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Divorce and Remarriage

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For the benefit of the Board of Elders
and the congregation of *Tracy Grace
Brethren Church*, Tracy, California

1. Preparatory Remarks

The handling of issues of divorce and remarriage within the evangelical church in America is a patchwork quilt of shoddy research, destructive and unbiblical applications, and a perverse striving (at least among the conservative students of the Bible) to be preservers of marriage even at the expense of biblical truth. Lacking only the nifty turbans, we could be Pharisees as we develop an oral tradition to protect marriage and family by our efforts to halt the onslaught of divorce in the Church. While we are caviling over minutiae, the more liberal merely set aside clear passages of Scripture in order to have a “more loving” approach to the relational problems of the home.

In the Bible-believing church, divorce has long been the unforgivable sin; as a result, there has been a shameful stigmatizing by the church of those who have suffered divorce. Church leaders do not know how to handle such people: Should they teach Sunday School? Are they living in perpetual adultery if they remarry? Should pastors ever remarry those who are divorced? Is their very presence a bad example to the flock?

The problem for caring pastors is magnified when we attempt to deal with those who have gone through, or are contemplating, a divorce. In counseling, are we getting the truth from those who are divorced regarding the circumstances concerning their divorce or might we be drawn, even by ignorance, into their sin by remarrying them or by going along with their divorce? It is no wonder that many pastors and other church leaders wish to legislate the problem away by making some hard and fast rules that often prevent even the potential for restoration and healing. The questions can go on forever in this vein, for, truly, the divorce issue is a mother lode of complexities for the Church.

My desire for this white paper is to give a broad perspective of the various arguments and the reasons behind each of those arguments, establish the difference between a divorce decree (a legal determination of man which severs a legal contract) and a severance of the marriage bond (a spiritual bond established by God), and then draw some biblically accurate conclusions that *Tracy Grace Brethren Church* can live with as a guide.

No short paper such as this can be a compendium of scholarship on this vast subject of marriage, divorce, and remarriage. This paper will focus upon the nature of marriage (particularly the marriage bond), the causes and results of divorce, and the options for those who are divorced in regard to their desire to remarry.

All faults herein are this author's own and his limitations, innate and external, are the results of either reaching beyond his intellectual grasp or the paucity of his library.

In reference to the usage of "Church" and "church," the upper case form represents the universal Church and the lower case, the local congregation.

The Bible version used (except if otherwise stated) was the *New King James Version*.¹ The Hebrew text is the *Biblia Hebraica: Stuttgartensia*.² The primary Greek text used was *The Greek New Testament According to the Majority Text* by Zane C. Hodges and Arthur L. Farstad. A comparison was always made to the critical text.³

1. *The Holy Bible, New King James Version* (Thomas Nelson Publishers).

2. *Biblia Hebraica Stuttgartensia* (Deutsche Bibelstiftung).

3. Kurt Aland, et. al., *The Greek New Testament*, 3rd edition (United Bible Societies).

2. The problem stated

Divorce is a problem dealt with in the 21st century as was never before seen in the Church. We have families coming to church in the last stages of breakup and with very little desire or ability to act in sacrificial love to reconcile with their spouses. We also have divorced people coming back to God, and therefore to Church, desiring to establish a new marriage that is founded upon Christ. What do we have to say to these people to help them that God can honor?

Whether the great increase of divorce and remarriage within the Church is the result of the secularization of the Church or the effective outreach of the Church into the world is a question that will remain, in large part, unanswered in this paper. In all likelihood, it is a combination of these two dynamics.

Regardless of the cause, the Church is now dealing with the issues of divorce and remarriage and what rights and privileges, responsibilities and liabilities such divorced people might have. Like the ubiquitous pimple on the adolescent face, divorce and the desire to remarry will not go away, no matter how much cream we smear on the problem. Blended families and single-parent families are now part of the family makeup of every church.

Pastors are now forced to become canon lawyers in their attempt to determine the state of the marriage bond of a divorced person. This determination would then dictate whether or not a new marriage would be possible. Pastors also must insure that a sufficient effort had been made to effect a reconciliation. Add to this the abysmal quality of scholarship in the evangelical church in this area and we get a trumpet that is sounding a very uncertain sound. The braying flatulence of the Church's brass section on this issue should be an embarrassment to all of us.

In short, pastors are trying to help people who are confused in their understanding of marriage as God designed it, possibly deceitful as they describe their marital history, and oftentimes carnal in their values, unknowingly carrying their self-destructive baggage into the next relationship. At the same time, pastors must wade through contradictory biblical determinations as they try to shore up the Christian family by adding the commandments of men to the Law of God.

This nightmare scenario is compounded by the knowledge that, if we do not tell these people what they want to hear, they will go to a more “tolerant” church and we will have no further opportunity to turn them in God’s direction.

Clear teaching about the establishment of a marriage bond is necessary before we can evaluate the possibility of severing such a bond. We must also clearly realize that it is a bond established by God and not subject to man’s laws when it comes to breaking that bond. A divorce decree is powerless to break the marriage bond. The difference between a divorce decree (established by man and his laws) and the breaking of the marriage bond (established as a spiritual bond by God) must be understood before we review the possible exceptions to the indissolubility of the marriage bond.¹ In the cases in which the marriage bond is severed, a divorce decree is allowed and remarriage is acceptable. In the cases in which the marriage bond is not severed, a divorce may still be allowed, but remarriage may not since the marriage bond between the two divorced people is still intact.

1.Please see Section 5.0 regarding the legal bond and the marriage bond. One being man-made and the other spiritual and established by God.

3. The dilemma within the Church

Today there is hardly a church-attending family that, directly or indirectly, does not know the pain of divorce. It is all around us in our pro-divorce society. We now have no-fault divorce but we will never have no-harm divorce: husbands and wives will be wounded and the children ground up under their feet as they charge into battle against each other. The one healing body that should have a clear word for a hopelessly confused world is the Church. Sadly, the Church is confused. We must find a resolution to our confusion and the resultant harm our counsel and policies produce. One author describes the present dilemma within the Church: “In the middle 1960s when the divorce rate was becoming one in three [in society at large], one major denomination published a study which revealed that in church-connected homes the divorce figure was one in 4,000. In the turbulent years from 1965 to 1980, the Church moved from a bedrock of stability to the shifting sands of compromise.”¹

According to projections based on recent statistics, by the year 2005, the average adult in the United States will have been married three times. Stanley Ellison, in his book, *Divorce and Remarriage in the Church*, states,

“ . . . there are few issues on which the church is so confused and uncertain as on the problem of divorce and remarriage. Small wonder, since so many pastors also share that confusion. Some pastors will marry divorced people; some will marry some, but not others; and yet others will not pronounce a pastoral blessing on any second-go-round of marriage apart from the death of one of the partners. With that confusion, what is a church member to do or believe on the subject? Our stammering tongue on the subject only engenders a spirit of either legalistic dogmatism or realistic permissivism.”²

1. Paul E. Steele & Charles C. Ryrie, *Meant to Last: A Christian View of Marriage, Divorce and Remarriage* (Wheaton, IL: Victor Books, a division of Scripture Press Publications; 1983), p. 5. Although Steele is the primary author, the popularity of this view is Ryrie’s involvement. This book’s author will be referred to throughout this paper as Ryrie.

2. Stanley A. Ellison, *Divorce and Remarriage in the Church* (Grand Rapids, MI: Zondervan Publishing House, 1980), pp. 16-17.

Jay Adams writes of this confusion within the Church: “There are anecdotal works, telling about the struggles and heartaches of broken marriages, sermons denouncing divorce, but still little that exegetically or theologically considers these matters. Pastors, as a result, are still at a loss. Their boards are confused. Seminaries largely skirt the subject, and the Christian public is utterly perplexed.”¹

We are surrounded by marriages coming apart in a society which encourages divorce as an easy solution to problems in the home. We need to know God's perspective if we are hope to be salt and light in this darkened world. It would be a slightly less critical issue for our study and subsequent response if people and families were not being destroyed by divorce. We owe it to these people to study the issue thoroughly. We must also determine, as scholarly students of the word and compassionate ministers of the word, that we are not simply resolving a textual or theological issue as an interesting distraction from the day-to-day tasks of the busy church cruise director. The *Titanic* is going down hard by the bow and we have no time to arrange deck chairs. People's homes are at stake, families are dying, and the uncertainty of our response to their needs will determine whether or not we are effective ministers of the word.

