

Divorce and Remarriage

Introduction: The topics of divorce and remarriage have long been controversial among Christians. It is biblically clear that God hates divorce and that Christians are not normally supposed to divorce. Many churches seem to have just accepted divorce as fine or as simply up to the preferences of individual members. But those who try to remain faithful to God's word reject that approach yet differ among themselves on whether divorce and/or remarriage are ever allowable. This is a tremendously important topic because marriage is such a basic aspect of human life and part of the very foundation for society. It matters greatly whether God allows divorce, and if so, under what conditions. This study looks at the Bible's teaching on this important topic.

- Andrew David Naselli, “What the New Testament Teaches About Divorce and Remarriage” covers a lot more biblical material and gets into greater detail and is representative of FCC's position. You can find it on our church website.

- What is marriage?

I. Marriage is a covenant between a man and a woman to be each other's loving and exclusive companion for life.

- A quick point as background for understanding divorce and remarriage; could look at lots of biblical material, but this point is not the focus of the study
- Mal 2:13-16 (esp. v. 14)
 - Context: Israel was complaining that God was not accepting their offerings evidenced by his withholding of blessing from them (v. 13).
- How does this passage support this definition? → God as witness implies covenant (14); “companion and wife by covenant” (14); requirement of faithfulness (14-16); requirement of love (16); faithfulness required and divorce without proper cause being condemned in the passage implies lifelong
 - Eph 5:25 and Titus 2:3-4 → Husband and wife are to love one another
- A covenant is “an elected, as opposed to natural, relationship of obligation established under divine sanction” (Gordon Hugenberger, *Marriage as a Covenant*, 171).
 - The sanction element can be seen in God's judgment on their poor treatment of their wives in Malachi 2 (cf. 1 Pet 3:7 and the implicit threat of God not hearing the prayers of lousy husbands)

II. The main views of divorce and remarriage among Bible believing and honoring Christians

1. Never initiate divorce, never remarry
2. Sometimes divorce is allowable, but never remarry
 - There is difference over what the biblical grounds for divorce are, whether adultery and desertion only, or whether there are additional grounds.
3. Sometimes divorce is allowable, and when it is, remarriage is allowable.
 - The same difference over the ground for divorce applies here for both divorce and remarriage.

III. New Testament Teaching

Matt 5:31-32

- Context: The Sermon on the Mount; Jesus is unpacking the true meaning of the Law, calling for keeping it from the heart and keeping the spirit of it and often citing the faulty teaching of the Jewish teachers to then correct it. See Matt 5:17-20.
- So what does Jesus teach here? → Divorce and remarriage not allowed unless there has been sexual immorality (sexual activity with someone other than the person's spouse); i.e., divorce and remarriage are allowed if there has been sexual immorality/unfaithfulness.
 - “Makes her commit adultery?” → The typical thought is that most women would remarry for need to be taken care of if nothing else, and commit adultery in doing so because the divorce is illegitimate. However, this is difficult because a woman would not necessarily marry again and she would not really have to such that her husband divorcing her would *make* her commit adultery. But this clause can be translated “makes her the victim of adultery” as the NIV now

translates it. This makes better sense because the verb in Greek is passive, which was not commonly used in an active sense (“to commit adultery”), and then only of a woman guilty of adultery while the woman in view here is innocent. It also accords with Mk 10:11's articulation of the same basic principle. But sexual immorality as a biblical/valid ground for divorce does not rely on this alternative translation. However, with the typical translation, one must assume that Jesus meant “makes her commit adultery [if she marries].” On this translation question, see Ron Jones, “Support for the NIV Translation 'Victim of Adultery' in Matthew 5:32” (https://www.academia.edu/10985026/Matthew_5_32_Support_for_the_NIV_Translation_Victim_of_Adultery_).

