

## **MARRIAGE, DIVORCE & REMARRIAGE**

**Introduction.** Divorce and remarriage are rife in our society and a subject of much dispute within the church. Although the subject is both sad and difficult the evangelical church owes it to its members to provide proper guidance. It is not good enough to ignore the issue and leave Christians who genuinely wish to obey God to struggle on their own. This is a discussion paper and my wish is that God's will be done on earth as well as heaven! I respect the fact that other sincere Christians will disagree with me. I hope this paper can form the basis for discussion and ultimately consensus based on an understanding of the full will of God. (Acts 20 v 26)

### **Glossary:**

**Marriage** is a contract whereby a man and a woman contract an exclusive relationship of lifelong intimacy and companionship described as being "one flesh". This includes but is not the same as sexual intimacy, which makes them "one body". It is the physical counterpart of God's spiritual relationship with His people and in the Bible terms such as divorce, adultery, etc are used for both relationships.

See Gen 2 vv 18-25; 2 Sam v 1; 1 Cor 6 vv 15-17.

**Divorce** is the formal ending of the marriage contract. In the ancient world it was only or usually the man who divorced his wife. It was a family matter and did not involve courts. He provided his ex-wife with a divorce certificate specifying that the woman was no longer married to the man and could therefore marry another man. God did not invent it, but He allowed and regulated it.

See Deut 24 vv 1-4.

**Adultery** is sexual intimacy with a third party when there is already somebody with whom one should be intimate. It is a sin.

See Ex 20 v 14

**Porneia** is a Greek word meaning sex of any kind outside marriage. It is sinful. It is sometimes mistranslated as "adultery".

### **The Debate**

Sexual relationships are a source of great controversy both in society and within the church. Even amongst Bible believing Christians there is disagreement. It is clear that the Bible places a high value on marriage. The question is whether divorce and remarriage can ever be right and if so under what conditions. There are many books and articles on the subject and a bewildering variety of views. Underlying many of the different views are the following issues:

- Words – their definitions
- Grammar
- The inspiration and authorship of the Bible

- **Context, e.g.**
- “Proof texts” - what do they mean
- The historical background
- How should commands be understood? When do they allow for exceptions without explicitly stating so, and when are they absolute? (A modern example is the command to drive on the left obviously allows for exceptions. See 1 Cor 5 vv 9-10 for a New Testament example of a misunderstanding.)
- The significance of different parts of the Bible – Old Testament/New Testament; the gospels/the epistles.

This paper starts from the following position:

- The whole Bible is God’s word, inspired by Him. (2 Tim 3 vv 16,17)
- It is easy to misunderstand much of the Bible. (2 Pet 3 vv 15,16)
- Proper understanding demands humility, prayer, appreciation of the whole Bible and appreciation of its historical context.
- Different Bible passages on the same subject often help explain each other.
- Despite the difficulties God does want us to understand this issue! (Prov 3 vv5,6) The difficulties make us depend on Him and not ourselves.

**The Importance of Context.** The key to much of my argument and the reason why I reach the conclusions I do is context. Context can radically affect the meaning of a verse or passage. Take the following example: “For it is by grace you have been saved, through faith ... not by works...” Eph 2 vv8,9 versus “You see that a person is justified by what he does and not by faith alone.” Jas 2 v 24. It is easy to see that taking either passage by itself could lead to very different conclusions. The only way to gain proper understanding is to take the passages in the context of the rest of the Bible. So it is with the subject of divorce and remarriage. Jesus himself did this by explaining a disputed passage about divorce found in Deuteronomy in the light of a passage in Genesis.

