

## DOCTRINE OF DIVORCE AND REMARRIAGE

- I.** Introduction:
- A.** Marriage is the logical extension of the principle of RM/RW and is considered Divine institution #2 only preceded by Divine institution #1, Volition.
  - B.** Since marriage is by Divine design, it is obligatory that the plan for marriage falls under the dictates and is governed according to God's word.
  - C.** It was designed by God for the welfare and benefit of mankind and is observed in the first marriage between Adam and Eve in Gen.2:22-25:
    - 1.** God brings RW to RM.
    - 2.** There was exactly one man and one woman involved.
    - 3.** They are designed with one another in mind to complement one another.
    - 4.** Based on their inward (soulish) and outward (physical) compatibility (...*"bone of my bones, and flesh of my flesh."* vs.23 cp. Psa.141:7 where "bones" is technical for "souls"), they had the adequate qualities necessary to be brought into union with one another and to enjoy each other to the maximum.
    - 5.** They set precedence for each new marriage there after as being an independent entity and apart permanently from both sets of parents.
  - D.** Because permanence is a definite part of the Divine design and therefore pleases the Lord, the antithesis does not please Him.
  - E.** God's viewpoint of divorce is that it is tantamount to "treachery/betrayal" and for this reason the Scripture declares, "*For I hate divorce,' says the Lord*". Mal.2:14-16
  - F.** Though permanence of marriage is God's directive will or preferred course, this does not entirely cancel out recourse to divorce or separate.
  - G.** God also has permissive will that allows for a couple to split up under certain rigidly defined dictates.
  - H.** God's directive will or preferred course of action is the avoidance of a marital split-up.
- II.** Definition of terms surrounding divorce and remarriage:
- A.** Marriage is defined as the rite of union that is entered into between one man and one woman for the purpose of founding and maintaining a separate family.
    - 1.** This union has spiritual, moral, legal and social ramifications.
    - 2.** The two general types of marriages are monogamous and polygamous.
    - 3.** Though polygamy was practiced in the OT, God ordained monogamy. 1Cor.7:2-4 cp. 1Tim.3:2
  - B.** Remarriage is simply the action of entering into another marriage, having been previously married and legally divorced. The legal term for illegally entering into a second marriage when the first has not been legally dissolved is called bigamy.
  - C.** Divorce is defined as the legal dissolution by writ/law, of a valid marriage legally freeing the two parties from the marriage contract/vows.
  - D.** Separation is the cessation of cohabitation by a legally married couple without a permanent and legal divorce.
    - 1.** Separation is a protective measure apart from divorce.
    - 2.** Separation may be initiated by either party, but can obviously be maintained only through mutual or legal agreement (ex. restraining order).

3. Since the couple is still legally married, all moral and legal obligations of marriage are still present.
- E. Adultery is the act of voluntary sexual intercourse by any person who is legally married with someone other than his or her spouse. There are 3 types of adultery defined in scripture:
1. Mental attitude adultery resulting from lust. Mat.5:27-28
  2. Physical overt adultery as noted above carrying the penalty of death under the Law. Lev.20:10
  3. Spiritual adultery, which is tantamount to taking liberties/infidelity with the Word of God. 2Cor.4:2
- F. Fornication is distinguished from adultery in that it is voluntary sexual intercourse between two unmarried people.