- Divorce and remarriage allowed if there has been sexual immorality seems to be the obvious and straightforward meaning. But those who think divorce and/or remarriage is never allowed tend to take “except for sexual immorality” as just indicating that the husband does not make the woman commit adultery if she has committed adultery because she has already made herself commit adultery. But this does not make much sense. First, there is the problem mentioned above of women not necessarily remarrying. It makes more sense that Jesus would be laying the blame for divorce on the person initiating the divorce when there has been no unfaithfulness. Second, on the assumption that her husband divorcing her would cause her to commit adultery by remarrying, it is simply not true that the woman having committed adultery would mean the divorce would not cause her to commit adultery. On the “causes her to commit adultery” view, the adultery hinges on the remarriage. And she would still be committing adultery by the remarriage. Moreover, the divorce would place the same pressure on the woman to remarry whether she had committed adultery or not.
- But why would the husband be committing adultery by divorcing the woman? → Because “men who initiated divorce in the ancient Roman world did so for one reason only—to legally remarry another woman (Naselli, 18, citing Blomberg). So while it cannot be assumed that a divorced woman would remarry, it can be assumed that a man who divorced a woman would remarry, and indeed, his intent to remarry would be part of his intention to divorce, making his divorce adulterous. Women actually did not normally have the right to divorce in Jewish culture, though they could in Greco-Roman culture. Adultery was normally thought only to be an offense against a man. Totally unbiblical! And Jesus and the NT set that straight, restoring OT teaching.
- If the woman is divorced in such a situation, why would it be adulterous for someone else to marry her? Wouldn't she be free to marry because she was divorced yet innocent in it? → Because the divorce was not legitimate. She should not marry for a time in order to allow opportunity for repentance and reconciliation (cf. 1 Cor 7:10-11 in context). In light of what Jesus has said, that adultery allows for divorce and remarriage, she would be free to remarry if the husband remarries (which he almost certainly would). Other NT teaching would also allow for remarriage in many circumstances, which we will look at later.
- Why would God allow divorce in the case of adultery/sexual immorality? → It breaks the marriage covenant at its heart, and in the case of adultery, forges a sort of one flesh relationship with another person other than your spouse.

Matt 19:3-12

- Similar to Mt 5, but much fuller.
- V. 3 → Excerpt from Naselli, 9-10 (adapted):

Jesus addresses what was a contemporary controversy—namely, how Jewish teachers at the time understood “some indecency” in Deuteronomy 24:1. (“Some indecency” translates the Hebrew phrase “nakedness of a thing.”) What the Pharisees ask in Matthew 19:3 confirms that the issue regarded no-fault divorce: “Is it lawful to divorce one’s wife for any cause [κατὰ πᾶσαν αἰτίαν]?” . . . At that time the Jews debated among themselves which of two rabbis (both Pharisees) to follow on divorce—Shammai (c. 50 BC–AD 30) or Hillel (c. 110–10 BC).

- Shammai’s view (a minority Jewish view at the time). If a wife commits πορνεία, then the husband must divorce his wife and may remarry. “The Shammaite school (who disagreed with the Hillelites on hundreds of other issues) said that ‘a cause of indecency’ [Deut 24:1] was a single phrase with a single meaning: it referred to ‘nothing except indecency’ (i.e., adultery).”
- Hillel’s view (the majority Jewish view at the time). In addition to Shammai’s view, a husband may divorce

for “any cause” (Matt 19:3) and may remarry. “The Hillelite school argued that the phrase ‘a cause of indecency’ (Deut 24:1) referred to two grounds for divorce: ‘indecency’ (i.e., adultery) and ‘a cause,’ which they interpreted as ‘any cause.’” Both views required divorce for *πορνεία* and permitted remarriage. Among the Jews, “Everyone agreed that adultery and other similarly weighty offenses—e.g., abuse, cruelty, humiliation, persistent refusal to provide requisite food or clothing, willful conjugal or emotional neglect (cf. Exod 21:10–11)—were clear cause for divorce and required the punishment of the offending party.”

- Vv. 4-6
- What is Jesus' biblical/theological strategy here? → Goes back to the beginning/God's original intention. In Jewish interpretation, the further you could go back towards the beginning, the stronger your argument was considered.
- And what is Jesus' basic answer? → v. 6; people should not (normally) divorce
- Can we tell Jesus' view of Deut 24? → Not really; he clearly sides more with Shammai's view of God's view of divorce, but we will see that his view is even less congenial to divorce than even Shammai. He seems to indicate that Deut 24 is not really the place to go for God's fundamental attitude toward divorce.
 - Let's look at Deut 24:1-4
- Does this passage talk about what is allowed or banned for grounds for divorce? What is it about? → No, the passage doesn't authorize the divorce it talks about or the reasons for it, but addresses what to do if a certain divorce situation takes place. The reason referred to is probably of a serious nature like sexual immorality, but it would not matter whether the reason were legitimate or not, the same guidelines would be in force.
- The passage probably does reflect proper procedure. And so why a certificate of divorce and why no remarriage to the original husband? → Protect women from being exploited for a second dowry, to help keep divorce from being too easy, and to keep women from being tossed around like property.
 - V. 7 – What's the sense of this question? Why do they ask it? → “Well, why did Moses bother giving us guidelines for dealing with divorce if divorce is not supposed to take place?”
- Vv. 8-9
- Permitted because of hardness of your hearts? → Not allowing them to divorce because they would do it anyway, but because they would sin in such ways that would make divorce appropriate.
- So, what is the bottom line? What is the practical result of the principle Jesus has been expounding? → V. 9
- How does that compare to Mt 5:31-32? → Focuses just on the man; contains the same exception clause; seems to support the “makes her a victim of adultery” translation.
 - One thing to note is that standard Jewish teaching was that a man had to divorce his wife for adultery. But Jesus' teaching merely allows it. He was even more supportive of God's original intention.
- Vv. 10-12
 - The disciples' reaction shows that this was totally new teaching to them, practically inconceivable in their culture.
 - Jesus is not saying it is ok to take or leave this teaching, but that it is fine not to marry if you are unwilling to abide by it.
- One piece of historical background we have not mentioned yet is that “everyone—Jew and Gentile—assumed that remarriage is legitimate when the divorce is legitimate. Divorce in the Jewish and Greco-Roman historical-cultural contexts always included the right to remarry (Naselli, 12). And so, “If Jesus intended to forbid remarriage, then it is highly likely he would have forbidden it explicitly without any exceptions” (ibid.).