### **Old Testament Considerations**

**Marriage.** This is the basic unit of society designed both for bringing up children and as God’s answer to loneliness. It appears at the beginning of the Bible in Genesis 1 & 2 before the Fall. Mankind was created in God’s image and just as He is not alone nor are we designed to be. Each person of the Godhead has two intimate relationships. We too are designed to be intimate - with our marriage partner and with God. Both relationships are meant to be exclusive and permanent. Nothing and nobody should come in between, including children (who will normally leave the home in due course). With Genesis 3 came the Fall and all kinds of problems, especially sin. Like everything else, marriage no longer worked as well as it should. Polygamy is mentioned from Genesis 4, surrogate motherhood from Genesis 16 and divorce is well established by Exodus. Under the Law of Moses, marriage to

non-Israelites was forbidden because it would destroy the faith of those involved. (Deut 7 vv 3-4)

**Divorce.** The Law of Moses permitted it most of the time, but there were occasions when it was not allowed, e.g. Deut 22 v 19. Here a man who has falsely accused his wife of not being a virgin when they married is forbidden ever to divorce her. This implies that in other cases divorce was permitted - otherwise the prohibition is meaningless. In Malachi 2 v 16, the LORD says, "I hate divorce". All divorce arises out of sin and is therefore hateful. Nevertheless it is sometimes the proper course of action. If an Israelite had broken the Law by marrying an unbeliever he was **required** to divorce her. See Ezra 10 vv 2-3. In Jeremiah 3 v 8 God describes how he divorced the northern Kingdom of Israel because of her (spiritual) adultery. These verses imply that divorce is sometimes a proper response in certain situations.

However, there is no systematic description regarding what were proper grounds for divorce. The only Old Testament passage that mentions grounds for divorce amongst believers is Deut 24 vv 1-4, so it is a crucial passage. This describes the situation of an Israelite husband who finds something he dislikes about his wife sufficient for him to feel repelled. The term used is exactly the same as in Deut 23 v 14 and its primary meaning is "nakedness" (e.g. Gen 9 v 22). The NIV translates the word in this and the previous passage as "indecent". This is unlikely to refer to sexual immorality because this was punishable by death, so divorce was unnecessary! (See Lev 20.) If the woman in the passage remarries her first husband she becomes "defiled" and her first husband is forbidden from remarrying her should she be widowed or divorced again. It is not obvious from this passage why she is defiled and why her first husband may not remarry her. By the time of Jesus the Pharisees had developed two competing interpretations. The School of Shammai said that divorce was only allowed for adultery – by this time it seems adultery led to divorce rather than death - whereas the School of Hillel allowed it for any reason at all however trivial.

**Remarriage.** It was taken for granted that a divorced woman was free to remarry – that was what the certificate of divorce was for. (Archaeology has turned up a number of such certificates.) Divorced men were in a different category, as men were allowed to marry more than one woman in any case.

### **New Testament Considerations**

The gospels and Paul both provide teaching on the subject. Jesus' teaching was in the context of his debate with the Pharisees. Paul's teaching is found in 1 Corinthians and was to answer questions and problems the Corinthians had concerning sex, marriage, divorce and remarriage. Because Paul's teaching is more comprehensive I will start with him.

## Paul's teaching - the two groups - marriage to believers versus marriage to unbelievers.

As in the Old Testament believers could only marry believers (1 Corinthians 7:39). However, in Corinth presumably some of the believing converts' marriage partners had not become Christians. Perhaps the Corinthians wondered if this meant that such believers would be defiled by their marriages and therefore they should divorce their spouses as in Ezra 10.

Paul puts people into two groups:

### **1. Believers Married to Other Believers**

Paul states that Jesus has forbidden divorce (1 Cor 7v10-11). He goes further and writes that if a wife disobeys this command and gets a divorce anyway, she should either remain unmarried (Gk agamos) or remarry her old husband. (Presumably this applies to husbands also – perhaps Paul had a particular wife in mind.)

### **2. The Rest**

Paul writes that Jesus did not give any specific command to cover other groups. This includes both people already divorced when they became Christians and Christians married to unbelievers. He informs Christians married to unbelievers that they should not seek a divorce. Under New Testament conditions there was no reason why a marriage to an unbeliever would lead to the believer losing their faith. On the contrary there was reasonable hope that the unbeliever would come to belief. Also their children will not be “unclean” as they would have been under Old Testament conditions. However, if their unbelieving partner decides to leave them they should let them go. He says that they are no longer “bound”, i.e. they have no further obligations for reconciliation because “God has called us to live in peace.” (1 Cor 7 vv 12-16)

In 1 Corinthians 7v 27-28 he writes that people “released” from their marriages in this second group are free to (re)marry and specifically states they have not sinned if they do so. The literal translation is:

(1Cor 7:27) Have you been bound to a wife? Do not seek to be released. Have you been released from a wife? Do not seek a wife.