### III. Old Testament teaching regarding divorce and remarriage. Deut.24:1-4

- A. This passage establishes potential events in a marital relationship that are: marriage, divorce, death of a spouse and remarriage.
- B. It proclaims what God allowed, regulated and prohibited regarding marriage under the Law.
- C. In verses 1-3 we have a protasis (an if clause) situation followed by an apodosis (a statement of resultant action) in verse 4.
- D. In other words, “**if**” the things of verses 1-3 happen, “**then**” the principle of verse 4 must be applied for one to remain in the will of God.
- E. The five fold “**if**” explained:
1. **Marriage:** (Vs.1) - When/if (assuming this situation occurs) a man marries a woman, under Divine viewpoint he is assuming the responsibility of headship, leadership and authority in her life remembering he is to be a leader, not a bully.
  2. **Sexual indecency:** “And if”, during the marriage the woman becomes undesirable due to “some indecency in her/עֲרֻוּתָּהּ (nakedness – shows sexual overtone) בָּהּ (prep. “in” with fem. sing. suf. “her” – ascribed to her person)” such as promiscuous or overt sensuality in her behavior or other sexual fault, but not adultery since death was the prescribed punishment for that sin. Deut.22:22; Lev.20:10
  3. **Divorce:** “And if”, the husband’s frustration and unwillingness to forgive (“...she finds no favor/חֵן – “grace” in his eyes..”) has driven him to secure a writ of divorce, acceptable in the courts of Israel terminating the marriage. In practice the legal document provided the following:
    - a. Protection for the woman from a charge of adultery if she remarried.
    - b. The necessity of obtaining the legal document before the divorce was final served to preclude hasty and rash divorces.

God Himself is pictured as having given Israel a certificate of divorce when He sent them into exile (Jer.3:8; Isa.50:1). The difference is that Israel is pictured as an adulteress whereas in our passage, the divorce is due to a hardness of heart. According to Mat.19:7-9; Mar.10:4-5, which underscores our passage, divorce apart from adultery was allowed under God’s permissive will. A hardness of heart illustrates the calloused nature of –V and the STA (Eph.4:17-19) that stems from selfishness. God permitted divorce as a practical matter to occur as a relief and

deliverance for the accused from a situation of unbearable and unnecessary suffering. However, it should not be concluded that the “if” clauses of our passage is God’s directive will. Rather it only addresses the possible scenario as it may occur and then gives the concluding ramification of the actions.

4. **Remarriage:** (Vs.2) - “And if”, the woman after she receives the writ of divorce and leaves the former husband’s house and remarries, indicates that the first marriage is terminated. Legally the woman was permitted to leave and enter into a second marriage without any social or legal repercussions (though spiritual).
5. **Divorce or Biblical release of marriage #2:** (Vs.3) - “And if”, the same or similar situation occurs during the second marriage or even if the wife is released from marriage through the death of the spouse denotes:
  - a. A second divorce is possible of similar circumstances implying this scenario can be replayed over and over again
  - b. A second (or any following) marriage could even produce a situation whereas normally the surviving spouse was Biblically free to marry whomever she pleased (Rom.7:2).

F. It is the apodosis of verse 4 that provides the concluding result with attached ramifications under God’s directive will for those who operate under His permissive will regarding divorce and remarriage.

1. He forbids remarriage under any circumstances to the first or any former husband from whom a writ of divorce was issued, even if otherwise Biblically she is freed from any additional remarriages.
2. She is unclean in respect to her preceding husband(s), so that she is forever off limits maritally.
3. The second marriage terminated the first in God’s eyes.
4. Bringing “*sin on the land*” is the multiplication of the sins of a nation until the fifth cycle of discipline happens.
5. Once someone has gone as far as divorce and remarriage, there is to be no looking back, no regrets; past bridges are to be burnt.
6. To remarry the former mate is a thing of disgust in God’s eyes.
7. Such a sin brings cursing to the nation.
8. Though one can never return to a previous marriage under these circumstances, they may have consecutive legitimate marriages even a third time, etc., cp. Joh.4:18.

G. Conclusions:

1. Divorce is neither mandatory or encouraged, even for sexual indecency.
2. The Old Testament does not institute divorce, but rather tolerates and regulates it to protect against greater wrong.
3. No one has a right, independent of Biblical reasons, to divorce his or her partner.
4. Divorce should never be considered an option until every attempt at reconciliation has failed.
5. The seemingly relatively liberal permission of divorce under the Mosaic Law came about as a result of men functioning under the STA. Because it was permitted in no way assumes all divorce is ok as taught by Christ and re-enforced by Paul.