Mark 10:2-12 and Luke 16:18

- The most notable difference about these passages is that they do not include the exception clause.
- What can we infer from this? → If they don't state the exception clause Jesus gives elsewhere, then they are general statements that assume the exceptions. (It's hard to know if Matthew reports what Jesus said more fully or if he clarifies Jesus' meaning under the inspiration of the Spirit.)
- What might that mean about Jesus' statements in Matthew with the exceptions in relation to their exhaustiveness? → They might not be exhaustive, just as Jesus' statements in Mark and Luke are not. There could be other exceptions.
- Why might Jesus' statements in Mark and Luke not include the exception clause?
 - Naselli, 24: because Jesus was specifically addressing the controversy regarding no-fault divorce (see §1.1). Everyone would have assumed the exception clauses because everyone—both Jews and Gentiles

—assumed that there are legitimate grounds for divorce such as adultery, and Jews universally assumed that there are scriptural grounds for divorce. “Matthew is merely making explicit what was assumed by Mark and Luke to be already obvious to their readers.”

- “We commonly speak in ways that assume what we mean without explicitly mentioning exceptions” (ibid.). Cf., “Is it lawful for 16-year-olds to drink?” (Naselli, 25, citing Instone-Brewer)

1 Corinthians 7:10-16, 39

- Vv. 10-11
 - The terms for separation and divorce are synonymous. They both refer to divorce in this context.
 - So, what do these vv. teach? → Straightforward with the qualification that they must at least presume the exception Jesus gave, which allows divorce and remarriage in the case of sexual immorality.
 - So, what if a man or woman sinfully divorces a spouse? Why no remarriage? → No remarriage as long as there is possibility for reconciliation. Illegitimate divorce, and it should be made right rather than marrying another. Some might think that this just means no remarriage, period, apart from reconciliation as part of the consequence for sinfully divorcing.
 - This is complicated by the fact that someone who sinfully divorces would ultimately face church discipline if he refuses to repent. But there could be complicated situations in which the church would not excommunicate while not condoning, but would ban remarriage.
- Vv. 12-14 → What do these vv. teach about divorce? → Do not divorce a non-Christian spouse who wants to remain married. (It is sin to marry a non-Christian, but there are a variety of ways a Christian can come to that situation.)
- Vv. 15-16
 - What do these vv. teach about divorce? → A believer can divorce if an unbelieving spouse does not want to stay married.
 - Not bound? → Not bound to the marriage. Free to remarry.
 - Why would we think freedom to remarry is part of that? → Based on what we have already seen in Jesus's teaching and the point that lawful divorce always included the right to remarry; and cf. 1 Cor 7:39
 - Re: 1 Cor 7:39, What Paul writes in 1 Corinthians 7:39—“she [i.e., a Christian widow] is free to be married to whom she wishes, only in the Lord” quotes Jewish divorce certificates that specified a divorced woman was free to remarry, but Paul substitutes the words “in the Lord” for “any Jewish man.”
 - Why does Paul allow for divorce in the case of desertion by an unbeliever? → peace
 - What's the reasoning? → A believer and unbeliever are unequally yoked in marriage and have such fundamental differences in their identity that it makes for fundamental strife, and the unbeliever is not yielded to the lordship of Christ. (It is not God's will for a believer to marry an unbeliever in the first place.)
 - So these vv. give us another exception.
- What are the 2 exceptions explicitly given for divorce (and remarriage) in the NT? → adultery (more technically, sexual immorality) and desertion
- Are any of the passages exhaustive in identifying exceptions? → No.
- What does that mean? What possibility does it raise? → That there are other exceptions
- So, why else might we think there are other exceptions? And how could we know what they are?
 - The exceptions we have seen break the covenant of marriage at a fundamental level. We could expect other fundamental breaking of the covenant to be grounds for divorce and remarriage.
 - Exodus 21:10-11 indicated a man is responsible to provide physically and sexually for his slave wife and that failing to do so is grounds for divorce (and how much more for a regular wife?). Paul repeats these requirements in his writings. It follows that refusing to fulfill these obligations would remain grounds for divorce.
 - Take, for example, the issue of physical abuse. Paul allows for divorce from an unbeliever if the unbeliever does not want to be married, and he allows it for the sake of peace. In light of that,

