Of course, though Hugenberger and Collins arrived at their conclusions independently, neither of them worked in a vacuum, and their bibliographies show those who anticipated this interpretation. Among those who have found their arguments generally persuasive are: Joe Sprinkle, “Old Testament perspectives on divorce and remarriage,” *JETS* 40:4 (1997), 529-50; A.H. Konkel on שִׁלְחָה in NIDOTTE 3:1256-1260, at 1258; Martin Shields, “Syncretism and divorce in Malachi 2,10-16,” *ZAW* 111:1 (1999), 68-86; Douglas Stuart, “Malachi,” in Thomas McComiskey, ed., *The Minor Prophets*, vol. 3 (Baker, 1998); Markus Zehnder, “A fresh look at Malachi ii 13-16,” *VT* 53:2 (2003), 224-59; E. Ray Clendenon, “Malachi,” in R.A. Taylor and E. Ray Clendenon, *Haggai and Malachi* (NAC; Broadman & Holman, 2004).

<sup>2</sup> This has come primarily in private conversations up to now, with no serious interaction in print. It is possible, however, to draw this as an implication from the discussion in Hill’s commentary (249-50).

It is only right that I come clean about my own biases. First, I prefer to render the Masoretic Text as it is (accents and points included); second, I am a committed Christian, which means that I intend to act upon my conclusions. It also means that I respect the work and thought of the people of God who have come before me, and will only reluctantly differ from them on an important point (and marriage ethics are an important point). But the Bible must be the final arbiter.

Commitment to Christ means commitment to his Church, and to its ministry in today's world. There are married people in our churches, and we want to help them live out the beauty of Christian discipleship in order to commend the life that God gives and nurtures. There are divorced people in our churches – those who divorced before coming to church, and those who divorced while members of the church – and we want to help them deal properly with their pain and their moral responsibilities. There are people outside our churches, to whom we want to commend the creation ordinances in order to protect them from the dehumanizing effects of a rapidly secularizing culture. These various calls to ministry may seem to pull us in different directions; but in the final analysis, we must give our best judgment about what the Bible itself says.

The first bias will come into play in my ranking for the various kinds of solutions to this syntactical puzzle, namely, I prefer those that need no textual correction, provided they do not strain the grammar. The second bias will come into play when I reflect on how this passage ought to function in Christian ethical reasoning. I am just a philologist; but it would be silly to suppose that we can separate out the various interests into airtight compartments.

## 1. TRANSLATION HISTORY

In this section I will give an overview of the translation history for this verse. Because the verse has a context, I have included the full text of Malachi 2:10-16 in the MT and LXX in an appendix.

The Masoretic Text of Malachi 2:16 runs as follows (with ESV and its margin simply for reference):

כִּי־שָׂנֵא שְׁלַח אָמַר יְהוָה אֱלֹהֵי יִשְׂרָאֵל וְכָסָה חֶסֶם  
עַל־לְבוּשׁוֹ אָמַר יְהוָה צְבָאוֹת וְנִשְׁמַרְתֶּם בְּרוּחֵיכֶם  
וְלֹא תִבְגְּדוּ

For the man who hates and divorces, says the LORD, the God of Israel, covers\* his garment with violence, says the LORD of hosts. So guard yourselves in your spirit, and do not be faithless.

\* Probable meaning (compare Septuagint and Deuteronomy 24:1-4); or *The LORD, the God of Israel, says that he hates divorce, and him who covers*

As we examine these translations, we should pay special attention to how they treat the initial particle *kî* [כִּי], the verbs *sânê'* [סָנַעַ] and *shallakh* [שָׁלַח], and the form that begins the second clause, *w<sup>c</sup>kissâ* [וְכִסְּתָ]. I will simply comment on what the versions have done, and save my assessment for the next section.

The earliest known translation is the LXX:

ἀλλὰ ἐὰν μισήσας ἐξαποστείλης λέγει  
κύριος ὁ θεὸς τοῦ Ἰσραὴλ καὶ καλύψει  
ἀσέβεια ἐπὶ τὰ ἐνθυμήματά σου (τὰ  
ἐνδύματα αὐτοῦ) λέγει κύριος  
παντοκράτωρ καὶ φυλάξασθε ἐν τῷ  
πνεύματι ὑμῶν καὶ οὐ μὴ ἐγκαταλίπητε

But if having hated you divorce, says the  
Lord, the God of Israel, and iniquity will  
cover your thoughts (his garments), says  
the Lord Almighty. So guard yourselves in  
your spirit, and do not forsake.

It is often said that the LXX treated the initial particle *kî* as a conditional (“if”), as evidenced by the Greek ἐὰν. However, this misses the fact that the sentence begins with ἀλλά (“but”): this is the LXX rendering of the adversative *kî* (compare Gen 17:15). Hence it is just as likely that the translator took the particle as an adversative, and that he inferred the conditional construction from the context (or else that he double-translated the initial *kî*).

The translator interpreted the verbs *sânê'* *shallakh* as two consecutive actions: “he hated, [and then] he divorced.”<sup>3</sup> This is logical, since the same two verbs appear as a sequence in Deut 24:3, where a man comes to “hate” (*sânê'*, μισέω) his wife and therefore he “sends her away” (*shallakh*, ἐξαποστέλλω) from his house.<sup>4</sup> Is this grammatical? We shall argue below that it is.<sup>5</sup>

We should note a few textual matters in the LXX tradition. Some manuscripts have, in place of ἐὰν μισήσας ἐξαποστείλης (“if having hated you divorce”), ἐὰν μισήσης ἐξαπόστειλον (“if you hate, [then] divorce!”). This matches the reading found in the Targum and Vulgate (below), but neither Rahlfs’s nor the Göttingen editions of the LXX consider it the true text. Hence I will take their preference as the LXX reading. There is also some variation for τὰ ἐνθυμήματά σου (“your

<sup>3</sup> Interestingly enough, the LXX inflects the verbs as second person singular, rather than the third singular of MT. It is possible that the translator had a text with a 2s inflection in it, as witnessed by the Qumran text published in Russell Fuller, “Text-critical problems in Malachi 2:10-16,” *JBL* 110:1 (1991), 47-57. At 55 he gives the text of this part of verse 16: כִּי אַם שִׁנְתָה שְׁלַח, which could agree either with the LXX or with the Targum (see below). But (1) Fuller thinks that the MT is closer to the original text than the Qumran edition, and (2) it is easy to explain the LXX 2s inflection in verse 16 as continuing from its rendering of the Hebrew of verse 15 אֲלֵי־בְנֵי “let him not be faithless” (3s inflection) with μὴ ἐγκαταλίπησθε “do not forsake” (2s). Hence I take the inflection to be a result of the interpretive process rather than evidence of a different text. Actually, this is a good translation move: the Hebrew at the end of verse 15 runs, *ûb’êshet n’ûreykâ ‘al-yibgôd*, “and against the wife of your youth let no one be faithless” (ESV, “and let none of you be faithless to the wife of your youth”).

<sup>4</sup> See also Deut 22:13, 19, for the same two verbs (in both Hebrew and Greek).

<sup>5</sup> Two important articles on the relationship of the LXX to the Hebrew came from David C. Jones: “Malachi on divorce,” *Presbyterion* 15:1 (1989), 16-22; and “A note on the LXX of Malachi 2:16,” *JBL* 109 (1990), 683-85.

thoughts’): some texts have τὰ ἐνδύματα αὐτοῦ (“his garments”), which is more accurate to the Hebrew.<sup>6</sup> Although Rahlfs prints the former as the text, the Göttingen edition favors the latter. This last difference will not affect the questions we are exploring here.