#### IV. Christ’s first teaching on divorce. Mat.5:31,32

- A. Jesus, fully aware of the OT provision granted only under the permissive will, teaches the original intent of God’s design for marriage (cp. Mat.5:17). Usually the man initiates the divorce, but Mar.10:12 envisages a wife taking initiative as in 1Cor.7:11 with regard to separation.
  - B. Jesus clarifies exactly when one has ground for a divorce. The emphasis is not to support or encourage divorce, rather to clarify the only reason why one can biblically apply for divorce. The higher spiritual application is to maintain the marriage, even if one partner is unfaithful (1Cor.7:10-11).
  - C. Verse 31 reveals the gross distortion of interpretation of Deu.24:1-4 as applied by Judaism.
  - D. The Jews have liberally interpreted the Law that it was God’s directive will that one can divorce and remarry, rather than the correct interpretation that divorce was only permitted and to divorce and remarry carries with it a penalty of permanent separation from their former spouse.
  - E. The words “*except for the cause of unchastity/sexual infidelity*” define the only bona fide basis for a divorce to be validated in God’s eyes i.e., adultery.
  - F. It further implies that a validated divorce must be effected before marriage to another can be validated in God’s eyes.
  - G. This is the force behind, “*whoever marries a divorced woman commits adultery*” in verse 33c and as He further expresses in partial teachings on this subject in Luk.16:18.
  - H. Jesus is clarifying that since adultery must occur before a divorce is biblically legit, a divorce granted for any reason other than adultery, will still demand that adultery occur before one is free to marry another and that marriage accepted by God; thus the result of the first sex act of the new marriage being adultery in God’s eyes.
  - I. It is this principle that believers fail to understand (adultery will occur one way or the other before God considers a divorce righteously legal) and alluded even the disciples when Jesus taught this on another occasion in Mar.10:10-12.
  - J. In all of Jesus teachings, divorce is never commanded. The couple should forgive and try to keep the marriage together, even if sexual unfaithfulness is involved.
  - K. He further implies that legal divorce is the exception, not the norm.
  - L. Marriages arising from non-biblical divorces are to be regarded as legitimate, even though an act of adultery was committed initially.
- V. Christ’s second teaching on divorce. Mat.19:1-12 with parallel passage Mar.10:1-12
- A. Again, these passage show clearly the classic mistake of taking the permissive will of God and skewering it to make it the directive will of God.
  - B. The Pharisees, knowing Jesus position on divorce versus the popular viewpoint, attempt to set Him up and put Him on the spot. Mat.19:3; cp. Mar.10:2
  - C. The Pharisees reflect the most liberal viewpoint regarding divorce and interpretation of Deu.24:1-4, that being that divorce could be for any reason. Mar.19:3, 7 cp. Mar.10:4
  - D. Christ’s response to the question emphasizes the permanence of the marriage union. Mat.19:4-6 cp. Mar.10:6-9; Gen.2:24
  - E. The word “leave/καταλείπω” of Mat.19:5 and Mar.10:7 means to “leave behind/forsake” and is used with:
    - 1. Dying (Mar.12:9). Application: When two people marry, they die to parental authority; they are no longer obligated by the plan of God to be obedient to parents.