3.1 The two-edged sword faced by pastors.

There is a broad spectrum of positions available in this debate and the harried pastor is constantly tempted to take a stance founded upon the convenience of a predigested determination that is easy to apply in all cases rather than to dig into the issue and to produce a murky position of his own. We cannot be less than biblical as are those who hold to a liberal permissiveness; but we must not be Pharisaic in legalistic dogmatism and be more than biblical. Both positions are sinful as well as inaccurate. The liberal counselor will be tempted to go easy on a couple considering divorce while the Pharisee, rather than have to deal with nuances, will come down hard in a fixed position that makes it easy for him in his unthinking approach to Scripture but unnecessarily hard for those who must hear his legalisms.

1. Jay E. Adams, *Marriage, Divorce, and Remarriage in the Bible* (Grand Rapids, MI: Zondervan Publishing House, 1980), Introduction, p. x.

3.2 The hermeneutical path most traveled.

The greatest single problem in our approach to the Bible's teachings on divorce and remarriage stems from a defective hermeneutic: we ignore one of the many contexts of a passage or word and replace that legitimate context with the context of our own preconceived determinations. Those determinations, at least among the more conservative writers (*e.g.*, strong opposition to divorce through the disallowance of any exceptions), were designed to build a strong bulwark against divorce by making it hard to obtain such a divorce and, if obtained, impossible to overcome. Surely the proper biblical positions, however, cannot be that difficult to understand because God has not determined to produce His word in such a way that we are confused rather than enlightened as we study it. Sadly, the cacophony of contradictory voices, particularly in the evangelical Church, demonstrates a poor or careless understanding of the tools of academic research and produces oftentimes laughable conclusions. For the Church to restore a clear sound in response to the attack of divorce on families, we must regain the high ground in scholarship.

The great majority of the books read by this writer were written between 1980 and 1983, the terminus of the time in which divorce was overwhelming the Church and the beginning of the time in which the Church finally became aware of the onslaught.

As a result of our historical schizophrenia regarding divorce and remarriage, the Church has either let the guilty go unpunished or unwarned, or has punished the innocent who suffered from events often beyond their control. We have either ignored the problem of a divorce in the Church or we have condemned those divorced to life as second-class citizens. As one Methodist pastor writes, “

At no time has the church insisted that persons who gossip cannot be placed in positions of responsible leadership. Yet the Bible is as emphatic about gossip as a sin as it is about divorce. And the gossiping church member is never a victim of circumstances beyond his control. He does not have to hurt people with his hate-filled words. The divorced person is often caught in a dilemma which he cannot help.¹

1. Lester Woodson, *Divorce and the Gospel of Grace* (Waco, TX: Word Books, 1979), pp. 8-9.

The balance we pastors must maintain would do credit to the Flying Wallendas as we teeter between our refusal to fiddle with the express commands of God, and the traditions with which we have become comfortable.

3.3 The hermetic necessary.

Fundamental hermeneutical tools must again be employed to gain a biblical expression of God's will in regard to this serious issue. Context is one of the primary tools most abused by the evangelical scholar as he attempts to put the brakes to the divorce rate in the Church.

In most Bible passages in which divorce is mentioned, divorce is not the topic at hand, but it becomes either an illustration (as in Romans 7 which is a discussion of the cancellation of the power of the Law through the New Birth) or a point of contention in which unbelieving men attempt to entrap our Lord Jesus in an end-run on the Law (as in Matthew 19). We find ourselves assuming that certain statements, particularly by Jesus Himself, are complete expressions of God's declarations regarding divorce. The "exception clause" of Matthew 19 is the primary example of this hermeneutical abuse.

Not only do we ignore the many contexts of sound hermeneutics but we often fail to balance one verse that would support our staked-out position (*e.g.*, "I hate divorce" [Malachi 2:16]) with another that would mitigate against that very interpretation (*e.g.*, "I had put [Israel] away and given her a certificate of divorce" [Jeremiah 3:8]). We are quick to see God's opinion on divorce and thereby label all divorce as sin while forgetting that our Holy God, Himself, was a divorcee. Jeremiah 3:8 clearly teaches that divorce, in and of itself, is not sinful, even if it is always the result of sin. In our efforts to be good exegetes, we may have made ourselves excellent eisegetes.

Lest it seem I am too strong in my abuse of the pastor of the local church, I must admit that the difficulties of overseeing the local church are often overwhelming. The average pastor has become the franchisee who is swamped with the running of the store. Like the manager of the burger joint down the street, he is no longer so much concerned about the quality of the beef, as he is to keep those burgers and fries moving and make sure the soda machine doesn't run out of syrup. In this

burger-joint environment, most pastors slowly must let their hermeneutical skills rust as they are beset by customers who want it their way and employees who are only thinking of their next smoke break. To ameliorate this problem, churches must renew their priorities for their pastors and free these men to do the best thing and leave the hash-slinging to the diaconate.

Hermeneutics is a hard, unrelenting taskmaster and we must bow before its objectivity, even if our favorite positions are placed at risk. Perhaps it is time for pastors to return to their old seminary textbooks and get a refresher course in hermeneutics before attempting to define a position that is biblical.¹ The regular review of hermeneutical principles is, sadly, the road less traveled.

1. This writer regularly takes small groups of men through Bernard Ramm's *Protestant Biblical Interpretation*, as part of a year-long study of theology. There may be better books on hermeneutics now (although many now are dealing with the questions of whether or not the passage possesses the meaning or the reader adds it, an issue a beginning exegete does not need to consider); but even an old textbook would be a help.

4. The relevance of this discussion to you.

Divorce was once a stigma that clung to a person and marked him, throughout society, as someone who was not to be relied upon in any area of trust. A well-known national corporation, however, several years ago announced the adoption of a new policy regarding divorced persons, which stated that an employee who sought a divorce is a person who had the stamina and fortitude to stand up to a bad situation and call the shots concluding that such a person thereby becomes executive material!

Today there is hardly a church-attending family that, directly or indirectly, does not know the pain of divorce.

A spokesman for the *Sexuality Information and Education Council of the United States (SIECUS)* has stated that divorce will soon become normative, and that we must now strive to provide the support that will convince people that they are doing no wrong in seeking a divorce, but that it is just a part of the maturing process. This spokesman was prophetic because the prophecy was self-fulfilling: the American family is in full retreat and nothing but the supernatural involvement of God's great mercy will be able to reform the lines.

According to projections based on recent statistics, by the year 2005, the average adult will have been married three times.

You may be questioning the relevance of this information to you. This information is vital to you if any of the following applies:

- If you are struggling in a marriage, you know its relevance.
- If you have gone through a divorce, you know its relevance.
- If you are contemplating marriage, you better learn its relevance and that, if you do not carefully prepare for marriage, your odds of a divorce are as good as anyone's.
- If you have a good marriage, be thankful for it but be on your guard: good marriages are still fragile in our throw-away age, and, without nourishment, even good things die.

- If you live as a social being, with personal relationships, you must become aware of the relevance of this issue, because divorce is all around us, in the lives of both friends and family.
- If you counsel people in any context regarding marriage and the family, you must understand its relevance.

We are surrounded by marriages coming apart in a society which encourages divorce as an easy solution to problems in marriage. We need to know God's perspective if we are to be salt and light in a darkened world.

5. The Nature of the Marriage Bond

There are two ways in which two people are joined in marriage: a legal bond that is established by the legal pronouncements of men within a culture (*i.e.*, a contract), and a spiritual bond established by God which initiates a one-flesh relationship between a man and a woman.

Although both are important, the lesser bond is obviously the legal bond and herein we have the difficulty caused by our misunderstanding of the priorities of these bonds. The assumption by many, if not most people, is that, when one gets a legal divorce, the marriage bond is broken and the parties are free to remarry. As a result, many forbid divorce (which severs the legal bond) simply to maintain the marriage bond.

Since no act of man can trump the determination of God, the breaking of the legal bond does nothing to sever the spiritual or marriage bond established by God. A divorced couple may still be married in God's eyes, and, therefore, not free to remarry without committing adultery.