(1Cor 7:28) But if you also marry, you do not sin. And if the virgin marries, she does not sin. But such will have trouble in the flesh. But I am sparing you.

The NIV is slightly confusing. It translates verse 27 as,

“Are you married? Do not seek a **divorce**. Are you **unmarried**? Do not look for a wife.”

The literal expression “seek to be released” (Gk lysis = release) is translated as “seek a divorce”. Immediately afterwards a very similar word (Gk luo also

= release) is translated as “unmarried”. However, there is a perfectly good word meaning “unmarried” (Gk agamos), which Paul uses elsewhere in the chapter, but not here. This second “release” (Gk luo) has a broader meaning than the first (Gk lysis) and it means all formerly married people who are released to remarry, i.e. both the properly divorced and the widowed.

### Teaching in the Gospels

#### **Matthew 1vv18-20 Joseph and Mary**

Matthew wrote primarily to Jews. They would know that a pledge to be married was binding and could only be broken by divorce. When Joseph found that Mary was pregnant he naturally assumed that Mary had been unfaithful. Divorce was automatic – the only question being the manner of divorce. Matthew stresses that Joseph was **righteous** when he decided to divorce Mary and so we have an example of a righteous divorce.

#### **Jesus’ debates with the Pharisees**

After the Jews were allowed to return from their exile to Babylon – from around 450 BC - their religious leaders decided to construct a “fence around the Law”. These consisted of supplementary rules which if kept would hopefully ensure that the Law of Moses could not be broken by accident or misunderstanding. They thought these “traditions of the elders” provided a level of “righteousness” that would characterise the coming Kingdom of Heaven that the Messiah would rule over. These traditions have also been called the Oral Law, because it was not written down but instead was memorised by the “Scribes”. In Jesus’ day the Oral Law was called the Mishna. The Pharisees, who were dominant in Jewish society considered the Mishna to be just as or even more binding than the written law of Moses. (The Oral Law was extended after the Mishna and centuries later the whole thing was written down and became the Talmud, which forms the basis of Orthodox and Conservative Judaism to this day.) Jesus kept the Mosaic Law, but did not respect the Mishna – the Tradition of the Elders - and seems to have gone out of his way to break it, e.g., by healing on the Sabbath in Matthew 5 v 32. Jesus said His disciples should have a “righteousness” that exceeded that of the Pharisees. He provided his own “fence around the Law”, which is found in the Sermon on the Mount. This emphasised motivation and intent more than detailed regulation about behaviour. Much of Jesus’ debate with the Pharisees arises out of this dispute over the true meaning of “righteousness”. One of the issues was divorce and remarriage.

#### **Jesus’ teaching on divorce and remarriage**

The passages concerned are: Matthew 5 vv 31-32; Matthew 19 vv 3-9; Mark 10vv 2-12; Luke 16 v 18. They all refer to how to understand Deut 24 vv 1-4 and say similar things and I will consider them together. The first thing to note is that Jesus’ audience is Israel, i.e., the people of God. He is preaching to people who accept the Law of Moses and wish to know what it means to be “righteous”. He is not considering the issue of marriage and

divorce involving unbelievers. (The apostle Paul implies this in 1 Corinthians 7v10,12. Paul knew of Jesus' teaching about believers' marriages, but had no direct teaching about marriage involving unbelievers.) The second point is that he says God has made marriage as a means of making two people one and it is sinful to break this bond. He does not say that the bond cannot be broken. He describes remarriage after divorce as "adultery", which would have been a shock to his hearers. The implication is that for true righteousness divorced believers should remarry each other (as Paul says in 1 Corinthians 7v11) or else remain unmarried.