2. Going away to a far country (Act.21:3). Application: The couple is to physically separate from their parents and establish their own independent home.
  3. Forsaking and abandoning something (Heb.11:27). Application: The new couple is to abandon all previous family goals and ambition and take on new goals surrounding the new union.
  4. Leaving one in a certain state of affairs (Mat.16:4). Application: When two people leave home to marry, their parents are still their parents and are to be respected. Obedience has ceased, but honor remains.
- F.** Christ again emphasizes that divorce as practiced by the Jews was due to STA failures and not according to God's directive will. Mat.19:8; Mar.10:5
- G.** The overall flavor of the passages shows that the Jews, being negative to BD, were inevitably negative to the doctrine of RM/RW. They rejected doctrine through their volition, thus developing scar tissue on the soul. This promoted further rejection of the Lord's directive will. In the face of such insubordination and negative volition to the plan of God and because of the awful suffering, heartache and even greater abuse to the plan of God, Moses permitted it but not without a consequence of severe measure (Deu.24:4).
- H.** Jesus then continues to explain that the consequence of divorce **and** remarriage, always ends with the act of adultery. Mat.19:9; Mar.10:10-12
- I.** Thus the Divine Discipline imposed is in the form of Deu.24:4
- J.** In turn, failure to apply Deu.24:4 is an abomination to God and is a sin worthy of bringing cursing upon the nation and ultimate Sin Unto Death.
- K.** It is the disciple response to Jesus teaching and reemphasis regarding the "adulteress" act of divorce and remarriage (Mar.10:10-12) in Mat.19:10-12 that reflects even more the liberal view the Jews took regarding marriage:
1. The disciples make an unbiblical remark in vs.10 that contradicts Gen.2:18 – *"The Lord said, 'It is not good for a man to be alone.'"*
  2. The intent of their remark can be paraphrased as stating, "If adultery (sin) is the only "out" that can legitimately effect a valid divorce, then man is better off never getting married in the first place".
  3. This remark further implies their resistance to applying toward the weaker vessel. 1Pet.3:7
  4. So, they make a false conclusion that celibacy should be the norm if a man cannot get a "sinless" divorce.
  5. Jesus points out that they do not understand what they have said.
  6. He denotes that their statement had limited application, since very few do not marry. Vs.11
  7. The word "can accept/χωρέω" means "to make room for someone as a guest" (Mar.2:2), and here in context refers to accepting celibacy into one's thinking.
  8. He is stating that single status is not the norm but the exception, which apostate idiot types converse/turn around. 1Tim.4:1-3
  9. He further pursues this principle in vs.12 by declaring that it is the "natural" course of events for a man to get married and enjoy the fulfillment of his created body sexually. The alternative of abstaining sexually by remaining single is considered the "unnatural" approach to life as seen in the word "eunuchs".
  10. The purpose of remaining single throughout life should be due to an understanding of that niche being the plan of God who will cause that type of niche to happen. Ex. Paul – 1Cor.7:7-9

- VI.** The “Pauline Privilege”. 1Cor.7:10-16
- A.** In this passage, Paul addresses the responsibility married couples have regarding one another.
  - B.** Verse 10 specifically addresses the contractual union of marriage between two believing/Christian couples.
  - C.** Verses 12-16 addresses the situation of a believing spouse who is married to an unbelieving partner.
  - D.** The primary emphasis and overall tone of the context of both cases centers around:
    - 1.** The permanent nature of marriage and one’s responsibility to maintain the contractual obligations. Vss.10-11 cp. vss.12-13
    - 2.** To address the occurrence of separation of married couples. Vs.11 cp. vs.15
    - 3.** The ultimate goal if separation does occur is reconciliation between believing couples (vs.11) and to maintain peace between unbelieving and believing couples (vs.15).
  - E.** The implied theme surrounding all that Paul has to say regarding married couples is “harmony” (Cp.7:3-5) and thus avoiding conflict and strife in the relationship.
  - F.** While it is clear that believing married couples who may separate are to remain unmarried or pursue reconciliation to resolve their differences, the question of marital contractual obligation centers around the unbeliever abandoning or leaving the believer (vs.15).
  - G.** Many have interpreted “..is not under bondage/enslaved in such cases..”, as Paul saying that any believing spouse whose unbelieving partner leaves the marriage, is released from all contractual marital obligations i.e., if the unbelieving partner leaves and a divorce is granted, the believer is free to remarry.
  - H.** The word “under bondage/enslaved/δουλόω” means “complete bondage/completely enslaved and can refer to either a physical bondage (Act.7:6), spiritual bondage (Rom.6:18) and infers both physical and spiritual bondage (2Pet.2:19).
  - I.** There are obvious flaws hermeneutically with this interpretation:
    - 1.** There is no other scripture that supports this principle.
    - 2.** No where in the immediate context is divorce said to be all right, but rather remaining married in both cases is the preferred/directive will. Vs.11 cp. vss.13-14
    - 3.** Paul is dealing with the principle of separation, not divorce.
    - 4.** It violates Christ’s teaching regarding divorce.
  - J.** It is clear via vss.12,13,15 that the unbelieving spouse who leaves is one of such mindset (-V) that they clearly have no intentions to consent to living with the believer and therefore harmony together under one roof is impossible.
  - K.** It is under this premise that Paul allows a separation to occur.
  - L.** While the two believing partners are under obligation to remain unmarried or to seek reconciliation and return to cohabiting (vs.11), this same obligation is not incumbent upon separation that occurs between the unbeliever and believer.
  - M.** The intent of the conjunction “*or else/ ἢ*” indicates that a pursuit of reconciliation may not be possible as one of the spouses will not entertain that approach, but this option if available should be applied.
  - N.** Therefore the “complete bondage” that the believing couple is under is one of physical/legal bondage of the marriage contract and if possible a spiritual bondage of application to apply reconciliation towards one another.