This is the crux of the difficulty in remarrying even after a divorce since the severance of the legal bond has no bearing on the condition of the marriage bond, the bond established by God, making the couple partners in a "one-flesh" relationship. Most divorced Christians assume that the breaking of the legal bond gives them freedom to remarry since they never seem to think of any other bond. If they do, they therefore assume that the legal decree of divorce severs the marital bond which God establishes.

We know that a divorce decree can sever the legal bond in marriage, but we are confused about the possibility of severing the one-flesh relationship established by God between a man and a woman. The question to be asked, even if rhetorically, is: Does a divorce decree trump God's will?

This writer must admit that very few who speak or write on the issue of divorce and remarriage within the church see this twin bondage. This inability to see the two as separate, but related, bonds causes no end of confusion as they try to determine the condition of the spiritual bond through considering the condition of the legal bond. The average writer or speaker does not understand that

the two bonds function independent of each other,¹ and by this ignorance comes most of the clutter of bad Bible application and poor church counsel.

Just as the legal bond can be broken, so too can the marriage bond. It is this bond that Scripture refers to when it says, “what God has joined together, let not man separate.” Although the Roman Catholic Church denies to men the ability to sever this bond,² for Christ to forbid its severance has to imply logically that the bond can indeed be broken by men. God does not forbid what is not even a possibility. It is a bond that can be broken just as the legal bond between a man and woman can be broken.

The issue of remarriage of a divorced person is dependent, therefore, on two things: the efforts made to reconcile and the condition of the marriage bond, whether intact or severed.

1. In most societies, the legal contract of marriage also establishes the marriage bond.

2. Canon Law 1118: “Marriage which is valid and consummated cannot be dissolved by any human power, nor by any cause save death.” To remarry is to live in perpetual adultery.

6. The history within Old Testament law and rabbinic Judaism.

6.1 The rabbinic tradition.

The Old Testament has but one specific teaching on divorce: Deuteronomy 24:1-4:

- 1 "When a man takes a wife and marries her, and it happens that she finds no favor in his eyes because he has found some uncleanness in her, and he writes her a certificate of divorce, puts it in her hand, and sends her out of his house,
- 2 when she has departed from his house, and goes and becomes another man's wife,
- 3 if the latter husband detests her and writes her a certificate of divorce, puts it in her hand, and sends her out of his house, or if the latter husband dies who took her as his wife,
- 4 then her former husband who divorced her must not take her back to be his wife after she has been defiled; for that is an abomination before the LORD, and you shall not bring sin on the land which the LORD your God is giving you as an inheritance.

There are other passages that describe divorce (David with Michal), God's feelings about it (He hates it; from *Malachi*), and the fact that He divorced Israel (Isaiah and Jeremiah). But Deuteronomy 24 is the key passage and it is the hot LZ¹ for anyone who ventures to attack the subject biblically. Although it should not be the jumping off point for any attack on the issue of divorce, it is still the initial focus of discussion and it is used as a template in interpreting the several New Testament passages dealing with divorce.

The rabbis were split on this issue with the majority leaning towards the man's right to divorce an unpleasant wife. The *Mishnah* of Rabbi Judah states, "A bad wife is like leprosy to her husband. What is the remedy? Let him divorce her and be cured of his leprosy."² Certainly, the rabbis saw the marriage bond exclusively from the perspective of the man, the woman being treated as chattel. One thing is certain in this remark and that is the rabbis seemed to have little troubled with counseling divorce (at least for men). The supposed right was never extended to women. The rabbis stated that "among those who will never behold Gehinnom is he who has a bad wife."³ Apart from the fact that the rabbis would not be suffered with long in our culture is the jocular idea that a man who suffered through life with a miserable marriage partner had already paid for his sins by retaining her as his

1. *i.e.*, Landing Zone. A hot LZ was a helicopter landing zone that was under fire during landing.

2. As quoted by the Rev. Dr. A. Cohen, *Everyman's Talmud*, New American Edition (New York, NY: E.P. Dutton & Co, 1949), p. 166.

3. Cohen, p. 167.

wife and therefore stood pure before God by virtue of his extreme, expurgational suffering at the hands of his own personal harpy.

There were two main schools of thought in rabbinic Judaism: Rabbi Shammai and Rabbi Hillel: each rabbi founded a school with contradictory interpretations of the primary Old Testament passage on divorce and remarriage (Deuteronomy 24:1-4). Neither seemed to have great insight into the passage, since neither considered the marriage bond separate from the legal bond.¹

There was an additional school (of no real influence on this issue although listed in the *Mishnah*) of Rabbi Akiba which stated that the man could divorce his wife if he found a better-looking woman. Although highly regarded in rabbinic Judaism, Rabbi Akiba's position is so lacking in understanding of the passage that it does not bear much discussion since the wife's attractiveness is not referred to in the Deuteronomic passage. His position is included here merely to show the range of interpretation.

Rabbi Hillel's view was, by far, the most popular view in Judaism because it was the most accommodating to men. It allowed for divorce for any reason that would displease the husband. It was the primary view in Israel in Jesus' day as well as the view held by the otherwise unduly strict interpreters of Scripture, the Pharisees. Rabbi Gamaliel, the Apostle Paul's rabbinic schoolmaster, was of the Hillel school, so Paul's early formal education was in this school. We must not assume, however, that he necessarily ascribed to this view once becoming a believer.

Hillel was considered the more liberal and more compassionate rabbi among the rabbinical teachers. Shammai countered Hillel's liberalism with a restrictive interpretation of the passage, claiming that the divorce was allowed only due to the adultery of the wife, but not the man's.

Rabbi Hillel taught that "some uncleanness" in Deuteronomy 24:1 meant anything that would defile the woman (actually, the understanding was whatever would defile the man by remaining married to the woman) or hinder the man's love for her. The problem with Hillel's interpretation was that the definition of "some uncleanness" was taken far too widely: anything from speaking to strangers from her doorway, to gossiping, to burning the dinner would be grounds for divorce for the Hillel school.

1. This might be understandable since Israel's civil law was derived from her religious law.

The second main view was that of Rabbi Shammai which held that divorce was allowable under the Deuteronomic passage only in case of adultery. This was the strictest of the three views and was not widely held by the Jews at any period of their national existence.

“Some uncleanness,” by Hillel’s understanding, had more to do with the husband’s discomfiture than with the holy nature of Israel; whereas the error of Shammai was restricting the application to an issue of sinful behavior, fornication, upon which the Law already treated: such sexual sin required the execution for the adulterer (Deuteronomy 22:22, 24). Fornication, however, was and is a much more comprehensive sin than simple adultery (*i.e.*, adultery is the defilement of the marriage relationship and the destruction of the marriage bond by sexual sin). Fornication is any sexual sin, including adultery.

The best one can draw from the rabbinic schools is that there was as wide spectrum of beliefs in Jesus’ day as there is in ours.

The debates between Jesus and the Pharisees in the gospels regarding divorce and remarriage are meaningful only in light of the tensions between these two schools.

The Old Testament and the Jewish understanding of it placed most of the rights concerning divorce and remarriage in the hands of the husband.¹ Although the Talmud allowed a woman to divorce her husband, it could only be done with the husband’s permission, except when the husband chose to marry an additional wife. But even then, the husband had to write the bill of divorcement.²

This is understandable owing to the Old Testament, both in law and culture, treated the woman as property. Although she was to be highly honored, she was married by means of a dowry, or purchase price, and her husband was her master (*ba’al*).

The Old Testament makes the husband alone the protagonist in any divorce proceedings. The Hebrew language has a word for a divorced woman (“woman thrust out”) but none for a divorced man. By virtue of the language, a woman could be divorced, but the man could not. The assumption of the Law is that the man will take proper responsibility for the protection of the purity of his home and would only divorce his wife if she defiled it. It is the man who must write the bill of divorcement, including those situations in which he might be forced to do so. Although we are not under the Law and the theological teachings of the Jewish rabbis are, in large part, rejected by most Christians, we can gain understanding of

1. The Rev. William Walter Davies, “Divorce in the Old Testament,” in *International Standard Bible Encyclopaedia*, Vol. II, James Orr, General Editor (Grand Rapids, MI: Wm. B. Eerdmans Publishing Co., 1939), p. 864.

2. Davies, p. 864.

the nature of divorce and remarriage by studying the Jewish commentaries upon the relevant passages of the Old Testament.

