

Divorce and Remarriage

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I. Church Discipline—Mt 18:15-20; 1Co 6:1-11

A. Handling problems—Mt 18:15-20

1. The order of events in this passage
 - a. Tell it alone—15
 - b. If that fails, take one or two others—16
 - i. Basic principle of two or three witnesses—Nu 35:30; Dt 17:6; 19:15; 2Co 13:1; 1Ti 5:19
 - 1) note: as a rule of law, this does allow some smart crooks to get away with it
 - ii. note: The accuser is one of the witnesses in this passage
 - c. If that fails, tell it to the church—17a
 - i. The overseers represent the church—today, apostles then
 - ii. The whole church hears the particulars ultimately
 - d. If that fails, he is condemned officially
 - i. He is to you (officially) as a gentile and a tax-collector
 - ii. That person is still a Jew but before the assembly, he is something else.
 - iii. Note: this is for a personal dispute—a civil matter
2. This passage is in Matthew—a book for another dispensation
 - a. Does Paul conflict with this?
 - i. We are not under the apostles—Eph 4:11 comp 1Ti 3
 - ii. We are without miraculous gifts—1Co 13:8-13
 - iii. Therefore, our definition of a quorum may differ—Mt 18:19
 - b. In the Body, there is neither Jew nor Gentile—Eph 3:6
 - i. Being as a Gentile is no discipline
 - ii. Those not appropriate to be in the assembly are excommunicated—Gal 1:8,9; 2Th 3:14-15
 - 1) No (official) company with that person—2Th 3:14
 - a) He is officially, before the assembly, as an unbeliever.
 - b) The Greek word is in the imperative infinitive (see the Nestle-Marshall Interlinear) and means, "Do not mix with"
 - 2) In your personal life, continue to counsel that person if he allows—2Th 3:15

- 3) The context of this passages deals with the 'relatively' minor matter of those who don't work—2Th 3:10-12
 - 4) By extension, it can apply to any matter that might be brought before any court of law
- c. The rest of the passage is in full accord with 1Co and 1Ti
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- B. What does Paul teach directly?—1Co 6:1-11
1. We must take all civil disputes before the church—1-11
 2. Paul gives no additional procedure

II. The Old Testament Background—Dt 24:1-4

- A. Granted if a man displeased for reasons of 'indecenty'—1
1. Did not mean that she might have burned the toast—Dt 22:13-19
 2. Came to be abused—this is what is mentioned in Mt 5:31-32
- B. Right of remarriage understood for the woman—2
1. Indeed, there is no way the Jew would understand a person to be divorced properly (innocent party) without considering the remarriage appropriate for that person.
 2. The wrong, if there is one, is attached to the divorce.
- C. The man could marry often so he needed no divorce to (re)marry
- D. Under Jewish law, a woman could never divorce a man. The marriage was an arrangement between her father and her husband—comp Dt 22:13-20 and many other passages.

III. Biblical Grounds for Divorce

- A. 'Porneia'—Mt 19:9
1. Notice that here and Mt 5:31-32, Christ did not use 'moicheia' which is the word that is restricted to 'adultery'.
 - a. Christ's comments were meant to take a stand regarding the common argument over Dt 24:1-2
 - i. One school—Hillel allowed divorce for most anything. (They are the liberals on most anything even today!)
 - ii. One school—Shammai allowed divorce only for fornication (see Guy Duty, *Divorce and Remarriage*, p.25).
 - b. Christ came down hard on the side of the Shammai school.
 2. The corresponding Hebrew word is 'zanah' and is used
 - a. of an adulteress—Jer 3:1
 - b. harlotry—Amos 7:17
 - c. Every form of unchastity is included in the term 'fornication'.
 3. The Greek word has similar breadth of meaning.

- a. Arndt-Gingrich—"...*prostitution, unchastity, fornication*, of every kind of unlawful sexual intercourse."
 - b. Kittel (abridged in one volume by Bromily), pp919-920, "The later rabbis condemn not only extramarital intercourse but also unlawful marriages, e.g., with women guilty of cohabitation outside marriage. If the illegality comes to light only later, prior intercourse becomes *porneia*. Unnatural forms of intercourse are viewed as licentiousness, Noachic law makes fornication an offense for Gentiles...."
4. Further matters.
- a. The scriptures do not comment on Sadism as such. There is no question but that classic sadism (which is connected with sex) comes under the term *porneia*.
 - b. Homosexuality no doubt fits this word also.
- B. Desertion
- 1. Paul specifically mentions this—1Co 7:15
 - 2. Includes 'obligation of marriage'—comp Ex 21:10-11 (bought wife)
 - a. Refusal (assumes capability) to give food, clothing, and 'obligation' allowed the woman to go free—the marriage was over. This law never rescinded.
 - b. Doubtless the free woman had as many rights as the bought woman for the bought woman was a slave.
 - 3. Note: In all scriptures outside of Paul, the obligation to marry one who is saved is absent. They could marry Jews (unrestricted except for incest, etc.) and even gentiles on occasion. This is an important dispensational difference.
- C. Physical injury
- 1. The law for slaves and maids—Ex 21:26-27
 - a. If injured (clearly) in the slightest, allowed to go free
 - b. Threatening and cruelty is forbidden—Ep 6:9
 - 2. The Biblical wife surely has as many rights
 - a. The Bible nowhere has the notion of the docile and helpless woman who contributes nothing to the economy of the home—Prov 31:10-31
 - b. Refusal (assumes capability) to give food, clothing, and 'obligation' allowed the woman to go free—the marriage was over.—Ex 21:10-11
 - c. Personal injury more serious than this