In Aramaic, Targum Jonathan represents a different grammatical analysis:<sup>7</sup>

<p>ארי אם סנית לה פטרה אמר יי אלהא דישראל ולא תכס חטאה בלבושך אמר יי צבאות ותסתמרון ברוחכון ולא תשקרן</p>	<p>But if you hate her, divorce her, says the LORD God of Israel, and do not conceal sin in your garment, says the LORD of hosts. So take heed to yourselves and do not act deceitfully.</p>
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(The other important translation in an Aramaic dialect, the Syriac Peshitta, lacks the relevant phrase altogether.) The Targum treats the initial *kî* much as the LXX did, as an adversative (“but”), followed by a conditional (“if”). It differs, however, in that it takes the form *shallakh* as an imperative (a possible parsing), “divorce!” (supplying the object “her” for both “hate” and “divorce”). It inserts a negative “and do not” (ולא) in the second clause, changing what seems in MT (and LXX) to be a result or apodosis into a prohibition. The implication is that if a man does not divorce the wife whom he hates, he will conceal sin in his garment.<sup>8</sup> This does not flow easily from the MT.

The Vulgate is somewhat similar, but closer to the MT:

<p>cum odio habueris dimitte dicit Dominus Deus Israhel operiet autem iniquitas vestimentum eius dicit Dominus exercituum custodite spiritum vestrum et nolite despiciere</p>	<p>If you hate, divorce, says the Lord God of Israel, but iniquity will cover his garment, says the Lord of hosts; guard your spirit and do not despise.</p>
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Here the initial *kî* is taken as conditional (*cum*, “if” or “when”), and the form *shallakh* is taken to be an imperative (as the Targum). The second clause is taken as “but it will cover” (with “iniquity” as subject), which is grammatically possible in the MT.

Western Bible versions before the AV followed either the LXX or the Vulgate interpretation of the verse. For example, the 1545 Luther Bible has:<sup>9</sup>

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<sup>6</sup> In Collins, “Intelligible Masoretic Text,” 40 n. 18, I mentioned another way of interpreting this textual variation: “maybe the original word was ἐνθυμήματα, interpreting ‘garment’ as some sort of figure (‘your thoughts’), which a later editor brought closer to the literal Hebrew?”

<sup>7</sup> Aramaic text from A. Sperber, *The Bible in Aramaic* (Brill, 1962), 503; translation from K.J. Cathcart and R.P. Gordon, *The Targum of the Minor Prophets* (Aramaic Bible, vol. 14; Michael Glazier, 1989), 235.

<sup>8</sup> Compare this from the Talmud, *Gittin* 90b, commenting on our verse: “Rabbi Judah said, [This means that] if you hate her you should put her away.” (This is not the only opinion; the following statement from Rabbi Johanan says that he who puts his wife away is hated.)

<sup>9</sup> Accessed through [www.biblegateway.com](http://www.biblegateway.com). The 1967 edition of the Luther Bible, *Die Heilige Schrift*, is almost identical, but slightly improved: “Wer ihr aber gram ist und sie verstößt,

Wer ihr aber gram ist und verstößt sie, spricht der HERR, der Gott Israels, der bedeckt mit Frevel sein Kleid, spricht der HERR Zebaoth. Darum so seht euch vor vor eurem Geist und verachtet sie nicht.

Indeed, he who bears her ill will and repudiates her, says the LORD, the God of Israel, covers his garment with iniquity, says the LORD of Hosts. Therefore in this way watch over your spirit, and do not despise her.

This is similar to the analysis of the LXX. Luther comments as follows:<sup>10</sup>

This is another objection, namely, to be allowed to divorce wives by authority of the Law. The prophet answers as does Christ (Matt. 19:3-10), that one should not abandon his wife; that the flesh should not be separated but joined together. The text of Moses does not say “because you hate her” but “if she finds no favor in your eyes because you have found some indecency in her” (cf. Deut. 24:1). But if anyone wants to divorce his wife, the Lord says, “Iniquity will cover him.” It is as if he were saying: “If you wish to do this according to this law which is given to and borne by the wicked, the hard-hearted, and the cruel, well and good. Then you must bear the name of being evil and wicked rascals. After all, *whoever divorces his wife because he hates her is revealed as a violator, a hurter, a promise-breaker, a violator of his pledge, a man who lacks honesty and honor, one who has not done what he should but what he should not. ... This stain covers him like a cloak.*

In other words, Luther took this as a condemnation of divorce – at least divorce that is not based on a spouse’s wrong behavior.

Calvin is closer to the Vulgate:<sup>11</sup>

Si odio habeas (quisque odio habet), dimittat (*i.e.* uxorem) dicit Iehovah Deus Israhel; et operit (*vel, textit*) violentiam sub vestimento suo, dicit Iehovah exercituum: ergo custodiamini in spiritu vestro et ne fraudetis.

If you hate (anyone hates), let him divorce (his wife), says Jehovah, the God of Israel; and he conceals (or, weaves) violence under his garment, says Jehovah of hosts: therefore be guarded in your spirit lest you defraud.

His comments show that he thought that the prophet was speaking to an audience that committed polygamy (which he decried as a “libidinous” violation of the marriage vow):

We indeed know that repudiation, properly speaking, had never been allowed by God; for though it was not punished under the law, yet it was not permitted. ...

But if a comparison be made, Malachi says, it is a lighter crime to dismiss a wife than to marry many wives. ... Here, however, where God compares polygamy with

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spricht der HERR, der Gott Israels, der bedeckt mit Frevel sein Kleid, spricht der HERR Zebaoth. Darum so seht euch vor in eurem Geist und brecht nicht die Treue!”

<sup>10</sup> Martin Luther, *Works, vol. 18: Minor Prophets* (H.C. Oswald, ed.; Concordia, 1975), 406 (italics added).

<sup>11</sup> John Calvin, *Zechariah and Malachi* (Baker, 1979 [reprint of Calvin Translation Society ET, 1849]), 559. The translation on page 664 treats the form *dimittat* (“let him divorce” in my translation) as if it were an imperative: “For if thou hatest, dismiss.” This does not correspond to the Latin on page 559, which lacks the connector “for,” and which has *dimittat* (a subjunctive). The editor has printed the AV as the English next to the Latin on page 559, and explains his preference for the AV on page 561 n.1. Actually, he prefers to correct AV to read, “For he hates the divorcer, says Jehovah, the God of Israel, and the coverer of outrage on his own garment, says Jehovah of hosts.”

divorce, he says that polygamy is the worse and more detestable crime; for the husband impurely connects himself with another woman, and then not only deals unfaithfully with his wife to whom he is bound, but also forcibly detains her. ...

This then is the reason why the Prophet now says, *If thou hatest, dismiss*; not that he grants indulgence to divorce, as we have said, but that he might by this circumstance enhance the crime; and hence he adds, *For he covers by a cloak his violence*. ... [He says,] "This is the way in which you act; for ye destroy the bond of marriage, and ye afterwards deceive your miserable wives, and yet ye force them by your tyranny to continue at your houses, and thus ye torment your miserable wives, who might have enjoyed their freedom, if divorce had been granted them.

Calvin's reading of the verse is influenced by the Vulgate, apparently; and we might (or might not) disagree with his analysis. But in any case his effort is a commendable one, because he tries to understand the passage in what he took to be the situational context, and then relates that to larger considerations (such as the nature of marriage as defined by creation).

The early English versions followed Calvin's reading, "if he hate her, put her away" (Coverdale, 1535; Great Bible, 1540, Geneva Bible, 1560). The 1611 AV, however, put that reading in the margin, and had as its main text the now familiar:

For the LORD, the God of Israel, saith that he hateth putting away: for one covereth violence with his garment, saith the LORD of hosts: therefore take heed to your spirit, that ye deal not treacherously.

This represents an innovation in the history of interpretation:<sup>12</sup> now the initial particle *kî* is taken as both a logical connector ("for") and as introducing indirect speech ("says *that*") – in other words, it is translated twice. Further, the verb *sânê'* is taken as a 3ms perfect (as everyone does), but now with the LORD as the subject; and the form *shallakh* is now treated as a Piel infinitive construct, "the act of divorcing." The "converted perfect" (*weqatal*) form that begins the second clause, *w<sup>e</sup>kissâ* (literally, "and he will cover") is taken to be explanatory, the *waw* rendered as "for."

