

# **DIVORCE AND REMARRIAGE**

*By Denver Cheddie*

The fact that in the USA 50% of marriages end in divorce, within and without the church, testifies that one of the greatest aims of the devil is to break up the family unit. Divorce is never good even if justified. No one ever benefits. Both husbands and wives suffer, even if they don't always admit it, and children are the worse off. I believe there is much need for family life teaching from behind our pulpits. This article addresses the question of divorce and remarriage. When is divorce justifiable? When is remarriage permitted?

There are a number of varying views on the subject <sup>[1]</sup>.

- 1) Some believe that remarriage is never allowed under any circumstances except the death of a spouse. Divorce may be permitted in certain cases but never remarriage. They interpret Jesus' teachings in Matt. 19 as meaning that divorce is permitted in the event of fornication, but remarriage is not. I believe this position is stricter than the Word of God.
- 2) Some believe that remarriage is permitted in certain cases e.g. fornication and/or desertion. I personally believe remarriage is permitted after divorce, only if the divorce was the result of marital unfaithfulness, or else the remarriage is equivalent to adultery.

- 3) Some pastors allow just about anything to go. As a result people divorce, remarry, divorce again, remarry; and they never attempt to work on their marriage.

### Deut. 24:1-4

***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, when she has departed from his house, and goes and becomes another man's wife, 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, 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 (NKJV).***

Moses permitted divorce. There was great controversy among the Jews over the meaning of this passage. What was the uncleanness referred to in vs. 1? Some believed it was sexual sin, others believed it could be anything displeasing. They say it could not mean adultery since such sins were punishable by death not divorce. However it must be recognized that the death penalty was rarely executed in practice. Recall that if Mary was sexually active before marriage as Joseph thought, that was punishable by death. Joseph did not care to see her die so he sought to put her away quietly (Matt. 1:19). The Jews were divided over the issue. One school believed a man could divorce his wife for any reason, another that he could only do it for adultery. Quite frankly, it matters very little what this passage

really means since Jesus re-interpreted divorce in the light of God's original design.

Another difficult question arises in verse 4: why wasn't a remarried woman allowed to remarry her former husband in the event of a divorce from or death of her second husband? Many crazy answers have been postulated. In my view they all try to explain away the obvious meaning of the passage. I think the meaning is exactly what the Bible says whether we like it or not. In the OT remarriage of a woman was considered a state of defilement. It is as if she committed adultery and now came back to her first husband. That was detestable in God's eyes and brought sin upon the land. In our pagan western society, people see no problem with that, but God is not an American.

So why would God command her to be remarried if He knew that were a defiled state? This objection is based on an unfortunate translation of the passage in the KJV. God never commanded the husband to divorce her. He never commanded her to be remarried. Compare the KJV with the NIV, NKJV or any modern translation in these verses. The only command is found in verse 4 – the prohibition against remarriage to her former husband. There are a series of "ifs" followed by a "then". ***If*** he marries a woman, ***if*** she is displeasing, ***if*** he divorces her, ***if*** she remarries, ***if*** her second husband divorces her or dies, ***then*** she may not remarry her former husband. God only **allows** divorce because of the hardness of people's hearts, he does not **command** it. **But he forbids remarriage to a former spouse.** This is the main message of Deut. 24:1-4.

## Ezra

After the Babylonian captivity, some Jews returned home and married unbelieving Gentiles (9:1,2). In this case it was recommended that they put away the foreign wives (10:2,3) since it would naturally have led them away to the worship of idols. It is obvious that this was an exceptional case. After 70 years of exile, they did not want to incur the wrath of God again. They chose the lesser of 2 evils – to divorce rather than violate Deut. 7:3,4. It is very important to note that nothing is said about remarriage in this case. The Hebrew word for put away here is **yasa**. The normal word used for divorce in the OT is **salah**. What was intended in Ezra was a legal separation, rather than a full divorce with all its entitlements to remarriage.

## Mal. 2:11-16

Here the Israelites had divorced their old (in age) wives and seemingly remarried younger heathen wives. God was livid. He detested divorce. Although God does permit divorce in some cases, he hates “casual divorce” – those done for frivolous reasons, very much like those which take place in our western society under the guise of “incompatibility”. Divorce should be the exception not the rule for the course of a marriage.

## Jesus' Teachings

Matt. 5:32,33; 19:1-12; Mark 10:1-12; Luke 16:18

Jesus' teaching is by far the clearest and most relevant in this subject. The Pharisees tested Jesus with the question that caused division among the Jews – whether divorce and remarriage were permitted for any reason or only for fornication. Jesus referred them to the original purpose of marriage. There was to be no separation, and reconciliation should be sought as much as possible. Divorce only becomes an issue because of sinful man. Jesus emphasizes that generally speaking, remarriage is a state of adultery. However in the 2 Matthew passages, an exception is given – fornication or sexual immorality or marital unfaithfulness.