6.2 The Roman Catholic Church.

The Roman Catholic position comes from the patristic fathers.

Apart from Ambrosiaster (4th c.), the universal view of the patristic fathers was that, in the event of a divorce, no remarriage was allowed.¹

The Patristic fathers believed that Matthew 19:9 ("except for sexual immorality" [**por-neia**]) allowed divorce but disallowed remarriage.

The Roman Catholic Church forbids divorce for any reason whatsoever, although it allows annulments after the payment of certain fees to canon lawyers within the church to research the situation.² The annulment is founded upon the evidence that a "true" marriage never took place. As with most legalisms, a loop hole was quickly found to allow men to act in their own selfish interests.

6.3 The Post-reformation churches.

The post-reformation churches fell into one primary position and two lesser ones.

6.3.1 The primary position: the Erasmian View.

Desiderius Erasmus of Rotterdam (textual scholar and early humanist; 1466-1536) stated that divorce was allowed in cases of adultery and, in any case of divorce, remarriage was allowed by Jewish law. The innocent party was allowed to remarry.

Erasmus' argument was as follows: if a person committed adultery under Mosaic Law, he would be stoned to death, making the necessity of a ruling on divorce and remarriage irrelevant. In the Church, Erasmus considered the adulterous party to be dead in God's sight, thereby freeing the innocent party to remarry.³

1. Paul E. Steele & Charles C. Ryrie, *Meant to Last: A Christian View of Marriage, Divorce and Remarriage* (Wheaton, IL: Victor Books, a division of Scripture Press Publications; 1983), p.89. Although a joint effort, I consider Ryrie the Cardinal Richelieu of this position.

2. Canon Law 1118: "Marriage which is valid and consummated cannot be dissolved by any human power, nor by any cause save death." To remarry is to live in perpetual adultery.

3. Steele *et. al*, p.104.

This would be considered a stretch of logic or an interpretation worthy of Philo of Alexandria even to those who generally hold to this view, such as those who accept Covenant theology with its confusion of the distinctions between Israel and the Church. Although few would accept his reasons, most Protestants accept Erasmus' results: a legitimate divorce (for whatever reasons) allowed remarriage because the marriage bond had been severed. This is the only traditional view that allows remarriage.

Charles Ryrie accuses Erasmians of using the exception clause to push the door for divorce even further open by allowing for the departure of the unbelieving spouse to sever the marriage bond within the church (1 Corinthians 7).¹

As support for his view of non-dissolution, Ryrie quotes Charles Hodge (*Commentary on 1st & 2nd Corinthians*), in reference to 1 Corinthians 7:39: "The uniform doctrine of the New Testament is that marriage is a contract for life, between one man and one woman, indissoluble by the will of the parties or by any human authority; but that the death of either party leaves the survivor free to contract another marriage."²

Ryrie, however, is very selective in his quotations from Hodge who earlier states (regarding verses ten and eleven of chapter seven, dealing with a Christian married couple):

But although the marriage bond cannot be dissolved by any human authority, because it is, in virtue of the law of God, a covenant for life between one man and one woman; yet it can be annulled, not rightfully indeed, but still effectually. Adultery annuls it, because it is a breach of the specific contract involved in marriage. And so does, for the same reason, willful desertion, as the apostle teaches in a following verse.³

Hodge goes on to say there are two legitimate, yet sinful, severances of the marriage bond: "According to this doctrine nothing but adultery or willful desertion is a legitimate ground of divorce."⁴

1. Steele *et. al*, p.106.

2. Steele *et. al*, p.107.

3. Charles Hodge, *1 & 2 Corinthians* (Carlisle, PA: The Banner of Truth Trust, 1974), p. 113.

4. *Ibid.*

According to Hodge, this (v. 15) "is a passage of great importance, because it is the foundation of the Protestant doctrine that wilful desertion is a legitimate ground of divorce."¹

Hodge holds to the Erasmian view, calling it the Protestant view. It is not exactly as Erasmus stated it, but, in contradistinction to Ryrie's claim, it does allow for remarriage if divorce is allowed.

Ryrie uses the verb in Acts 7:26 (*συνέλαινε*: "to drive together" with the word for peace, to mean "reconcile") as evidence that God forbids divorce as an option in the case of the departure of the unbelieving spouse in his usage of the last clause of 1 Corinthians 7:15. The problem, however, is that the verb, *συνέλαινω*, is not used in the Corinthian passage, only the word, *εἰρήνη*, peace. The verb in 1 Corinthians 7:15 is "called" (*καλέω*: third person singular, perfect). Ryrie uses this as proof that reconciliation is the only option for a couple who divorce in a mixed marriage.² Just because peace is used with one verb in one passage does not mandate that all other verbs be similarly translated: *συνέλαινω* is not *καλέω*.

Hodge's understanding of this passage is: "The gospel was not designed to break up families or to separate husbands and wives. Therefore, though the believer is free if deserted by his unbelieving partner, the separation should be avoided if possible."³

6.3.2 Preteritive View.⁴

This view, held by Augustine of Hippo, depends upon an assumption of motives by Jesus when confronted by the Pharisees and a complex and controversial translation of the text. The issue was over the meaning of Deuteronomy 24:1 ("some uncleanness"). The assumption of this view (hence, the preterition) is that Jesus refused to discuss the meaning of "some uncleanness" with the Pharisees; in other words, He passed over that issue and did not deal with it in His answer. The preterition of the argument brought up by the Pharisees is dependent upon Jesus wanting to set aside the argument of the Pharisees. If He were to deal with it, the underlying principle would be lost to the crowd and Jesus would merely have been supporting one view over another.

1. *Ibid.*

2. Steele *et. al.* p.106.

3. Hodge, p. 118.

4. Preterition means to pass over or neglect. In this case, Jesus passed over mentioning "some uncleanness" because He did not want to be drawn into siding with either rabbinic school (Hillel or Shime'i).

It concerns, primarily, a strange translation of the negation denoted by the particles (*μὴ ἐπί*) at the beginning of the phrase of Matthew 19:9: “except for fornication/sexual immorality.” *Πορνεία* being in the dative, making *ἐπί* causative: “for the sake of,” would seem to rule out this twisted translation: “not even for the sake of fornication.”

The preteritive view, which hangs on the thread of a dubious translation of one verse, forbids divorce for any reason and disallows remarriage even if someone went ahead and got a legal divorce.

6.3.3 The Betrothal View.

In this position, the exception clause applies only to immorality during the legal betrothal time in a Jewish relationship. Since a betrothal needed a divorce decree to sever it.

Πορνεία, used in Matthew 19:9, however, allows for more types of defiling sexual activity than simply adultery (*μοιχεία*): it allows for incest, homosexuality, and so forth. Ryrie considers *πορνεία* to refer to premarital sexual sin, a restriction that the usage of the word in Greek does not support.¹

6.3.4 The Consanguinity View.

In this position, divorce would be allowed only if it were a forbidden marriage such as incest (*cf.* Leviticus 18). The passage in question, however, brings a death sentence (v. 29), not a divorce decree.

The basis of the consanguinity view is that *πορνεία* is a reference to illicit marriages (incestuous relationships of consanguinity; from Leviticus 18) rather than merely adultery.

Although it is called the consanguinity view, it is also applied to incest by way of affinity (familial relationships established by legal bond rather than blood).

This is the view held by Paul Steele; Charles Ryrie; and, by default, Bill Gothard.²

1. Steele, *et. al.* p. 91.

2. Bill Gothard is not mentioned for his scholarship, for he is not a scholar, nor for his hermeneutical insights, since they are proprietary to himself, but for his importance to a large group of evangelicals who look for simple solutions to complex relational problems.

Ryrie mentions James' letter to the Gentile churches (Acts 15) as evidence that πορνεία refers to incestuous relationships.¹ Ryrie goes on, however, to admit that Leviticus 18 also refers to polygamy, adultery, and bestiality. "But these practices already were abhorrent to Jewish and Gentile believers alike and did not need to be included in James' letter."² That is an unwarranted assumption. The Greeks, particularly, had little problem with homosexuality or adultery.

The consanguinity view restricts the meaning of **porneia** improperly (does not refer to adultery, or any other sexual sin) and limits the practices forbidden in Leviticus 18 (only incest) incorrectly by simply ignoring the others.