It is hard to know whether the choice between the two renderings, the AV text and margin, was controversial. In any case, the Westminster Assembly's annotations on the passage give both options, and express no preference. Here is how they expound the marginal reading:<sup>13</sup>

V.16. *That he hateth putting away*] Or, *if he hate her, put her away*. According to this later translation some expound the words, That God wills and allows this putting

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<sup>12</sup> There appear to be antecedents; the editor of Calvin's commentary mentions (at 561 n.1) *Jun.*, *Trem.*, and *Piscator* – apparently referring to Franciscus Junius (1545-1602), John Immanuel Tremellius (1510-80), and Johannes Piscator [Fischer] (1546-1625). Junius and Tremellius produced a Latin Bible with Theodore Beza, around 1590. John Milton, writing in 1645, can decry the "new interpretation" (that of the AV text), which he claimed rested "only in the Authority of Junius" (*Tetrachordon*, discussion of Deut 24:1-2): the point here is not to endorse Milton's position, but to show that the AV rendering was indeed an innovation in English.

<sup>13</sup> *The Westminster Annotations and Commentary on the Whole Bible*, vol. 5 (1657), reprinted by Still Waters Revival. Spelling and punctuation follow the original.

away of the lawfull wife, not in itself, but in case of the husbands hatred, and then not simply, but comparatively; as esteeming this putting away, or Bill of Divorce, a lesser grievance to the true wife, she being so freed from that yoke of bondage, under her hating husband ...; and also a lesser offence in itself, then *Polygamy* is. ... And thus divorce was, if not permitted, yet not punished under the Law.

The influence of Calvin in expounding the alternative is plain.

The AV performed a remarkable work: it set the standard for what the English Bible should say and sound like.<sup>14</sup> This, it seems, explains why the important English Bibles carried forward its general interpretations, including here:

RV (1884): For I hate\* putting away, saith the LORD, the God of Israel, and him that covereth his garment with violence, saith the LORD of hosts: therefore take heed to your spirit, that ye deal not treacherously. [JPSA (1917) the same.]

[Margin: \* *Heb.* he hateth]

RSV (1952): For I hate\* divorce, says the LORD, the God of Israel, and covering one's garment with violence, says the LORD of hosts. So take heed to yourselves and do not be faithless. [NRSV (1989) the same.]

[Margin: \* *Cn.* he hates]

NASB (1975): "For I hate divorce," says the LORD, the God of Israel, "and him who covers his garment with wrong," says the LORD of hosts. "So take heed to your spirit, that you do not deal treacherously."

NKJV (1982): "For the LORD God of Israel says that He hates divorce, for it covers one's garment with violence," says the LORD of hosts. "Therefore take heed to your spirit, that you do not deal treacherously."

The NIV (1978) – though not claiming to be in this stream – nevertheless is similar:

"I hate divorce," says the LORD God of Israel, "and I hate a man's covering himself\* with violence as well as with his garment," says the LORD Almighty. So guard yourself in your spirit, and do not break faith.

[Margin: \* Or *his wife*]

A comparatively minor version, called An American Translation, appeared in 1935: the editors were the prominent scholars E.J. Goodspeed (NT) and J.M. Powis Smith (OT). It read:<sup>15</sup>

"For one who hates and divorces," says the LORD God of Israel, "covers his clothing with violence," says the LORD of hosts.

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<sup>14</sup> The Douai-Rheims version, for Roman Catholics, followed the Vulgate, but did not wield the same influence.

<sup>15</sup> Cited from C. Vaughan, *The Word: The Bible from 26 translations* (Gulfport, MS: Mathis, 1993), 1869. Powis Smith wrote the ICC on Malachi, where he argues (60) for keeping *sânê'* as a perfect and re-vocalizing *shallakh* to the perfect form *shillakh* (not *shillêakh* as in his text), "in asyndetic construction with" *sânê'*; unfortunately, he does not give any syntactical defense.

The NEB appeared in 1970, and has been widely criticized for its incautious use of textual criticism and comparative philology. Its revision, the REB, appeared in 1989, and shows much more restraint and care. They are identical at Malachi 2:16:

If a man divorces or puts away his wife, says the LORD God of Israel, he overwhelms her with cruelty, says the LORD of Hosts. Keep watch on your spirit, and do not be unfaithful.

This seems to treat both verbs *sânê'* and *shallakh* as synonyms, put together for emphasis;<sup>16</sup> and it analyzes *kî* as a conditional, with the *weqatal* verb form *w<sup>e</sup>kissâ* as introducing the apodosis. This returns to the LXX interpretation, with a twist.

The ESV and HCSB, given above, complete the picture. As I will soon discuss the syntactical questions that underlie them, I will say no more now.

## 2. SYNTACTICAL AND EXEGETICAL CONSIDERATIONS

I will consider the two main contenders for this verse to be the “God hates divorce” reading (as in the AV), and the “Jewish man hates his wife and thus divorces her” reading (as in the ESV). I will take these in that order, giving the arguments for each reading and only afterward assessing the competitors.

It is certainly true that the syntax is challenging, and no matter which way we prefer to go the explanation will be tortuous. This explains the readiness to emend (or at least to revocalize) that we find in so many commentaries. But if the MT makes sense, then we should be reluctant to change the text; and the mere fact that the syntactical explanations are involved does not mean that we are left only with guesses and preferences. In my judgment, there is a clear winner in all this examination.

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<sup>16</sup> The warrant for this is the belief that the Aramaic verb *s-n'* is used in the Elephantine documents, roughly contemporary with Malachi, in the sense “divorce.” The Aramaic texts can be found in A.E. Cowley, *Aramaic Papyri of the Fifth Century BC* (Oxford: The Clarendon Press, 1923), papyrus 9, line 8; papyrus 15, lines 23, 27; papyrus 18, line 1; and in E.G. Kraeling, *The Brooklyn Museum Aramaic Papyri: New documents of the fifth century BC from the Jewish colony at Elephantine* (New Haven: Yale University Press, 1953), papyrus 2, lines 7-9; papyrus 7, lines 21-25, 34-40. This is probably a mistake in lexicography, as R. Westbrook argues in “The prohibition on restoration of marriage in Deuteronomy 24:1-4,” in Sara Japhet, ed., *Studies in Bible* (Scripta Hierosolymitana 31; Jerusalem: Magnes Press, 1986), 387-405, at 399-402. He suggests that instead “hate” is used as an abbreviation of a longer formula, “hate and divorce.” Not only does this fit the pattern found in cuneiform sources, but it also fits the Elephantine documents themselves, where we find: if a husband says, “I hate my wife, she shall not be my wife” (e.g. Kraeling, 7:22). As Westbrook observes (401), “It is the second clause which is the operative divorce formula and which was omitted, but implied, in the other two contracts. The term ‘hate’ is therefore an addition to the divorce formula which expresses not the divorce itself (for which there is another technical term) but some extra dimension thereof.”

2a. “God hates divorce”

Those who favor the “God hates divorce” reading of this verse generally acknowledge that it is difficult to get it from the MT as it is, and thus suggest various textual corrections – whether in the form of re-vocalizing, or even of emending the consonants.

I will start here with those options that work with the MT, before we consider options that involve revocalizing or emending.

Recall the part of Mal 2:16 that presents the difficulties:

כִּי־שָׂנֵא שְׁלַח אָמַר יְהוָה אֱלֹהֵי יִשְׂרָאֵל  
וְכִסָּה חָמָס עַל־לְבוּשׁוֹ אָמַר יְהוָה צְבָאוֹת

To find God saying that he hates divorce in this text, we must make several syntactical moves.

First, we must take כִּי [kî] as introducing indirect speech, anticipating the verb אָמַר [‘amar]. I have noted above that the AV has double-translated this word, with both “for” and “that”: but we must choose one or the other.