- O. Paul further makes a distinction of simply a legal bondage with regards to marriage in vs.29 where the word “*bound*/δέω” is used clearly referring to marriage as stipulated “*by law*” (Rom.7:2).
  - P. The correct interpretation of “*..the brother or the sister is not under bondage in such cases..*” in vs.15 is that the abandoned believer is not under the “complete bondage” of both the legal binds of the marriage contract and the higher spiritual application imposed upon two believing couples to reconcile if possible.
  - Q. Rather in this situation, Paul states that the believing spouse is free from the necessity to pursue reconciliation but does remain under the legal aspects before God regarding marriage and that is divorce is still only valid under the sin of adultery.
  - R. This is the intent of vs.29, whereas the immediate context surrounding that verse is, whatever niche you are in don’t pursue changing it, rather if you are married don’t seek divorce and if you are divorced don’t seek remarriage, but (vs.28) it is not a sin to marry if you are “legitimately single”. Vs.29 applies to all cases of marriage with no exceptions and clears any misreading of Paul’s intent back in vs.15.
  - S. Paul’s statement in vs.15, “*God has called us to peace*”, is to note that when a negative unbeliever so resents living with a believer who is seeking God’s will and leaves, their very action shows peace between the parties without compromise of BD is impossible and therefore peace will only be realized through separation.
  - T. Staying within the context of the passage then, Paul is stating in vs.15 that the believing spouse of an unbeliever who has abandoned him or her, is under no obligation to pursue reconciliatory avenues, but is free to apply the principle of separation as proclaimed in 2Cor.6:14ff **short of** divorce.
  - U. Even though divorce may be filed for legal protection by the believer, it does not free the believer with regard to biblical divorce that falls under the mandate that adultery must occur.
- VII. Conclusions:
- A. There is only one ground for divorce and remarriage biblically and that is through the act of adultery.
  - B. The act of adultery is mandatory by at least one party for any divorce to be validated before God thus freeing the opposite party to remarry.
  - C. This is why “**God hates divorce**”. Mal.2:16
  - D. Though the consummating act of a new marriage from a divorce where adultery is absent is considered an act of adultery, it does not carry with it the death penalty since a new union is immediately established. However, it does proclaim a “death” has occurred since the remarried spouse can never return to the previous marriage.
  - E. There are two conditions under which one may remarry without sin or violation of God’s directive will:
    1. Death of one’s spouse. Rom.7:2
    2. The innocent party of an adulterer or adulteress spouse. Mat.19:9
  - F. Divorce should always be the last resort for any marital couple with regards to their marriage.
  - G. All subsequent remarriages following divorce are valid and in full force and effect in the eyes of God after the marriage consummation.
  - H. Separation is only a concession, a part of God’s permissive will for those who will not adhere to the directive will.

- I.** Two believing spouses who may separate are under obligation to pursue reconciliation if possible before God while a believing spouse whose unbelieving partner initiates separation is not under this same obligation.
- J.** Anyone who has divorced and remarried is to never return to their previous spouse.
- K.** Maintaining sexual fidelity in a marital relationship should be the first order of importance. 1Thess.4:3-8
- L.** A couple of safe rules to follow if divorce does occur in the Local Church:
  - 1.** Stay aloof of domestic disputes since there are two sides to every story and you will only likely get one of them.
  - 2.** Do not take sides in domestic problems but seek doctrine to determine any necessary applications. Situations such as this can be divisive in the local church. Heb.12:15
- K.** Where there is failure, there is grace to put that failure behind you and move on.