An interesting question is why this exception is omitted in Mark and Luke. Some say the exception only applied to the Jews and not to the Romans and Greeks to whom the latter 2 gospel writers wrote. This is hardly likely. Jesus said what he said. The writers of the Gospel only recorded what was relevant to their purposes. None of them recorded the full saying of Jesus [ii]. None of them intended to give an excursus on divorce. Their goal was to portray Jesus. In so doing it was necessary to describe the conflicts he had with the religious leaders of his day. Jesus however did give an excursus on divorce. His complete teaching can be determined from an eclectic view of the gospels that record the event.

**The totality of Jesus' teaching on the subject is as follows.**

1. Marriage was intended to be permanent and divorce was only permitted because of the hardness of man's heart (Matt. 19:4-6; Mark 10:6-9).

2. Remarriage after divorce is only permitted if the divorce was the result of fornication (Matt. 5:32; 19:9).
3. If divorce took place for any other reason, then a subsequent remarriage would be an adulterous relationship. This applied to:
  - a. the man who divorced his wife and remarried another (Matt. 19:9; Mark 10:11, Luke 16:18),
  - b. the innocent woman who was divorced, if she remarried (Matt. 5:32),
  - c. the innocent man who married her (Matt. 5:32; Luke 16:18),
  - d. the woman who divorced her husband, if she remarried (Mark 10:12),
  - e. by extension,
    - o all who divorce and remarry,
    - o all who are divorced and remarry,
    - o all who marry divorced people,

*if* the divorce was for any reason other than fornication.

## **Paul's Teachings**

### **Rom. 7:2; 1 Cor. 7:15**

In **Rom. 7:2,3** Paul states that a woman is only free to remarry after her husband dies. That is the general rule. So why was no exception given? Paul

was not giving an excursus on divorce, but merely citing an illustration for his Law vs. Faith teaching.

In **1 Cor. 7** Paul does give an excursus on divorce and remarriage. He does this in response to a series of questions the Corinthians had. There are many difficult passages in this chapter, but we will analyze what Paul's message was.

**Verses 1-7:** Paul wishes that all people could remain single but as a concession, he allows people to marry to avoid fornication. When married, people have responsibilities to their spouses. He also acknowledges that some have a special ability to remain unmarried. With this as his basic thesis, he now applies this principle to various groups of people.

**Verses 8,9:** To the unmarried and widows, they should marry if they cannot control their desires.

**Verses 10,11:** He now turns his attention to the married people. He starts off by giving the general teaching of the Lord (Jesus), which is that the married should stay married and not separate. In the case of a separation, reconciliation should be sought, not remarriage to someone else. Why did Paul not mention the exception clause? It is because 1) he was giving the general rule (as originally intended by God), 2) the issue with the Corinthians was not marital unfaithfulness but unbelieving spouses, thus the exception was not relevant to them.

**Verses 12-16:** Paul now addresses a special case that Jesus did not speak directly on – believers with unbelieving spouses. Paul gives his advice which

is an extension of Jesus' teaching. Considering what happened in Ezra, believers were naturally concerned about those with unsaved spouses. Paul negated the notion that they should put them away. He recognized that Ezra faced an exceptional situation in which the Jews were required to put away their Gentile wives. Believers on the other hand should stay married to their unbelieving spouses, obviously in the hope that they would become saved. Instead of believers becoming defiled by unsaved spouses and children, as was the case in Ezra, the reverse is now true (unbelieving ones are "sanctified" by the believing ones). Fellowship with unbelieving spouses is acceptable because of the believing spouse.

Verse 15 is the difficult verse. This verse states that ***if the unbeliever departs, the believer is not bound***. What does it mean the believer is "not bound" if the unbelieving spouse departs? Does it mean that they are free to remarry (not bound to remain single)? Or does it mean they are free from the bondage of having to seek reconciliation?

William Jennings Dake, in his annotated reference bible, comments that 1 Cor. 7:15 **does** allow for remarriage in the case of desertion by an unbelieving spouse. His argument: Why should the innocent person be punished to live a life of singleness because of someone else's wrong? Now understand me, I am still single, and at times it a-b-s-o-l-u-t-e-l-y s-u-c-k-s!!! But how can anyone reading 1 Cor. 7 get the impression that singleness is punishment? Consider especially verses 6-9, 26-29, 32-34, 36-38, 40.

I believe 1 Cor. 7:15 **does not** allow for remarriage in the case of desertion for the following reasons.

1. Jesus gave 1 exception, how could there be 2? If Paul added a 2<sup>nd</sup> exception, then he did not extend on Jesus' teaching but blatantly contradicted it. Suppose I said, "The parking lot is empty, except for a white Corolla". When you look outside, you see 2 cars in the parking lot - a white Corolla and a blue Civic. Would I be right or wrong? I think I would be half right and half wrong. Similarly if Jesus said fornication is the only exception, when in fact there are two exceptions, then He would have been in error.
2. Paul taught there was no spiritual difference between marriage to a believer and marriage to an unbeliever i.e. in neither case should the believer be the one to initiate divorce. If remarriage was not allowed for desertion by a believing spouse (vs. 10,11), why is it permitted for desertion by an unbelieving spouse (vs. 15)? It makes no sense.
3. Verses 12-15 mirror 10,11 in thought development. Consider the following comparison.