Second, we must take שָׂנֵא [sânê'] as a perfect,<sup>17</sup> with God as the subject (again, anticipating the subject of אָמַר); we then take שְׁלַח [shallakh] as an infinitive construct, with the sense “the act of sending away” (i.e. divorcing), serving as the object of שָׂנֵא. The verb שָׂנֵא, being stative, can have a present reference in the perfect, and this yields for the first line:

*that he hates sending away said the LORD, God of Israel*

The second clause presents us with the problem of what is the subject of the verb וְכִסָּה [w<sup>e</sup>kissâ], whose tense is *weqatal*, or “converted perfect.” It could be the LORD, or it could be חָמָס [khâmâs]; but probably the best solution is that of Gesenius-Kautsch-Cowley (GKC §155n), which takes it as a relative clause (arguing that the elevated style allows such an analysis): “and [him who] will cover.”<sup>18</sup> By this analysis חָמָס is an adverbial accusative (of material), and we get the marginal reading of ESV:

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<sup>17</sup> It is unlikely that this is a participle, even though the verb has stative vocalization in the perfect. The participle is attested for this verb, and it is שֹׂנֵא (sônê'). Keil ends up with a translation similar to the one under discussion here, contending that the verb is a participle with pronominal subject missing – but he makes no mention of the normal spelling of the participle for this verb.

<sup>18</sup> However, GKC acknowledges that this is difficult, and suggests revocalizing to וְכִסָּה [w<sup>e</sup>kôseh], which would be a more obvious way of saying it (the other example they offer is syntactically different). Likewise BHS suggest revocalizing to וְכִסָּה [w<sup>e</sup>kassêh], yielding “and the [act of] covering.” These revocalizations (or even the outright emendation also mentioned in BHS) are far less syntactically strained than the interpretation offered.

*and him who covers his garment with violence*

Another possibility, reflected in AV/NKJV, keeps the relative clause interpretation, takes שָׁלַח “sending away” as the subject of the verb, and has the relative clause being explanatory:

*and it [sending away] covers his garment with violence → for it covers one’s garment with violence*

It is this analysis (with *w<sup>e</sup>kissâ* as a relative clause) that lies behind the ESV marginal alternative:

*The LORD, the God of Israel, says that he hates divorce, and him who covers his garment with violence.*

As I have indicated, it is widely admitted that the MT yields this only with great difficulty. Thus we have a variety of proposals for textual correction.

A common proposal replaces the 3ms form *sânê’* with a first person form such as *sânê’tî* [שָׁנְאֵתִי] to get “I hate.”<sup>19</sup> A variation of this is to re-vocalize the verb to be a participle, *sônê’*, and to supply a pronoun *’ânôkî* “I” (perhaps lost due to the similarity with the initial particle *kî*).<sup>20</sup> Some have proposed simply re-vocalizing the verb, without adding the pronoun (assuming it can be understood from the context).<sup>21</sup> Sometimes one of these goes together with revising the form *w<sup>e</sup>kissâ* that introduces the second clause to be *w<sup>e</sup>kôseh* “and him who covers” or *w<sup>e</sup>kassêh* (using a Piel infinitive absolute) “and the covering,” or even *k<sup>e</sup>kassêh* (emending the consonant) “like the covering.”

These proposals suggest that the MT does not easily yield the sense of the AV, though many think that the context demands it. The ESV margin gives the best rendering in this family that adheres to the MT. Can we find a way to read the MT that is not so awkward?

## 2b. “Jewish man hates his wife and thus divorces her”

The second approach takes its cue from the LXX, ἀλλὰ ἐὰν μισήσας ἐξαποστείλης “but if having hated you divorce.” The aorist participle before the main verb is one way to render consecutive actions, “you hate [and then] you divorce.”<sup>22</sup> The person who is the subject of both verbs is the man, a member of the restoration

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<sup>19</sup> E.g. BHS apparatus; S.R. Driver, 317; J.G. Baldwin, 241 (apparently); R.L. Smith, 319-20.

<sup>20</sup> E.g. C. von Orelli, 396. B. Glazier-McDonald, 110, mentions those who argue similarly, except with *’nî* [נִי] following *sânê’*, lost due to the resemblance with the letters *n’* [נ] at the end of *sânê’*.

<sup>21</sup> E.g. Verhoef, 278.

<sup>22</sup> Compare the LXX rendering of *wayyiqtol* verb forms with aorist participles in Gen 3:6; 4:1, 17, 25; 12:18.

community in Judah. This is suggestive, since the only other places in the OT where these two verbs occur one after the other, represent them as sequential actions by the same person (Gen 26:27; Deut 24:3). The example from Deuteronomy is helpful, since the topic of discussion in Mal 2:10-16 seems to be Jewish men who abandon their Jewish wives in order to marry women from foreign (and pagan) families.<sup>23</sup>

But can this be syntactically justified? In order for our answer to be “yes,” we will need to demonstrate the following: first, that the form שָׁלַח [shallakh] can be performing the same syntactic function as the perfect verb שָׁנַע [sânê]; and second, that the two verbs may be legitimately linked even though they are syntactically asyndetic (that is, there is no conjunction linking them). Other matters, such as the function of the particle כִּי [kî] that opens the verse, and the syntax of the second line, will also need discussion; but the validity of the overall scheme does not depend on them as heavily.

It seems reasonable to say that the LXX translator took the consonantal form שָׁלַח [sh-l-kh] as if it were a piel perfect. It is often difficult to know just what information the LXX translators had about the vocalization of the texts they had before them. Quite possibly all the translator was going by was the juxtaposition of the two verbs, as in Deut 24:3 – though in the case of the latter text, the two verbs are separated by 8 words in Hebrew and 17 words in Greek, so we should not press this too far into a dismissal.

But as a matter of fact, there are two ways the form שָׁלַח [shallakh], with no change of vocalization, can be a perfect or its equivalent. The first way is if the spelling (a short *a* in the first syllable) is an alternate spelling of the standard perfect – an unusual, but not unattested phenomenon.<sup>24</sup> One might object that the normal spelling of this verb’s piel perfect occurs often enough in the OT, although not in Malachi. The form that we see here is typically the infinitive construct.<sup>25</sup>

This leads to the other way *shallakh* can be equivalent to the perfect. It is possible that what we have here is an infinitive construct, substituting for an infinitive absolute, which is doing the work of a finite verb (in this case, conditioned by the preceding perfect). The infinitive absolute can serve as the equivalent of the

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<sup>23</sup> Hugenberger, *Brief Commentary*, 22, describes two offences (which of course follows Malachi’s own words): “intermarriage with pagans,” and “divorce based merely on aversion or incompatibility.” My reading sees the two offences linked closely together. The so-called “cultic interpretations” of this oracle need not concern us here.

<sup>24</sup> This is what I argued for in Collins, “Intelligible Masoretic text,” 37-38. I cited the Modern Hebrew commentary of Mordecai Zar-Kavod, particularly his note 24 on page 8\*. He appeals to the examples of Gen 41:51 (*nashshanî* in place of *nishshanî*) and Num 24:17 (*w<sup>e</sup>qarqar* in place of *w<sup>e</sup>qirqar*, pilpel of *q-r-r*). Joüon-Muraoka §52a shows that the normal piel perfect *qittel* derives from an earlier *qattal*, note (6) there calls the form in Gen 41:51 “archaic.”

<sup>25</sup> Or else the masculine singular imperative, which seems to lie behind the Vulgate rendering *dimitte*, “send away!”

preceding form (Joüon-Muraoka §123x), and the infinitive construct can appear at times as a substitute for the absolute (Joüon-Muraoka §123q).<sup>26</sup>

The second big question concerns the lack of a conjunction joining the two verbs “hate” and “divorce.” Asyndeton is also a known phenomenon in the OT, and it can be “a rhetorical expedient to produce a hurried ... description” – in other words, it is a rhetorical category, not a grammatical one.<sup>27</sup> Consider Job 20:19, which begins, “For he has crushed and abandoned the poor.” The “and” is an addition for the sake of English; the Hebrew runs, “for he has crushed, he has abandoned the poor.”