John Williams, in his book *For Every Cause?*, states:

“At the heart of our Lord’s excepting cause [Matthew 19:9] is the word ‘fornication’, [*sic.*] which translates the Greek, **porneia**. There is considerable discussion as to Jesus’ exact meaning when he used this word. Noting that the excepting clause occurs only in Matthew, the Gospel especially slanted to Jewish readers, some suggest that **porneia** might mean consanguineous marriage (i.e. marriage between blood relations) such as is proscribed by Leviticus 18. However, since such marriage would be considered incestuous and was forbidden to Jews, it would therefore be a rarity in their society. Thus it is unlikely that Jesus meant this.”³

In Vine’s *Expository Dictionary of the New Testament*, we have πορνεία defined as: “of illicit sexual intercourse . . . ; in Matt. 5:32 and 19:9 it stands for, or includes, adultery.”⁴

Williams joins the others to reject Ryrie’s and Steele’s unnaturally restrictive use of πορνεία: “We shall be safe in assuming that by his use of the strong, comprehensive term πορνεία, Jesus meant that every kind of sexual sin, perversion or promiscuity might be conceded as grounds for divorce. He is maximizing rather than minimizing the seriousness of sin.”⁵

1. Steele *et. al.* p.113.

2. Steele, *et. a.*, p. 113.

3. John Williams, *For Every Cause?* (Neptune, NJ: Loizeaux Brothers, 1981), p. 28.

4. W. E. Vine, *An Expository Dictionary of New Testament Words*, Vol. II (Old Tappan, NJ: Fleming H. Revell Company, 1940), p. 125. Walter Bauer, in his *Lexicon*, defines the word as “every kind of unlawful sexual intercourse.”

5. Williams, p. 30.

7. The biblical precedents for divorce.

7.1 God and Israel.

Jeremiah 3:8: “Then I [God] saw that for all the causes for which backsliding Israel had committed adultery, I had put her away and given her a certificate of divorce; yet her treacherous sister Judah did not fear, but went and played the harlot also.”

God is not subject to an external standard of ethical rules as we are; all external standards come from Him: the way He is and the way He acts.

God only does those things which are righteous (another way of saying it is that all His acts are righteous simply because He does them).

7.2 Hosea and Gomer.

Throughout the book of Hosea, God is attempting to reconcile with Israel and He uses His instructions to Hosea to restore his wife, a common prostitute, as a means of illustrating that fact.

Note the stress on reconciliation and the de-emphasis on divorce.

7.3 The returning Jews in the days of Ezra.

Ezra 9:1-3:

- 1 When these things [the offering for rebuilding the Temple and the burnt offerings] were done, the leaders came to me, saying, “The people of Israel and the priests and the Levites have not separated themselves from the peoples of the land, with respect to the abominations of the Canaanites, the Hittites, the Perrizites, the Jebusites, the Ammonites, the Moabites, the Egyptians, and the Amorites.
- 2 “For they have taken some of their daughters as wives for themselves and their sons, so that the holy seed is intermingled with the peoples of those lands. Indeed, the hand of the leaders and rulers has been foremost in this trespass.”
- 3 So when I heard this thing, I tore my garment and my robe, and plucked out some of the hair of my head and beard, and sat down astonished.

The Jews, including the Levitical priests, had intermarried with the people of the land; the problem was that “the holy seed is intermingled with the peoples of those lands.”

The Jews confessed their sin and “put away” (*i.e.*, divorced) their pagan wives.

Ezra 10:1-3:

- 1 Now while Ezra was praying, and while he was confessing, weeping, and bowing down before the house of God, a very large congregation of men, women, and children assembled to him from Israel; for the people wept very bitterly.
- 2 And Shechaniah the son of Jehiel, one of the sons of Elam, spoke up and said to Ezra, “We have trespassed against our God, and have taken pagan wives from the peoples of the land; yet now there is hope in Israel in spite of this.
- 3 “Now therefore, let us make a covenant with our God to put away all these wives and those who have been born to them, according to the counsel of my master and of those who tremble at the commandment of our God; and let it be done according to the law.”¹

There is no evidence in this passage to support either dissolution or non-dissolution of the marriage bond: the example is given simply to show that a divorce was required to bring Israel back to the Law of Moses, thereby making divorce, in this case, a righteous act.

Exodus 34:11-16:

- 11 “Observe what I command you this day. Behold, I am driving out from before you the Amorite and the Canaanite and the Hittite and the Perizzite and the Hivite and the Jebusite.
- 12 “Take heed to yourself, lest you make a covenant with the inhabitants of the land where you are going, lest it be a snare in your midst.
- 13 “But you shall destroy their altars, break their sacred pillars, and cut down their wooden images
- 14 “(for you shall worship no other god, for the LORD, whose name is Jealous, is a jealous God),
- 15 “lest you make a covenant with the inhabitants of the land, and they play the harlot with their gods and make sacrifice to their gods, and one of them invites you and you eat of his sacrifice,
- 16 “and you take of his daughters for your sons, and his daughters play the harlot with their gods and make your sons play the harlot with their gods.”

7.4 Joseph and Mary (although in the New Testament, this couple lived in an Old Testament culture).

Matthew 1:19: Then Joseph her husband, being a just man, and not wanting to make her a public example, was minded to put her away secretly.

“Put away”: ἀπολύω: to separate from; to loose away from; to divorce.

Do righteous men seek a divorce? Joseph did.

1. *N.B.*: There is no evidence that these men remarried: it is an argument from silence either way. It does, however, demonstrate the righteous necessity of the divorce, even though it does not state a right to remarry.

8. The divine plan.

8.1 Marriage is to last a lifetime.

Matthew 19:6: "So then, they are no longer two but one flesh. Therefore what God has joined together, let not man separate."

Romans 7:1-3:

- 1 Or do you not know, brethren (for I speak to those who know the law), that the law has dominion over a man as long as he lives?
- 2 For the woman who has a husband is bound by the law to her husband as long as he lives. But if the husband dies, she is released from the law of her husband.
- 3 So then if, while her husband lives, she marries another man, she will be called an adulteress; but if her husband dies, she is free from that law, so that she is no adulteress, though she has married another man.

Caution: Paul is trying to prove a point regarding the power of the Law, he is not trying to instruct regarding divorce; therefore, it is important not to push his argument too far in proving that there is no such thing as an allowable divorce, and that death, alone, can sever the marriage bond.

8.2 Marriage between believers is a picture of God and His people.

Ephesians 5:31, 32:

- 31 "For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh."
- 32 This is a great mystery, but I speak concerning Christ and the church.

The Christian marriage (not the home) is a picture of the relationship between Christ and His Church. If our churches were to promote or allow divorce too easily, we would be teaching by example the insecurity of the believer in Christ, rather than his security.

8.3 Divorce was an accommodation to the hardness of men's hearts.

Matthew 19:8: He [Jesus] said them [the Pharisees], "Moses, because of the hardness of your hearts, permitted you to divorce your wives, but from the beginning it was not so."

Note: According to Matthew 19:8, God allowed divorce because of the hardness of men's hearts. Hardness of hearts is the disease that causes divorce; the preventative is the ind-

welling power of the Holy Spirit and the submission to the Lordship of Christ, thereby making us quick to reconcile.

Divorce is a symptom of spiritual sickness; therefore, the cure for divorce or its tendency is spiritual renewal.

9. The allowable exceptions.

9.1 Adultery.

Matthew 19:9: “And I say to you, whoever divorces his wife, except for sexual immorality, and marries another, commits adultery; and whoever marries her who is divorced commits adultery.”

Matthew 5:32: “But I say to you that whoever divorces his wife for any reason except sexual immorality causes her to commit adultery; and whoever marries a woman who is divorced commits adultery.”

The reason sexual immorality prevents a future marriage from being adulterous is the fact that the marriage bond is severed, thus freeing up the person to remarry.

Please note 1 Corinthians 6:16, any adulterous event severs the marriage bond by Paul’s argument in this verse since he is stating a general principle that even a “one-night stand” with a prostitute establishes a new spiritual marriage bond. This points out, as nothing else can, the terrible offense of adultery while demonstrating adultery’s ability to sever the original marriage bond.

9.2 Departure of the unbelieving spouse.

1 Corinthians 7:12-16:

12 But to the rest I, not the Lord, say: If any brother has a wife who does not believe, and she is willing to live with him, let him not divorce her.