	<b>General Marriage</b>	<b>Mixed Marriage</b>
<b>General Rule:</b>	Should not separate (vs. 10).	Should not separate (vs. 12,13).
<b>In the event of a separation:</b>	Should seek reconciliation (vs. 11).	Is not bound/under bondage (vs. 15).

It now becomes clearer that what is meant by "not bound" is that the believer is not required to go out of his/her way to make reconciliation. Neither do they have to worry about winning over their unsaved spouses (7:16). They are now free, at peace. Remarriage is not discussed here. Why? Because marital unfaithfulness was not an issue among the Corinthians. The issue was desertion and separation. In neither the case of Christian marriage nor mixed marriage, did Paul permit remarriage in the event of desertion.

Some would like to believe that Paul allowed for remarriage when the unbelieving spouse departs. Even if this were true, it does not really help their cause. Most of the cases of people divorced in the church today are cases where both were Christians. For such cases Paul indisputably commanded that they not remarry (verse 11).

It must be noted though that verses 10 and 11 do not speak specifically of Christian marriages. They speak of marriage in general. Why do I say this? There is nothing specific in these verses which limit their application to Christian marriages. Also in these verses, Paul claims to be citing the Lord's teaching on divorce and remarriage. Jesus (the Lord) spoke of marriage in general, not Christian marriage. So verses 10,11 and verses 12-15 are not a contrast between Christian marriage vs. mixed marriage, but rather one of general vs. specific. The general rule (remain single or be reconciled) cannot be violated in the specific case of mixed marriage.

4. Some erroneously compare 1 Cor. 7:15 with 7:39 and conclude that "not bound" in 7:15 means that the believing spouse is no longer bound to the marriage covenant. The word bound in verse 15 (root

**douloo** – to enslave) is different from bound in verse 39 (root **deo** – to tie or fasten). **Deo** refers to an obligation (see Acts 20:22; Rom 7:2; 1 Cor. 7:27,39). Paul commonly uses **deo** to describe the marriage vow. **Douloo** on the other hand refers to the bondage of being enslaved to something (Acts 7:6; 1 Cor. 9:19, Rom. 6:18,22; Titus 2:3; 2 Pet. 2:19; 1 Cor. 7:15). **Douloo** as used in 1 Cor. 7:15 is **not** the common word used to describe the marriage covenant. **Deo** is. While married, the believer is bound (**deo**) to his/her spouse. If the unbelieving spouse departs, the believer is not bound (**douloo**) - to seek reconciliation - but is still bound (**deo**) to the marriage covenant.

1 Cor. 7 does not teach remarriage in the case of desertion, unless fornication also takes place [iii].

## Conclusion

It was Jewish tradition that in the bill of divorcement, the divorced wife was free to remarry. So when Jesus permitted divorce and remarriage this was understood by his hearers. However he only permitted it for the case of fornication. Thus it is only when marital unfaithfulness occurs that remarriage becomes an option. It is only then that a divorce is valid in the eyes of God. A court of law may grant a divorce for any frivolous reason, in such cases subsequent remarriage is adultery - in the eyes of God. My allegiance is to God's word, not to my "compassion" for people's predicaments. Separation may be allowed for many reasons, it may even be encouraged in the cases of abuse or incest. But remarriage is never permitted in such cases. These separations - even though the law of the land may call them divorce - do not nullify the marriage in the eyes of God.

Sexual immorality is the only exception given that allows for the total dissolution of the marriage from God's perspective and thus makes remarriage acceptable.

So what about all those people "illegally" remarried in the church? Well God never considered Bathsheba to be David's wife, yet He eventually blessed their adulterous union. Paul said that we should strive to remain in the condition we were in when we got saved (1 Cor. 7:20). I believe that Paul's message to people in such situations would be, "Don't do anything stupid like divorce your second wife and remarry your first wife, just because you want to make amends. Pay your dues to whomever you're responsible, and move on. God has wiped your slate clean, now try to live the rest of your life for Him as best you can. Make the most of what you have now." Marriage is only earthly (Matt. 22:30), and I believe that God will consider each circumstance on its own merit, and reward us accordingly now and/or in the hereafter. God is eventually gracious.

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<sup>[i]</sup> See Wayne House, *Divorce and Remarriage – Four Christian Views*, (Downers Grove, IL: InterVarsity Press, 1990) for a more detailed discussion.

<sup>[ii]</sup> A comparison of Matt. 12:40; 16:4; Mark 8:12; Luke 11:29 shows that it was not unusual to find exception clauses being omitted, especially by Mark.

<sup>[iii]</sup> It goes without saying that if one spouse deserts the other one and commits fornication, then divorce may be allowable – not because of desertion but fornication. This is a technicality nevertheless it may be granted.

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