We have answered the two crucial questions with a “yes.” It remains to explain the syntax of the rest of the text. First, what should we make of the particle כִּי [kî] that opens the verse: is it causal (“for”), conditional (“if”), or something else? I have argued that a causal interpretation makes the most sense, because it shows the connection between verse 16 and the preceding part of verse 15: a man must guard himself, and must not “be faithless” to the wife of his youth – for if he goes on to hate his wife and divorce her, he will be guilty of a sin against the marital unity that is the ideal described in verse 15.

On the other hand, Hugenberg (followed by Clendenon) prefers the conditional: “if a man hates and divorces, then ... .” The advantage of this is that it straightforwardly treats the *weqatal* וְקָטַל [w<sup>e</sup>kissâ] as introducing the apodosis, which is a common function of this tense form. The disadvantage is that it is rare for kî to introduce the protasis when the verb is perfect,<sup>28</sup> and also that it loses the connection with what precedes.

And what of the second line? The question concerns the subject of וְקָטַל: is it the man who does the deed of the first half, or God (who is the subject of “says”), or

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<sup>26</sup> This is the position that Hugenberg argues for in *Marriage as a Covenant*, 73. He initially posits an infinitive absolute form, and then responds to the problem raised by this, namely that the absolute is spelled שָׁלַח [shallakh], with reference to the infinitive construct as a substitute. He notes that, according to GKC §52o and Joüon-Muraoka §52c, this substitution happens commonly in the piel theme. I do not think the third alternative, that shallakh is an infinitive construct expressing result, will work. Sprinkle, “OT perspectives on marriage and divorce,” 540 n. 22, made the suggestion; Clendenon, 367 n. 196, supports it, offering Gen 8:12; Exod 2:18; and Psa 109: 16 as examples of the phenomenon. However, these all use verbs whose very syntax takes a complementary infinitive, such as *yâsap*, *mihar*, and *zâkar*; such is not the case for our verb *sânê’*.

<sup>27</sup> GKC §154a, note 1(a). See also Joüon-Muraoka §177a. Good examples include Jdg 5:27; Exod 15:9; Deut 32:15; 1 Sam 15:6; Amos 5:21; Psa 10:10; 14:1; Job 20:19; 29:8; Song 2:11.

<sup>28</sup> In Collins, “Intelligible Masoretic text,” 39, I express hesitancy about whether it is ever a demonstrable use of the kî. Clendenon, 364 n. 181, offers a number of texts in which conditional כִּי “arguably occurs with the perfect as well.” The word “arguably” is well-chosen: most of his examples are better explained as rhetorical uses of explanatory kî, occasionally of concessive or nominalizing kî. A few remain as introducing the protasis, such as Lev 13:51; Num 5:20; Ezek 3:19, 21; 33:9; Job 7:13. I take his point, but (1) it is still rare; and (2) the context seems to favor the causal use.

כִּפְּרָה “violence”? In the first two cases, then “violence” should be an adverbial accusative of material – “with violence.” It seems easiest to suppose that the pronominal suffix on garment, “his,” refers to the man who hates and divorces. This makes it unlikely that God is the subject of the verb: “he [i.e. God] will cover his [i.e. the man’s] garment with violence” seems a jarring use of the third person, virtually helping the reader to misunderstand. This relieves us of too much concern over whether “violence” is the subject of the verb or the material: “violence will cover his garment” is indistinguishable from “he will cover his garment with violence,” except that the latter lays a heavier stress on the man’s responsibility. This reading also makes better sense, because by it the successive 3ms verbs have the same subject. (“To have one’s garment covered with violence” seems to be an expression for defiling one’s character.<sup>29</sup>)

All of this yields:

*For he hated, he divorced, said the LORD, the God of Israel, and he will [thus] cover his garment with violence.*

To smooth this out for English purposes, we can note that the perfect tense can be used to present a particular case as a representative of the general (the so-called “gnomic” perfect); hence the prophet is proposing a scenario in concrete terms, whose impact is “whenever a man hates (and thus) divorces.”<sup>30</sup> Taken this way, we find a *de facto* conditional, and the apodosis begins with the *weqatal* tense form. Thus we arrive at the ESV (first printing):

*For the man who hates and divorces, says the LORD, the God of Israel, covers his garment with violence.*

(For discussion of the ESV Update of 2006, see Section 3 below.)

### 3. ASSESSMENT

Thus we have two basic approaches – each involves a fair amount of complexity. Can we say with any confidence that one is more likely than the other?

The interpretation represented by the ESV margin (“The LORD, the God of Israel, says that he hates divorce, and him who covers his garment with violence”) requires that we interpret the phrase “says the LORD, the God of Israel” differently from its typical usage in Malachi. As Clendenon notes, in 16 out of its other 17 places in the book where we have God speaking for himself followed by

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<sup>29</sup> For discussion, see Collins, “Intelligible Masoretic Text,” 38-39. Note the similarities to Luther’s explanation, given above.

<sup>30</sup> See Max Rogland, *Alleged Non-Past Uses of QATAL in Classical Hebrew* (Assen: Royal Van Gorcum, 2003), chapter 2. This relieves us of the problems that led Zehnder (“Fresh look at Malachi ii 13-16,” 254) to take *sânê’* as a verbal adjective or to re-vocalize it to be a participle.

the phrase “says the LORD,” we have first person speech so that we know that it is God.<sup>31</sup> For example, consider 1:6:

*If then I am a father, where is my honor? And if I am a master, where is my fear? says the LORD of hosts to you, O priests, who despise my name.*

This interpretation further treats the particle *kî* as a nominalizer to go with the verb אָמַר – that is, it introduces the indirect speech. But we expect the *kî* clause to follow the verb; indeed, the normal procedure of text processing would render it almost certain that the reader or hearer would misunderstand. Consider 1:14

כִּי מֶלֶךְ גָּדוֹל אֲנִי אָמַר יְהוָה צְבָאוֹת  
וְשְׁמִי נִרְאָה בְּגוֹיִם For I am a great King, says the LORD of  
hosts, and my name will be feared among  
the nations.

The *kî*, which comes first, would be processed as causal, and no one would re-process it when he got to the verb *ʿamar* – nor should he. (Recall that the AV double-translated it as both!)

The ESV margin, which takes *w<sup>e</sup>kissâ* as a relative clause, is better than the NKJV reading, because the latter has us shift from the third person masculine singular subject of the verb (inferred as “divorce”) to a different referent for the third person masculine singular pronoun in the same clause (“his garment”), and hides the shift by treating that pronoun as indefinite (“one’s garment”). But even though the ESV margin is better than the NKJV rendering, it still employs the *weqatal* verb in a way that seems easy to misunderstand.

One effort to explain the text that fits into no other category is that of Andrew Hill.<sup>32</sup> Here is how he renders verses 15-16:

<sup>15</sup> Surely [The] One made [everything]? Even a residue of spirit belongs to him. And what does The One seek? A seed of God. So guard yourselves in your own spirit! Stop breaking faith with the wife of your youth!

<sup>16</sup> “Indeed, [The One] hates divorce!” Yahweh, the God of Israel, has said. “For he covers his clothing with violence,” Yahweh of Hosts has said. So guard yourselves in your own spirit! You shall not break faith!

Now, verse 15 is exceedingly difficult, and I do not intend to examine its details here. The ESV (with its marginal notes), printed in the Appendix of this paper, shows what I think is the best way to resolve its challenges. But in any case, we can see that Hill has carried over “The One” (a title for God) from verse 15, as the subject of the verb *sânê* (“hates”). He treats the form *w<sup>e</sup>kissâ* as explanatory (compare AV/NKJV above), and shifts the subject to the man who divorces.