13 And a woman who has a husband who does not believe, if he is willing to live with her, let her not divorce him.

14 For the unbelieving husband is sanctified by the wife; otherwise your children would be unclean, but now they are holy.

15 But if the unbeliever departs, let him depart; a brother or a sister is not under bondage in such cases. But God has called us to peace.

16 For how do you know, O wife, whether you will save your husband? Or how do you know, O husband, whether you will save your wife?

The bondage referred to in verse 15 is the marriage bond (none other is even suggested): if the unbeliever departs (permanently), the bond is severed. The difficulty here is knowing when a situation cannot be reconciled through the salvation experience of the unbelieving spouse and the desire to make things right. A marriage occurring after the divorce would obviously prevent a reconciliation through remarriage but it could allow for a reconciliation between two persons who are now joined in Christ.

9.3 Divorce prior to salvation.

1 Corinthians 7:17, 20, 27-28:

17 But as God has distributed to each one, as the Lord has called each one, so let him walk. And so I ordain in all the churches.

20 Let each one remain in the same calling in which he was called.

27 Are you bound to a wife? Do not seek to be loosed. Are you loosed from a wife? Do not seek a wife.

28 But even if you do marry, you have not sinned: and if a virgin marries, she has not sinned. Nevertheless such will have trouble in the flesh, but I would spare you.

In verse 27 the man is divorced prior to salvation; in verse 28, his remarriage, according to Paul, is not a sinful act, which it would be if the marriage bond were still intact.

Even in such cases, the new believer should look to reconcile. The best suggestion (not a rule or requirement), to avoid any question by others, is to remain unmarried until the previous spouse remarries. But, above all, pray for and work for reconciliation.

9.4 The reasons disallowed.

9.4.1 Irreconcilable differences.

9.4.2 Falling out of love.

9.4.3 Loving someone else more.

9.4.4 Desire for greater independence.

9.4.5 And a hundred more worldly quick fixes.

10. The issue of dissolution vs. non-dissolution.

10.1 The issue: Is a biblically allowed divorce evidence that the marriage bond is severed and does it allow a subsequent marriage or must the divorced person remain single the rest of his life?

Note the following key question: Does a divorce dissolve marriage? Realize, as stated earlier, divorce does not nor can it sever the marriage bond. If the marriage bond is severed and a divorce pursued, then both parties are free to remarry. All that divorce can be when the marriage bond is severed is a final admission, both legal and cultural, that the marriage has failed and no longer exists as a one-flesh relationship.

If the severance of the marriage bond for acceptable biblical reasons dissolves the marriage, then there is no question about the right to remarry. If it does not, then the right to remarry must be denied since the marriage bond remains intact.

When the Jewish theologians brought the divorce dispute to Jesus, they were asking Jesus if He agreed with the Hillel rabbinic tradition regarding the Deuteronomic law that divorce was allowed for “every cause.” The “exception clause,” as stated by Jesus, declares that Shammai’s interpretation of Deuteronomy 24:1-4 was the correct one,¹ but explained that it was allowed for “hardness of heart” (Matthew 19:3-9). Jesus would not have said that this divorce was for hardness of heart if the woman had been immoral, for then the husband would have been acting righteously and graciously in putting away his wife.² This is proved by the exception clause, by which Jesus allowed divorce for fornication (Matthew 5:32; 19:9).

In Deuteronomy 24:3-4, when the woman married the second time, she did not have two husbands because God spoke of the first as her former husband.

Notice that Deuteronomy 24:3-4 is used by Christians to forbid remarriage of a man and woman to each other if there had been an intervening marriage and divorce.

There is a problem in applying this passage to any but Israel: the purpose for many social laws in the Law of Moses, such as this one, was to keep the land undefiled (v. 4: “and you shall not bring sin on the land which the LORD your God is giving you as an inheritance”). If a man divorced his wife, it was assumed that she was defiled. This defilement was ritual defilement (since sexual sin would have been punished by the Law with death). As a

1. Jesus did not mention the dissolution of the marriage bond, merely the right to divorce.

2. See Joseph’s response in Matthew 1:19.

result, the marriage bond was still intact (she was, in effect, still bound to her first husband). If she remarried, she would be committing adultery, through breaking the marriage bond with her first husband and establishing a new marriage bond with her new husband. If she was again divorced or her husband died, the first husband was not allowed to remarry her. By doing so, he would have brought moral pollution to the nation, since the woman was either immoral when she received her first divorce, became immoral through marrying the second husband, or the second divorce did not sever the second marriage bond and she would thereby causing both her first husband and herself to commit adultery; in any case, the Jewish man was forbidden to marry such a woman (who was either immoral or still bound in marriage to another in the eyes of God).

10.2 The argument for non-dissolution.

Is the marriage bond, the one established by God, indissoluble? If so, then there can be no allowance for divorce in any set of conditions short of the death of one of the partners.

Matthew 19:6: "So then, they are no longer two but one flesh. Therefore what God has joined together, let not man separate."

Romans 7:1-3:

- 1 Or do you not know, brethren (for I speak to those who know the law), that the law has dominion over a man as long as he lives?
- 2 For the woman who has a husband is bound by the law to her husband as long as he lives. But if the husband dies, she is released from the law of her husband.
- 3 So then if, while her husband lives, she marries another man, she will be called an adulteress; but if her husband dies, she is free from that law, so that she is no adulteress, though she has married another man.

Note: The only way in which these two passages can be used as proof texts for non-dissolution is to take them out of their limited contexts and to apply them as universal principles (which is often done).

In the first passage, Jesus was answering a group of legalists who were trying to entrap Him (His purpose was not specifically to teach on divorce). Also, for Jesus to forbid divorce (note imperative of last clause of Matthew 19:6) implies that it was possible to do so since one does not have to forbid that which is impossible.

In the latter reference, Paul is making a point regarding the power of the Law over a person as long as he lives; the issue of divorce is merely being used as an illustration and is not the point of the discussion.

10.3 The argument for dissolution.

10.3.1 Dissolution is allowed due to the nature of adultery.

Adultery severs. This is the reason for the exception clause of Matthew 19:9. The adultery severs the one-flesh relationship, the certificate of divorce merely formalizes it.

Adultery joins:

1 Corinthians 6:16: Or do you not know that he who is joined to a harlot is one body with her? For “The two,” He says, “shall become one flesh”

The one who commits adultery (even a simple “one-night stand”) establishes a one-flesh relationship to the one with whom he or she commits fornication; thereby severing any previous one-flesh relationship.

This is the great horror of adultery: it destroys the legitimate bonds of marriage.

10.3.2 Dissolution is allowed due to the definition of bondage.

1 Corinthians 7:15: But if the unbeliever departs, let him depart; a brother or a sister is not under bondage in such cases. But God has called us to peace.

The only bondage referred to in the context is the bondage of marriage. Paul states that bondage is no longer applicable to the believer when the unbelieving spouse departs (divorces).

10.3.3 Seen in the comments of Jesus.

Matthew 5:32: “But I [Jesus] say to you that whoever divorces his wife for any reason except sexual immorality causes her to commit adultery; and whoever marries a woman who is divorced commits adultery.”

Matthew 19:9: “And I [Jesus] say to you, whoever divorces his wife, except for sexual immorality, and marries another, commits adultery; and whoever marries her who is divorced commits adultery.”

11. Questions to be asked concerning divorce.

11.1 Is there such a thing as a biblical or Christian divorce?

Another way of asking this question is to ask, “Is there such a thing as a righteous divorce?”

11.2 Are there biblical precedents for divorce?

This has already been demonstrated in chapter seven.

11.3 The Bible has wicked examples, but are there any examples that demonstrate righteousness?

Again, chapter seven covers this.

11.4 Is there anything wrong in remarriage?

Often, but not always.

11.5 If one divorces, must that person forever remain single?

This would probably be the better choice. Paul counsels those who come to Christ after being divorced, to remain as they are (single), but he adds that they do not sin by remarrying.¹

11.6 What is the role of a friend (or other third party) in a couple's process of divorce?

11.7 What is the church supposed to do when a couple in the church family initiates divorce?

Our default is to do nothing, waiting until first one leaves and then the other.