Jesus is the Word of God (John 1). As such he was the originator of Deuteronomy 24 vv 1-4, and if anyone could interpret it properly he could! As part of these passages Jesus presumably is shedding light on its true meaning:

The remarried woman in that passage is "defiled" by her second marriage because she has committed a form of adultery. Before her second marriage her first husband should ideally have remarried her in order to restore the one flesh relationship that the divorce has severed. However, Moses permits the divorce and the second marriage because of the Israelites' hard hearts - to have forbidden divorce outright would have had even worse consequences. Jesus points out in Matthew 5v32 that the blame for the divorce lies mainly with the first husband for divorcing his wife and putting her in a situation where she is likely to remarry. Therefore the first husband is penalised by being unable to remarry her should he change his mind. The primary sin is the divorce on inadequate grounds, not the ex-wife's remarriage that naturally follows - therefore it is only the first husband who is penalised, not the woman and her second husband. If Jesus' hearers wish to have a Kingdom of God righteousness - one that exceeds that of the Scribes and Pharisees - they must not divorce in the circumstances of Deuteronomy 24 vv 1-4.

When a general rule is given in Scripture, there is always the question whether there can be any exceptions. For example Rom 13 vv 1-2 states we should submit to our government. No exception is given there. However, Acts 4 gives an example of when the rule did not apply. Presumably unlike Mark and Luke Matthew is concerned about the issue of sexual infidelity, so he records Jesus' exception to the general rule of no divorce amongst believers. This exception is sexual immorality. A divorce involving believers for this reason is on proper grounds. It follows naturally that there is no obligation to remarry the divorced spouse. As a result the innocent party is free to remarry by the same logic as the divorced believer in 1 Cor 7 vv 27-28.

## Other Questions

### **What about unhappy marriages?**

Many marriages are unhappy for a huge variety of reasons. Many people in Western society believe that unhappiness is a valid reason for ending a marriage. There is no doubt that many find much happier lives as a result of divorce. However, the overall results are I think plain. On the down side many of their ex's are deeply distressed and most children are upset – even in the long term the life chances of children of divorcees are reduced. Easy separation has led to a generally less happy more disturbed society. Because “hardness of heart” is so prevalent in this sinful world it is unrealistic to legislate too strictly against divorce. Even God did not attempt this! However, as believers we have little excuse for divorce. We have God's help on a daily basis through prayer, the Bible and other Christians. With God's help routine marital upsets can be and are overcome and many bad marriages become good. Even when they do not, God is faithful and helps His people cope with unhappy conditions. (In many countries God expects Christians to cope with persecution, which puts things into perspective.) Christians are called to be different to the rest of society, and that includes being faithful to our marriage vows even when it hurts. Ultimately our reward is in heaven.

### **What about extreme cases?**

What about the man (or woman) who without provocation persistently starves his spouse, beats her, or molests their children? What if he says he is willing to remain married (see 1 Cor 7 vv 12-15), but in practice makes it impossible for them to live together? Although the Bible is not explicit I think that in this case the man's actions speak louder than his words. (See 1 Tim 5 v 8 for an example of actions “speaking”.) Assuming this is a case of a marriage to an unbeliever, I think 1 Cor 7 v 15 applies and divorce may be in order – clearly there is no peace if they remain married. What if the abuser is a Christian? If his behaviour is that extreme he is not living as a Christian and should be subject to church discipline. (The best passage on this is perhaps Mat 18 vv 15 – 35.) If the misbehaving partner is ultimately excommunicated he is to be treated as an unbeliever and once again I think 1 Cor 7 v15 applies.

### **What about permanent separation without a legal divorce?**

This is an unsatisfactory half way house – in Biblical times permanent separation was no different to divorce - 1 Cor 7 v 11 describes the disobedient separated woman as “unmarried”. If the other partner is an unbeliever 1 Cor 7 v 15 says that the Christian should let the other go and he/she is not bound. In New Testament society this meant the couple were already divorced and could remarry (although they might choose to remain single). In our society divorces are obtained through the courts, but if the parties have permanently separated this is merely a final step. If the other partner is Christian they should not have separated permanently/divorced in the first place and therefore should seek a reconciliation.