The criticisms of Zehnder show why we should not consider this a viable approach to the problem:<sup>33</sup>

<sup>31</sup> Clendenon cites 1:2, 4, 6, 10, 11, 13; 2:2, 4; 3:1, 5, 7, 10, 11, 13, 17, 21 [ET 4:3]. He notes that 1:9 is an apparent exception, but “there ‘God’ is explicitly referred to whereas here [in 2:16] we only have ‘he.’” The formula “says the LORD” also appears in 1:8, 14; 2:8, 16; 3:12, 19 [ET 4:1].

<sup>32</sup> Hill, 221, with discussion at 243-54. For a general perspective on this commentary, see my review in *Trinity Journal* 21:2 n.s. (2000), 213-17.

The suggestion that שׂנא is related to הִאָחַד of verse 15 and that the beginning of verse 16 is to be rendered with “For He (i.e., the One [= God]) hates divorce”, also has its problems; for the distance to הִאָחַד is too wide to allow the assumption that the function of subject attached to הִאָחַד is simply taken over in the new sentence; and the sequence of “for he hates divorce” and “says YHWH” is strange. Finally, no matter whether שׂנא is related to YHWH in the first or in the third person, one faces the additional problem of a change in subject between שׂנא and וַיִּכְסֶה.

The rendering found in the ESV text, on the other hand, relies on some unusual phenomena, but none of those presents a serious problem with the intelligibility of the Hebrew text. For example, the form שָׁלַח – whether we explain it as a perfect with unique vocalization in the first syllable, or as an infinitive construct substituting for an infinitive absolute – requires an appeal to a peculiarity; but once the appeal is made, nothing is *un*-grammatical (or even suspect). This way of treating the verb also allows us to see the inter-textual reference to Deut 24:1-4 (compare also Deut 22:13, 16). (We will see below that the prophet is commenting on this text in a way that anticipates Jesus’ own comments.) It further allows us to see the proper function of the particle *kî*, which connects to what came before, and it gives us a way of relating the first line (as a protasis or quasi-protasis) to the second line (as an apodosis). In this way the whole context, 2:10-16, reads as a coherent whole.

The ESV Update (2006) has kept the same analysis but has clarified the interpretation:

*For the man who does not love his wife but divorces her,<sup>1</sup> says the LORD, the God of Israel, covers<sup>2</sup> his garment with violence, says the LORD of hosts. So guard yourselves in your spirit, and do not be faithless.*

[Marginal notes:

<sup>1</sup> Hebrew *who hates and divorces* (see 1:3)

<sup>2</sup> Probable meaning (compare Septuagint and Deuteronomy 24:1-4); or *The LORD, the God of Israel, says that he hates divorce, and him who covers]*

The purpose of this clarification is to address the sense of the word “hate,” which may sound stronger to the English ear than it needs to. The term “hate” appears in a marriage context with the sense, “no longer to love” (as in Deut 22:13; 24:3). In Deut 21:15 the terms “loved” and “hated” are applied to wives, in the sense of “loved more” and “loved less” (as in ESV).<sup>34</sup> There is some possibility that the idea in Malachi (and in Deut 24:3) is that the divorce takes place without justification, that is, “where the husband follows his own inclination and the wife has done nothing to deserve such a fate.”<sup>35</sup> In context, the “inclination” comes from the preference for the “daughter of a foreign god” (verse 11) over the “wife of one’s youth, the companion and wife by covenant” (verse 14) – which I take to

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<sup>33</sup> Zehnder, “A fresh look at Mal ii 13-16,” 253.

<sup>34</sup> Perhaps this explains the antithesis of “love” and “hate” in Matt 6:24, and the “hating” in Luke 14:26; likely also the antithesis of “love” and “hate” in Mal 1:2-3.

<sup>35</sup> See Westbrook, “Restoration of marriage,” 401-404.

imply that some men in the restoration community were taking young women of other religions as their wives, and divorcing their (perhaps aging) wives from the community who served the LORD.

#### 4. THE FUNCTION OF THIS TEXT IN ETHICAL FORMATION

Those who wish to preserve the “God hates divorce” rendering want the prophet to be delivering a timeless ethical principle that corrects an abuse of marriage, which some people were perhaps trying to justify by appealing to the Sinai legislation. The various ways that ethicists have tried to use Malachi (or any prophet) in their ethical discussions raise two basic questions: first, how does the Bible (and especially the Old Testament) convey its ethical principles, and second, how did a prophet function in ancient Israel and Judah.

I have found the studies of Christopher Wright and Gordon Wenham to be the most helpful in understanding the workings of ethics in the Old Testament, and the relation of the laws to ethical norms.<sup>36</sup>

The Bible starts with God making the heavens and earth, the earth being a good and fitting place for the human family to live, to love, and to serve. The first humans, Adam and Eve, came forth “in the image of God” – “an expression or transcription of the eternal, incorporeal creator in terms of temporal, bodily, creaturely existence.”<sup>37</sup> This means that in their proper functioning they mirrored the character of God himself, which includes his creativity and intelligence, as well as his devotion to committed relationships (i.e., covenant faithfulness). The Fall of our first parents damaged human nature, deflecting it from its created goodness. The redemptive covenants of the Bible have the purpose of restoring the damaged creature to its proper functioning.

Thus the two crucial aspects of proper moral conduct are, as Wright observes, imitating “the character and ways of God” and return to the good pattern of creation.<sup>38</sup> Wright goes on to say,

The purpose of the ethical provisions given in the context of redemption, which include both the covenant law of the Old Testament and the ethics of the kingdom of God in the New, is to restore to humans the desire and the ability to conform to the creational pattern – God’s original purpose for them.

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<sup>36</sup> For example, Christopher J.H. Wright, *Old Testament Ethics for the People of God* (Downers Grove: InterVarsity, 2004) [an update of his 1983 *Living as the People of God*]; *Walking in the Ways of the Lord: The ethical authority of the Old Testament* (Downers Grove: InterVarsity, 1995); *Knowing Jesus through the Old Testament* (Downers Grove: InterVarsity, 1992); Gordon J. Wenham, *Story as Torah: Reading Old Testament narratives ethically* (Grand Rapids: Baker, 2000).

<sup>37</sup> Derek Kidner, *Genesis* (TOTC; Downers Grove: InterVarsity, 1967), 51.

<sup>38</sup> Wright, *Walking in the Ways of the Lord*, 13-45. See my discussion of creation ordinances, and of the reflections on marriage based on Gen 2:24, in my forthcoming *Genesis 1-4: A linguistic, literary, and theological commentary* (Phillipsburg, NJ: P&R, 2005), chapter 5.

In order to understand how the specific laws of the Mosaic Covenant function, one must appreciate what Wenham has called “the gap between law and ethics”: that is, the laws have an ethical basis because they protect equity, but they do not specify the ethical ideal for God’s people. Rather, they preserve a floor of civility necessary for the social fabric to survive.<sup>39</sup> The ethical ideal goes beyond the legislation: it is the ceiling of behavior, which is as high as heaven itself.

And what is the role of the prophet in the Old Testament? The office of prophet is an occasional one (the priest is the regular “minister of word and sacrament”), with its context being the Mosaic Covenant. Wright describes the function of that covenant:<sup>40</sup>

The point of being Israel and living as the people of Yahweh was to make the universal reign of God local and visible in their whole structure of religious, social, economic and political life.

When Israel is true to the covenant, they bear witness to the entire world that the God of the covenant is the one true God, Maker of heaven and earth, for whom the hearts of all mankind yearn. Sadly, Israel was regularly untrue to the covenant; and thus the work of the prophet is to call them back. Here is how Dumbrell describes the work of the prophet:<sup>41</sup>

Prophecy was a covenant office in the sense that its rationale lay in the need for the construction of such an office because of Israel’s potential infidelity.