11.8 Is a person who remarries guilty of continuous adultery?

This is the Roman Catholic position but is not supported by Deuteronomy 24.

1.1 Corinthians 7:27, 28.

11.9 How should the person caught up in a divorce handle the tension between the ideal he holds of marriage and the sanctity of vows and the ugly reality of a marriage in ruins?

11.10 What are the effects of divorce on the rest of the Christian community, the church, the home, the children?

11.11 Is a rocky marriage worse than a divorce?

Another way to ask this question is to consider whether the pain and abuse of a bad marriage is worse than the pain and guilt of a divorce?

11.12 How do we counsel a wife who lives with an emotionally or physically abusive spouse?

11.13 What are the implications for the headship of the husband?

1 Corinthians 11:3: But I want you to know that the head of every man is Christ, the head of woman is man, and the head of Christ is God.

11.14 What are the implications for the submission of the wife to the husband in an abusive relationship?

In the light of 1 Peter 3:1-2, do we counsel the wife to stay in the house and continue to be beaten up or emotionally brutalized, knowing that quiet submission appears to increase the abuse of this type of man?

1 Peter 3:1-2:

1 Likewise you wives, be submissive to your own husbands, that even if some do not obey the word, they, without a word, may be won by the conduct of their wives,

2 when they observe your chaste conduct accompanied by fear.

12. The solution to the problem of divorce.

12.1 Handling divorce in the church.

12.1.1 Be non-judgmental unless there is known sin. Deal with the sin according to Matthew 18:15-20.

12.1.2 If the wife or children are at emotional or physical risk due to an abusive husband or father, physical and legal separation (to include a legal divorce) may be required to control the abuse.

Note: The instruction of 1 Peter 1:1-2 (that the wife submits even to a disobedient husband), would not apply in this situation since the husband has gone far beyond his delegated authority in the family. God has given the husband limited authority over the wife. This authority does not extend to abuse.

The abusive husband would be demonstrating “hardness of heart” but a divorce might be tolerated in such a case even though it would not give the right to remarry to the wife since the marriage bond is still intact. The wife’s goal should be reconciliation, but not at the cost of physical safety.

12.1.3 Look for reconciliation.

God told Hosea to marry Gomer (a prostitute) and to have children by her. When she later willfully deserted him and committed adultery with her previous lovers, God commanded Hosea to go find her and take her back, as He had done with Israel. That is reconciliation!

But Hosea not only had to find her and bring her back to himself, he had to pay money to get her back. He had to buy her back! Would you or I be willing to go that far in our reconciliatory duties?

In commanding Hosea to do this, God pictured for us the true, rotten, and sinful condition of his bride at the time he married her; and in so doing, He foretold how Christ on the cross of Calvary would buy us all back, and thereby reconcile us to God.

12.1.4 Become a paraclete.

A paraclete is someone who comes alongside to help.

Ecclesiastes 4:9-12:

- 9 Two are better than one,
Because they have a good reward for their labor.
- 10 For if they fall, one will lift up his companion.
But woe to him who is alone when he falls,
For he has no one to help him up.
- 11 Again, if two lie down together, they will keep warm;
But how can one be warm alone?
- 12 Though one may be overpowered by another, two can withstand him.
And a threefold cord is not quickly broken.

12.1.5 Know the biblical teachings regarding marriage, divorce, and remarriage. And remain teachable!

12.1.6 Do not go beyond what the Bible allows.

Divorce is becoming stylish in the church. The Rev. Dennis Ham, a pastor in Charlottesville, Virginia, suggests a “divorce ceremony. He claims “to resurrect their lives from the negativism associated with divorce.”

Divorce is negative: ask anyone who has gone through it. Robert Elliot, a pastor of a church who also teaches at Southern Methodist University's Perkins School of Theology, has developed a whole service for couples going through divorce, who are “seeking God's blessing.” He sees divorce as a potentially redemptive process.

These men, and all who counsel divorce as a legitimate option, should read Proverbs 17:15:

He who justifies the wicked, and he who condemns the just,
Both of them alike are an abomination to the LORD.

The Bible does allow divorce. According to Matthew 19:8, the Law allowed divorce because men's hearts were hard. Because a divorce was allowed, however, did not necessarily mean the marriage bond was severed.

12.1.7 The Bible does allow remarriage if the marriage bond is broken.

12.2 Dealing with your own marriage.

12.2.1 Review the seriousness of making vows (*e.g.*, marriage vows) before God.

12.2.2 Actively pursue loving your spouse.

12.2.3 Commit yourself to a lifetime bond.

12.2.4 Know the biblical roles of the husband and wife.

12.2.5 Protect your purity.

13. Biblical references to divorce and remarriage.

Although not an exhaustive treatment of all germane passages, it is sufficiently complete to give the reader a direction to travel in determining the biblical truth for himself.

13.1 The reference from the Creation: Genesis 2:24.

Genesis 2:24 Therefore a man shall leave his father and mother and be joined to his wife, and they shall become one flesh.

This reference to the “one flesh” relationship is the first mention of what is, in actuality, the marriage bond, a spiritual bond.

13.2 The reference from the Law and applying specifically to Israel: Deuteronomy 24:1-4.

Deuteronomy 24:1-4

1 “When a man takes a wife and marries her, and it happens that she finds no favor in his eyes because he has found some uncleanness in her, and he writes her a certificate of divorce, puts it in her hand, and sends her out of his house,

2 “when she has departed from his house, and goes and becomes another man's wife,

3 “if the latter husband detests her and writes her a certificate of divorce, puts it in her hand, and sends her out of his house, or if the latter husband dies who took her as his wife,

4 “then her former husband who divorced her must not take her back to be his wife after she has been defiled; for that is an abomination before the LORD, and you shall not bring sin on the land which the LORD your God is giving you as an inheritance.”

13.3 The action of God in reference to Israel's spiritual adultery: Jeremiah 3:8.

Jeremiah 3:8 “Then I saw that for all the causes for which backsliding Israel had committed adultery, I had put her away and given her a certificate of divorce; yet her treacherous sister Judah did not fear, but went and played the harlot also.”

13.4 The reference to God's judgment on Israel for interracial marriages (applies only to Israel intermarrying with Gentiles) and for the easy divorces among the Jewish men so that they were free from their Jewish wives to marry Gentiles: Malachi 2:11-16.

Malachi 2:11-16

11 Judah has dealt treacherously, and an abomination has been committed in Israel and in Jerusalem, for Judah has profaned the LORD'S holy institution which He loves: he has married the daughter of a foreign god.

- 12 May the LORD cut off from the tents of Jacob the man who does this, being awake and aware, yet who brings an offering to the LORD of hosts!
- 13 And this is the second thing you do: you cover the altar of the LORD with tears, with weeping and crying; so He does not regard the offering anymore, nor receive it with goodwill from your hands.
- 14 Yet you say, "For what reason?" Because the LORD has been witness between you and the wife of your youth, with whom you have dealt treacherously; yet she is your companion and your wife by covenant.
- 15 But did He not make them one, having a remnant of the Spirit? And why one? He seeks godly offspring. Therefore take heed to your spirit, and let none deal treacherously with the wife of his youth.
- 16 "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."

13.5 Christ's answer to the attacks of those who would entrap Him: Matthew 5:31, 32.

Matthew 5:31-32

- 31 "Furthermore it has been said, 'Whoever divorces his wife, let him give her a certificate of divorce.'
- 32 "But I say to you that whoever divorces his wife for any reason except sexual immorality causes her to commit adultery; and whoever marries a woman who is divorced commits adultery."

13.6 Christ's answer to attackers concerning the exception clause: Matthew 19:3-12.

Matthew 19:3-12

- 3 The Pharisees also came to Him, testing Him, and saying to Him, "Is it lawful for a man to divorce his wife for just any reason?"
- 4 And He answered and said to them, "Have you not read that He who made them at the beginning 'made them male and female,'
- 5 "and said, 'For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh'?
- 6 "So then, they are no longer two but one flesh. Therefore what God has joined together, let not man separate."
- 7 They said to Him, "Why then did Moses command to give a certificate of divorce, and to put her away?"
- 8 He said to them, "Moses, because of the hardness of your hearts, permitted you to divorce your wives, but from the beginning it was not so."