## **What about divorced Christians?**

Some divorces are perfectly legitimate and there is no reason to treat such divorcees any differently to anyone else. In addition, sinning by wrongful divorce is no different to any other sin – all sins can be and are forgiven if the sinner repents etc. However, even forgiven sins may have consequences e.g. a forgiven thief may still have to go to prison. If the divorce was sinful then as part of his/her repentance the divorcee should establish whether or not he/she is still “bound”. In other words do they still have an obligation to seek reconciliation and remarriage? If the obligation is there they should carry it out. However, even though the divorce may have been wrong the other party will often have passed the point of possible reconciliation e.g. by forming a sexual relationship with another person. The divorcee is then free.

A divorced Christian who sins by remarrying another person when they are still “bound” to their first husband/wife is in the same position as a Christian who sins in any other way. They need to confess and repent, meaning they will not repeat the same sin again even if the second marriage also turns out to be problematic. There is no suggestion that such a second marriage should be ended by divorce and there are obvious problems, e.g. what about any children? Some may think this means that such Christians are “getting away with sin”. However, we must all appear before Jesus’ judgement seat and will be rewarded for obedience and lose some our reward for our disobedience, e.g. 1 Cor 3 vv 11-15.

In some churches divorcees may not hold official positions. There is no warrant for this in Scripture. No forgiven sin disqualifies a person in itself – both the apostle Paul and Moses were murderers! However, if the circumstances of the divorce give the divorcee a bad reputation with unbelievers (not believers) then they may be disqualified - see 1 Tim 3 v 7. 1 Tim 3 v 2 is sometimes quoted as meaning divorcees should not hold church office. However, if this is the meaning why does not Paul say so? As it is this would also disqualify widowers! The true meaning probably refers to polygamists – there is evidence that the practice continued at this time despite official disapproval.

## **What about the argument that even properly divorced Christians may not remarry while their ex-partner remains alive?**

This became the position of the church after the New Testament was written and it remains the official position of the Roman Catholic Church. It was rejected by Protestants during the Reformation. It has recently come back into fashion amongst some Protestant scholars.

There are numerous warnings in the New Testament that false teaching will spread in the church. One of the false teachings would be the forbidding of marriage. 1 Tim 4 v 3. This has happened in various ways, e.g. Roman Catholic clergy are forbidden to marry even though there is no support for this in scripture and most of the apostles had wives. We should therefore be suspicious of any attempt to forbid marriage unless there is clear teaching in the Bible.

Modern scholarly Protestant rejection of all remarriage after divorce seems to be based on both the early church rejection of remarriage and what is written in the gospels. The early church's teaching is not always Biblical and I think it is a weak argument to rely on their teachings. The argument from the gospels says that because:

1. Mark and Luke record no exception to Jesus' teaching against divorce and
2. in Matthew it is not entirely clear from the grammar whether or not remarriage after a divorce for sexual sin was allowed,
3. therefore Jesus forbade remarriage.

I think this is an unnecessary conclusion. As already pointed out above, in Jesus' time remarriage and divorce went together. Jesus himself implied it in Matthew 5 v 32 – it was a package deal. Either both were wrong or both were allowed. I think it fails to consider Paul's teaching in depth and it largely ignores the context of Jesus' teaching. Having considered the arguments I have reached the position I explain in the rest of this paper.

### **Summary of Biblical Teaching for Christians**

Marriage is very precious. In general Christians may not divorce each other. If they sin and do divorce they remain "bound" and should either remain unmarried or seek reconciliation. If they sin again by remarrying another person this is adultery. Two exceptions are given: Christians may (not must) divorce a sexually unfaithful spouse and then remarry. If an unbelieving spouse by words or actions clearly shows he/she does not wish to live with the Christian, then the Christian should not oppose this and they are free to remarry. A divorcee who becomes a Christian is free to remarry.

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### **Further Reading**

The best book I have come across is:

Adams, Jay E. *Marriage, Divorce and Remarriage in the Bible*. Zondervan, 1980

For a good review of various positions and a statement of the view that remarriage is never permissible:

Wenham, Gordon J, & Heth William E. *Jesus and Divorce*. Paternoster Press, 1984