Since the prophets’ main message is to call the people back to living as the people of God, it stands to reason that we do not expect them to be legislators, still less ethical innovators. Instead, they will explicate the ethics already inherent in the Pentateuch. Further, their work, being occasional, will display its “historical particularity”: that is, it addresses a specific context.

Now let us apply these thoughts to the case of Malachi 2:16.

The obvious question about this text is its relation to Deuteronomy 24:1-4. Many commentators have argued for the standard emendation (changing “he hates” to “I hate”) by suggesting that “the text [that Malachi wrote] suffered early at the hands of some who wanted to bring Malachi’s teaching into line with that of Deuteronomy 24:1” – in other words, the Hebrew Malachi wrote does not comport with the Deuteronomy text, while the Hebrew we have comports all too well.<sup>42</sup>

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<sup>39</sup> See G.J. Wenham, *Story as Torah*, 73-107.

<sup>40</sup> C.J.H. Wright, *Knowing Jesus through the OT*, 248.

<sup>41</sup> William Dumbrell, *Covenant and Creation* (Paternoster, 1984), 138.

<sup>42</sup> E.g. Baldwin, 241. Baldwin assumes that the Vulgate accurately represents the Hebrew: “if you hate, send her away!” Other considerations aside, such a position seems incompatible with the way in which canonical texts were passed down among the Jewish people, aiming at reliable transmission even of those texts that were less than complimentary, because they were revered as God’s own words.

But if we consider this in the light of the above discussion, we can see it differently. In the case of divorce, we may describe the problem as one in which an Israelite might suppose that the law in Deuteronomy gave him the right to do as he pleased with his wife, and to get rid of her if he wanted to. He might take its allowance as providing its ethical acceptability.

The ethical ideal for marriage, however, derives from the creation account, which establishes the covenantal nature of marriage.<sup>43</sup> Malachi starts from the same creational base: he refers to creation (2:10), calls marriage a covenant (2:14), refers to the one-ness of Gen 2:24 (in the difficult 2:15, as in ESV), and reminds the community of the purpose of marriage (“godly offspring,” 2:15). The man who will take a pagan girl as his wife, or who will divorce his Israelite wife (and perhaps will divorce the Jewish wife of his youth, in order to take a pagan girl), may claim that he is within the law: but he has not carried out the ethical ideal – indeed he has stained his character with violence. This goes beyond the effect on the individual: it ruins the vitality of the whole community of God’s people (2:13-15), a vitality that the individuals themselves need in order to fulfill their calling as God’s holy people.

Strictly speaking, Malachi’s words apply to the specific situation in the restoration community to which he ministered. Nevertheless, his words are the clothing that a principle wears in its historical particularity – an idea that ethicists are familiar with when they think about whether roofs must have parapets (Deut 22:8). Indeed, the very structure of his argument, which looks back to the creation account, offers us a paradigm for ethical thinking. And we would see that, just as the creation-based ethic provides a reason for rejecting polygamy (even though the Old Testament nowhere condemns it outright), it also provides us with the rationale for thinking about divorce, and for seeing that covenant fidelity, endurance, and forgiveness are to be the norm for God’s faithful. This paradigm also points to the well-being of the whole community as an important factor in morality – which is a valuable corrective to the individualism that so dominates Western thinking.

It therefore does not follow that the interpretation found in the ESV in any way “weakens” Biblical morality: rather, careful attention to the syntax and context helps us to see just *how* the prophet is urging the people to ethical faithfulness.

Clendenon, who generally agrees with this line of exegesis, also sees the impact of this prophetic critique. He finishes his discussion with a quotation from my 1994 article, and I give the fuller context:<sup>44</sup>

And what was the prophet saying on behalf of the Lord of Hosts? He tells us what the Lord thinks of the composite action on the part of some hypothetical member his

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<sup>43</sup> This explains why Jesus (Matt 19:3-9) appealed to creation, Gen 1-2, when presented with a question about Deut 24:1-4.

<sup>44</sup> Clendenon, 369; Collins, “Intelligible text,” 40 (italics added).

covenant people, of disliking and consequently divorcing his wife: the resulting “covering the garment with wrongdoing” clearly conveys the Lord’s strong disapproval. He then applies it to all of us who claim a relationship with the Lord: “all of you carefully watch yourselves in your inner man, so that you will not deal treacherously in like manner.” *He who is wise will watch for the first stirrings of resentment, which might turn into dislike, and repent of it immediately, lest he deal treacherously with her whom the Lord has given to be a blessing.*

## 5. CONCLUSIONS

I believe the discussion here shows the following:

1. The translation of this verse found in the AV (and most English Bibles since then), with God hating divorce, represents a departure from the translation tradition of the previous centuries.
2. The rendering of the ESV, which has a Judean man “hating” his wife and divorcing her, does the best job of handling the details of the Masoretic Text, with no corrections. It also enables us to see how this fits into the context of profaning the calling of the people of God.
3. This way of reading Malachi 2:16 allows us to see how the verse fits into the overall promotion of covenant fidelity as the ideal of marriage, an ideal for which the faithful among the people of God – whether in ancient Israel or in the Christian Church today – will seek all the resources of grace, of forgiveness, of fellowship with the saints, and of the Holy Spirit’s enabling power.

## APPENDIX: HEBREW AND GREEK TEXTS

Here we can see the MT, the LXX, and the English renderings. (We use the ESV for the MT, and keep the rendering of the LXX as close as possible to the ESV. Notes on the ESV are included for information.)

MT	ESV
10 הָלוֹא אָב אֶחָד לְכֻלָּנוּ הָלוֹא אֵל אֶחָד בְּרָאנוּ מִדּוּעַ נִבְגַּד אִישׁ בְּאָחִיו לְחַלֵּל בְּרִית אֲבוֹתֵינוּ	10 Have we not all one Father? Has not one God created us? Why then are we faithless <sup>1</sup>
11 בְּגָדָה יְהוּדָה וְתוֹעֵבָה נַעֲשֶׂתָה בְּיִשְׂרָאֵל וּבִירוּשָׁלַם כִּי חָלַל יְהוּדָה קֹדֶשׁ יְהוָה אֲשֶׁר אָהָב וּבָעַל בַּת־אֵל נָכַר	to one another, profaning the covenant of our fathers? <sup>11</sup> Judah has been faithless, and abomination has been committed in Israel and in Jerusalem. For Judah has profaned the sanctuary of the LORD, which he loves, and has married the daughter of a foreign god. <sup>12</sup> May the LORD cut off from the tents of Jacob, any descendant <sup>2</sup> of the man who does this, who brings an offering to the LORD of hosts!
12 יַעֲקֹב וּמִגִּישׁ מִנְחָה לַיהוָה זָבָאוֹת יִכָּרֵת יְהוָה לְאִישׁ אֲשֶׁר יַעֲשֶׂנָה עַר וְעָנָה מֵאֲהָלָי	

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<sup>1</sup> For the thematic term *b-g-d* (ESV “be faithless”), see verses 11, 14, 15, 16.

<sup>2</sup> ESV margin, “any who awakes and answers.” This resolution of a well-known difficulty is based on the discussion in C. John Collins, *Homonymous verbs in Biblical Hebrew: An investigation of the role of comparative philology* (University of Liverpool PhD dissertation, 1989), 334-37, 745. There I argue that the Hiphil form *hikrît*, when its object is alliterated (*‘êr w’ôneh*), describes the removing of the posterity.