surely God would not require someone to submit to continuing abuse or hatred or cruelty just because the abuser says he wants to stay married. Someone who acts like that and refuses to repent shows by his actions that he does not really want to be married rightly. He has, in effect, deserted the marriage through his actions. And there is no peace in that.

- But then can't two Christians married to one another get divorced for the sake of peace because they don't get along? → No, because they are both submitted to the lordship of Christ. The answer for them is to not divorce to get peace, but to repent as necessary and live in godliness to get peace. They are to work things out and grow in harmony.
- But what if you have two professing believers, but a situation of abuse or hatred or neglect, etc.? → Surely, the same behavior is not to be tolerated just because they are professing believers! If anything, the standard is higher! The church needs to be involved in such a situation to bring accountability and discipline if necessary and oversight if divorce is called for. (If it is a physical abuse situation, the police might need to be involved. Special steps might need to be taken for safety.) But on the spiritual level, if the guilty party genuinely repents, then there should be overseen reconciliation and continuation of the marriage (certain situations could call for very tight accountability). But if the person refuses to repent and continues to do so, then that person would be pronounced an unbeliever and excommunicated and then could be treated as an unbeliever who does not really want to remain married to a believer, and divorce could proceed.
 - This could be thought of in 2 ways, either recognizing additional grounds for divorce (persistent abuse, cruelty, humiliation, refusal to provide appropriately, willful conjugal or emotional neglect, etc.) or as a form of desertion, informal desertion of the marriage covenant in action rather than formally leaving the marriage.
 - The church's involvement ideally keeps additional grounds for divorce besides adultery and formal desertion from giving people free reign to divorce just because they want to or because they find their marriage hard or because the couple has a difficult time getting along. Divorce on additional grounds is only for extreme cases in which at least one partner is really refusing to fulfill his or her marital obligations, basically refusing to act as a real husband or wife.
 - The church's involvement ideally also ensures that the spouse who might want a divorce does everything they can to bring their spouse to repentance and to save their marriage.
 - But it also ideally serves to keep someone from having to live a life of strife that they have not been called to with a partner who refuses to participate in the marriage in good faith.
- Within the church, the elders (i.e., pastors) should be involved in any decision to divorce and should evaluate each situation that arises on a case by case basis as to its biblical allowability and advisability.

IV. Application

- How can we apply this teaching beyond the obvious following of the guidelines set forth?
 - Appreciating God's heart for marriage, that he is love, that he is personal and seeks loving, committed relationship with us, and carries out his relational obligations toward us with perfect faithfulness, and that marriage is a picture of our relationship with him
 - If married, am I the husband or wife God wants me to be? How do I need to grow as a husband or wife?
 - Recommitting to God's standards for marriage in a society that has twisted and rejected God's truth, and living out God's standards as a light to the world
 - Praying for our marriages

- Supporting and encouraging others in their marriages
- If single, taking account of God's standards for marriage and how serious marriage is if you hope to marry. (Remember the disciples' reaction to Jesus's teaching that divorce is not normally allowed!) And working on being someone who is ready for marriage, i.e. growing in Christlike character, including selflessness and putting others first. As a single, being concerned for, praying for, and supporting others' marriages.

Conclusion: The basic position of the Bible and FCC is that divorce is normally sinful, but that it is sometimes legitimate, and that there are more legitimate grounds for divorce than adultery and desertion, and that remarriage is legitimate when the divorce is legitimate. Additionally, within the church, the elders (i.e., pastors) should be involved in any decision to divorce and should evaluate each situation that arises on a case by case basis as to its biblical allowability and advisability.