- 9 “And I say to you, whoever divorces his wife, except for sexual immorality, and marries another, commits adultery; and whoever marries her who is divorced commits adultery.”
- 10 His disciples said to Him, “If such is the case of the man with his wife, it is better not to marry.”
- 11 But He said to them, “All cannot accept this saying, but only those to whom it has been given:
- 12 “For there are eunuchs who were born thus from their mother's womb, and there are eunuchs who were made eunuchs by men, and there are eunuchs who have made themselves eunuchs for the kingdom of heaven's sake. He who is able to accept it, let him accept it.”
- 13.7 Christ's general statement regarding divorce.

Mark 10:11-12:

- 11 So He said to them, “Whoever divorces his wife and marries another commits adultery against her.
- 12 “And if a woman divorces her husband and marries another, she commits adultery.”

Luke 16:18 “Whoever divorces his wife and marries another commits adultery; and whoever marries her who is divorced from her husband commits adultery.”

- 13.8 Paul's argument concerning the power of the law using the illustration of the marriage bond: Romans 7:1-3.

Romans 7:1-3

- 1 Or do you not know, brethren (for I speak to those who know the law), that the law has dominion over a man as long as he lives?
- 2 For the woman who has a husband is bound by the law to her husband as long as he lives. But if the husband dies, she is released from the law of her husband.
- 3 So then if, while her husband lives, she marries another man, she will be called an adulteress; but if her husband dies, she is free from that law, so that she is no adulteress, though she has married another man.

- 13.9 Paul's argument against adultery in that it breaks the marriage bond: 1 Corinthians 6:16.

1 Corinthians 6:16 Or do you not know that he who is joined to a harlot is one body with her? For “the two,” He says, “shall become one flesh.”

13.10 Paul's instructions to believers regarding remaining in their present marital state.

1 Corinthians 7:10-16

- 10 Now to the married I command, yet not I but the Lord: A wife is not to depart from her husband.
- 11 But even if she does depart, let her remain unmarried or be reconciled to her husband. And a husband is not to divorce his wife.
- 12 But to the rest I, not the Lord, say: If any brother has a wife who does not believe, and she is willing to live with him, let him not divorce her.
- 13 And a woman who has a husband who does not believe, if he is willing to live with her, let her not divorce him.
- 14 For the unbelieving husband is sanctified by the wife, and the unbelieving wife is sanctified by the husband; otherwise your children would be unclean, but now they are holy.
- 15 But if the unbeliever departs, let him depart; a brother or a sister is not under bondage in such cases. But God has called us to peace.
- 16 For how do you know, O wife, whether you will save your husband? Or how do you know, O husband, whether you will save your wife?

Charles Hodge, one of the Princeton Divines, states that verse fifteen, “is a passage of great importance, because it is the foundation of the Protestant doctrine that wilful desertion is a legitimate ground of divorce.”¹ In this, he espouses a modified Erasmian view.

Zodhiates claims, “χωρίζω is used when the other spouse is not guilty. In this case, one may not separate himself from his spouse primarily to marry another but because he may want to live alone by himself or herself.”² Paul does not use ἀπολύω at all. His word is χωρίζω. Zodhiates is making a distinction between near-synonyms where there is none.

Zodhiates defines fornication (πορνεία) as the “innocent spouse submitting sexually to an adulterous spouse, thereby committing fornication.”³

13.11 Paul's instructions regarding a person coming to Christ with a divorce in his background: 1 Corinthians 7:27, 28.

1 Corinthians 7:27-28

1. Hodge, p. 118.

2. Spiros Zodhiates, *May I Divorce & Remarry: An Exegetical Commentary on I Corinthians 7* (Chattanooga, TN: AMG Publishers, 1984). p. 106.

3. *Ibid.*, p. 107.

- 27 Are you bound to a wife? Do not seek to be loosed. Are you loosed from a wife? Do not seek a wife.
- 28 But even if you do marry, you have not sinned; and if a virgin marries, she has not sinned. Nevertheless such will have trouble in the flesh, but I would spare you.

14. Some conclusions.

14.1 The Bible counsels not to divorce either a saved or an unsaved spouse.

The Bible recommends staying with the spouse under all circumstances and relying on the Lord for strength. The most important ways to bring about a change in the unrepentant spouse is to pray for your mate and to show love for your mate in all circumstances. In other words, perseverance is recommended. One must have the hope that godly living will be used by God to convert the spouse.

14.2 The burden of proof is on the “wronged” spouse to prove adultery using the method outlined in Matthew 18:15-17.

14.3 In the case of the unbelieving spouse leaving, or in case of proven adultery according to Matthew 18:15-17, the believing or “wronged” spouse cannot be considered to have sinned and cannot be forbidden to remarry or to hold leadership positions in the church for that reason.

That person's reputation in the community, however, and the reputation that would be attributed to the church by his leadership must be considered when placing such a person in leadership.¹

14.4 There are three biblically allowed divorces (all, of which demonstrate a severed marriage bond and allow remarriage).

14.4.1 Adultery: Matthew 19:9.

14.4.2 Departure of the unbelieving spouse: 1 Corinthians 7:12-16.

14.4.3 Divorce prior to salvation: 1 Corinthians 7:17, 20, 27 & 28.

14.5 In the case of an unbiblical divorce, the consummation of the second marriage, if there is one, constitutes adultery, in that it severs the first “one-flesh” bond.

It is not an issue of continual adultery (*cf.* 1 Corinthians 6:16). The short-term nature of that sin should not, however, make it more palatable.

1.Note 1 Timothy 3:7: “Moreover he must have a good testimony among those who are outside.”

Some conclusions.

- 14.6 To bring an end to a seemingly intolerable situation, such as a loveless marriage, by embarking on the sinful path to divorce only exchanges one set of problems for another worse set.
- 14.7 Working on and patiently enduring a “bad” marriage can be a means of suffering for Jesus’ sake: an effort that builds Christian maturity and gains heavenly rewards.
- 14.8 Divorce damages the testimony of the church as the members of the body seek this worldly method of resolving marital problems.
- 14.9 There are biblical precedents for divorce.
- 14.10 The church must be willing to identify sinful practices that lead to divorce; to comfort those suffering from divorce; and to aid those who are rebuilding their lives after divorce.
- 14.11 Divorce is not, in itself, sin, but it is always the result of sin.

15. Some final suggestions for church leaders.

15.1 Get rid of counselors who encourage divorce.

Suppose you or I were treated in a hospital the way marriage is treated on television or in many counseling centers. We'd die! For instance, imagine being in an accident, rushed to the hospital, and carted into emergency all battered up (the way some describe their marriages). A man walks in with no medical training, calling himself a doctor, and says, "This is a mess. For all practical purposes this patient is dead already. There are probably lots of hidden pressures building up also—causing other complications. He's beyond mending, impossible to save. Let's walk away from this, turn out the lights, and go home."

Ridiculous? Not at all, when you consider that some counselors without in-depth training in God's handbook for marriage are actually paid for prescribing the sin of divorce for troubled marriages.

Proverbs 17:15 He who justifies the wicked, and he who condemns the just,
Both of them alike are an abomination to the LORD.

15.2 Be willing to identify sinful practices that lead to divorce.

15.3 Comfort those who suffer from divorce.

15.4 Aid those who are rebuilding their lives after divorce.

15.5 Encourage those to stand firm in their marriages who might otherwise be considering divorce.

15.6 Realize God understands the pressures couples are under in their marriage and the temptation to escape from those pressures through divorce.

For those who have lost a wife or husband because of unfaithfulness, the Lord understands.

He knows exactly what you are going through, what your options are and the pain you are feeling.

He too had that problem, as He admits in the books of Hosea, Isaiah, Jeremiah, and Ezekiel.

To the prophet Hosea, who had an unfaithful wife, the Lord didn't just send condolences. Rather, He solemnly declared that He Himself was reluctantly filing divorce charges against Israel for her idolatry. This court action He states in Hosea 2 and proceeds to elaborate throughout the book.

His grief is heard in Hosea 11:8 and summarizes His feeling toward the nation and dramatically reflects the sobs of many bereft partners as He exclaims, "How shall I give thee up, Ephraim?"

God Himself had to get a divorce because of His beloved's unfaithfulness. Israel destroyed the marriage bond through the adultery of idolatry; God finalized the action according to the Law.

Even though He divorced Israel, He stills seeks reconciliation and restoration.