13 וְזֹאת שְׁנֵית תַּעֲשׂוּ כִסּוֹת דְּמַעַתָּה אֲתִדְמוּבַח יְהוָה בְּכִי  
 וְאֲנָקָה מֵאִין עוֹד כְּנֹת אֶל־הַמִּנְחָה וְלִקְחַת רִצּוֹן מִיָּדְכֶם  
 14 וְאָמַרְתֶּם עַל־מָה עַל כִּי־יִהְיֶה הַעֵיד בֵּינֶךָ וּבֵין  
 אִשְׁתְּ נְעוּרֶיךָ אֲשֶׁר אָתָּה בְּגִדְתָּהּ בָּהּ וְהִיא חִבְרַתְךָ  
 וְאִשְׁתְּ בְרִיתְךָ  
 15 וְלֹא־אָחַד עָשָׂה וּשְׂאָר רוּחַ לּוֹ וּמָה הָאָחַד מִבְּקִשׁ  
 זְרַע אֱלֹהִים וְנִשְׁמַרְתֶּם בְּרוּחְכֶם וּבְאִשְׁתְּ נְעוּרֶיךָ  
 אֶל־יִבְגַּד  
 16 כִּי־שָׁנֵא שִׁלַּח אָמַר יְהוָה אֱלֹהֵי יִשְׂרָאֵל וְכִסָּה חִמָּס  
 עַל־לְבוּשׁוֹ אָמַר יְהוָה צְבָאוֹת וְנִשְׁמַרְתֶּם בְּרוּחְכֶם  
 וְלֹא תִבְגְּדוּ

13 And this second thing you do. You cover the LORD's altar with tears, with weeping and groaning because he no longer regards the offering or accepts it with favor from your hand. 14 But you say, "Why does he not?" Because the LORD was witness between you and the wife of your youth, to whom you have been faithless, though she is your companion and your wife by covenant.<sup>3</sup> 15 Did he not make them one, with a portion of the Spirit in their union?<sup>4</sup> And what was the one God<sup>5</sup> seeking?<sup>6</sup> Godly offspring.<sup>7</sup> So guard yourselves in your spirit, and let none of you be faithless to the wife of your youth. 16 For the man who does not love his wife but divorces her,<sup>8</sup> says the LORD, the God of Israel, covers his garment with violence, says the LORD of hosts. So guard yourselves in your spirit, and do not be faithless."

<sup>3</sup> I agree with those who think that this refers to marriage as a covenant (compare Prov 2:17). The covenant idea comes from the wording of Gen 2:24, where the husband is to "hold fast" to his wife, that is, to practice covenant faithfulness.

<sup>4</sup> ESV margin, Hebrew "in it." This resolves the difficulties in the text without emendation.

<sup>5</sup> ESV margin indicates that literally this is "the One."

<sup>6</sup> ESV margin offers the alternative: "And not one has done this who has a portion of the Spirit. And what was that one seeking?"

<sup>7</sup> Hebrew "a seed of God." The "seed" (ESV "offspring") is an essential part of the purpose of the covenant with Abraham throughout Genesis. Particularly, they are to be faithful in their knowledge of the LORD (as in Gen 18:19).

<sup>8</sup> ESV margin clarifies that the Hebrew is "who hates and divorces" (see discussion above).

<sup>10</sup> οὐχὶ θεὸς εἷς ἔκτισεν ὑμᾶς οὐχὶ πατὴρ εἷς πάντων ὑμῶν τί ὅτι ἐγκατελίπετε ἕκαστος τὸν ἀδελφὸν αὐτοῦ τοῦ βεβηλῶσαι τὴν διαθήκην τῶν πατέρων ὑμῶν <sup>11</sup> ἐγκατελείφθη Ἰουδας καὶ βδέλυγμα ἐγένετο ἐν τῷ Ἰσραὴλ καὶ ἐν Ἱερουσαλὴμ διότι ἐβεβήλωσεν Ἰουδας τὰ ἅγια κυρίου ἐν οἷς ἠγάπησεν καὶ ἐπετίδευσεν εἰς θεοὺς ἄλλοτρίους <sup>12</sup> ἐξολεθρεύσει κύριος τὸν ἄνθρωπον τὸν ποιοῦντα ταῦτα ἕως καὶ ταπεινωθῆ ἕκ σκηνομάτων Ἰακώβ καὶ ἕκ προσαγόντων θυσίαν τῷ κυρίῳ παντοκράτορι

<sup>13</sup> καὶ ταῦτα ἃ ἐμίσουν ἐποιεῖτε ἐκαλύπτετε δάκρυσιν τὸ θυσιαστήριον κυρίου καὶ κλαυθμῷ καὶ στεναγμῷ ἐκ κόπων ἔτι ἄξιον ἐπιβλέψαι εἰς θυσίαν ἢ λαβεῖν δεκτὸν ἐκ τῶν χειρῶν ὑμῶν <sup>14</sup> καὶ εἶπατε ἕνεκεν τίνος ὅτι κύριος διεμαρτύρατο ἀνὰ μέσον σου καὶ ἀνὰ μέσον γυναικὸς νεότητός σου ἣν ἐγκατέλιπες καὶ αὐτὴ κοινωνός σου καὶ γυνὴ διαθήκης σου <sup>15</sup> καὶ οὐκ ἄλλος ἐποίησεν καὶ ὑπόλειμμα πνεύματος αὐτοῦ καὶ εἶπατε τί ἄλλο ἄλλ' ἢ σπέρμα ζητεῖ ὁ θεός καὶ φυλάξασθε ἐν τῷ πνεύματι ὑμῶν καὶ γυναῖκα νεότητός σου μὴ ἐγκαταλίπης <sup>16</sup> ἀλλὰ ἐὰν μισήσας ἐξαποστείλης λέγει κύριος ὁ θεός τοῦ Ἰσραὴλ καὶ καλύψει ἀσέβεια ἐπὶ τὰ ἐνθυμήματά σου (τὰ ἐνδύματα αὐτοῦ) λέγει κύριος παντοκράτωρ καὶ φυλάξασθε ἐν τῷ πνεύματι ὑμῶν καὶ οὐ μὴ ἐγκαταλίπητε

<sup>10</sup> Has not one God created us? Have we not all one Father? Why then have we each forsaken one another, profaning the covenant of our fathers? <sup>11</sup> Judah has been forsaken, and abomination has been committed in Israel and in Jerusalem. For Judah has profaned the sanctuary of the Lord, which he loves, and has taken heed for foreign gods. <sup>12</sup> May the Lord cut off the man who does these things, from the tents of Jacob and from those who bring offerings to the Lord Almighty, until he is humiliated!

<sup>13</sup> And these things you have been doing, which I have been hating: You have covered the Lord's altar with tears, with weeping and groaning from pain, (from) any longer regarding the offering or accepting it with favor from your hand. <sup>14</sup> And you say, "Why does he not?" Because the Lord was witness between you and the wife of your youth, whom you have forsaken, though she is your companion and your wife by covenant. <sup>15</sup> Did not another make it, and his portion of the Spirit? And you have said, What else does God seek, but offspring? So guard yourselves in your spirit, and do not forsake the wife of your youth. <sup>16</sup> But if having hated you divorce, says the Lord, the God of Israel, and iniquity will cover your thoughts (his garments), says the Lord Almighty. So guard yourselves in your spirit, and do not forsake.

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## ABBREVIATIONS

AV	Authorized (King James) Version
BHS	<i>Biblia Hebraica Stuttgartensia</i>
ESV	English Standard Version
GKC	W. Gesenius, E. Kautsch and A. E. Cowley. <i>Gesenius' Hebrew Grammar</i> . Oxford: Clarendon Press, 1910.
Joüon-Muraoka	P. Joüon and T. Muraoka. <i>Grammar of Biblical Hebrew</i> . Rome: Editrice Pontificio Biblico, 1993.
LXX	Septuagint
MT	Masoretic Text
NASB	New American Standard Bible
NEB	New English Bible
NIDOTTE	Willem VanGemeren, ed., <i>New International Dictionary of Old Testament Theology and Exegesis</i> . Grand Rapids: Zondervan, 1997.
NIV	New International Version
NKJV	New King James Version
NRSV	New Revised Standard Version
REB	Revised English Bible
RSV	Revised Standard Version
RV	Revised Version

Hebrew and Aramaic have been transliterated using a simplified system based on *The SBL Handbook of Style* (Peabody, MA: Hendrickson, 1999), 28.