IV. The Right to Remarry

- A. The proper attitude toward the innocent!
 - 1. Punishing the guilty and not the innocent is an important part of any rule of law—including that found in scripture—Ps 94:20-21; 109:31; Prov 17:15

2. The innocent should not be condemned—Mt 12:7; Isa 29:21; Ja 5:6
- B. Some comments on interpretation—Grammatical-Historical (literal) method of interpretation
1. Define the words
 2. Usage
 - a. look at all passages
 - b. note: Ex 20:4-6 forbids any images of any sort but Ex 25:18, 33 command certain ones to be made
 - c. This leads to the observations that exceptions may be made in one passage and not in others.
 3. Context
 4. Historical background can affect a meaning
 5. Think about how the teaching affects all other doctrines—God can't contradict himself.
- C. Paul's teaching
1. Ro 7:1-3—Legal bondage is the point. No exceptions are mentioned.
 2. 1Co 7
 - a. Prevents sin—1Co 7:8-9. This passage actually commands remarriage in certain cases. Very few books are willing to tackle this important passage.
 - b. If the unbeliever departs, the believer is not in bondage—1Co 7:15
 - i. If the judgment of the elders against one were not followed, he/she would be out of the assembly and accounted as an unbeliever.
 - ii. If the one accounted as an unbeliever departs, then the believer is not in bondage.
 - iii. The bondage is that of the law mentioned in Ro 7:1-3
 - c. Not a sin—1Co 7:28
 3. 1Co 6:15-20
 - a. Talks of being separate from the harlot=fornicator
 - b. Some see in this not only a call to purity but the right to separate from the who commits porneia.
 4. Note that Ro 7:1-3 talks as if there are no exceptions while 1Co 7:15 specifically states that one is not in bondage in certain cases. These passages were written within one year of each other by the same apostle.
- D. NT teaching outside of Paul (all in Mt, Mk, Lk)
1. None of the debate between Hillel and Shammai related to remarriage—it was only regarding divorce
 - a. Denial of remarriage after divorce was unknown to the Jews

- b. Note: Joseph, a just man, was about to divorce (privately- 2 or 3 witnesses)—Mt 1:19
- 2. All passages in the Gospels which have no exception clause.
 - a. Mk 10:2-12—No exception clause. Stigma on divorcer.
 - b. Lk 16:18—No exception clause. Stigma on both parties.
- 3. All passages in the Gospels with the exception clause.
 - a. Mt 5:31,32—allowed only for fornication but stigma seems on innocent party
 - b. Mt 19:3-12—allowed only for fornication. No apparent stigma on innocent party.
- 4. Passages that state no exception(s) to the general rule of no divorce
 - a. Mk 10:2-12
 - i. 'command' and 'permit'—comp Matt 19
 - 1) In Matt 19:7-8—the Pharisees used 'command' and Jesus used 'permit.'
 - 2) In Mk 10:2-5—Jesus used 'command' and the Pharisees used 'permit.'
 - 3) Jesus' use of 'command' may have been intended to bring their attention to Gn 2:24 and Lev 20 as well as (or even instead of) Dt 24:1-4
 - a) Clearly, Dt 24:1-4 was not a command. It was an allowance.
 - b) Gn 2:24 is a general statement of marriage as instituted by God.
 - c) The Law put to death those who violated the marriage contract by any illicit sex.
 - i) Natural relations between those not bound by a contract but eligible would mean marriage—Ex 22:16-17
 - ii) Adulterer and adulteress killed—Lev 20:10-12
 - iii) The reason for some of this is that it is a perversion—Lev 20:12
 - iv) With beasts—Lev 20:15-16
 - v) Homosexuality (including what people today call bisexuality)—Lev 20:13
 - d) Note that some relationships were forbidden in Lev 20 (half sister-v. 19) that were permitted before the Mosaic law. This can be supported as the gene pool of man became more corrupted after the curse.
 - e) Note also that Lev deals with the sin of Herod (Mt 14:3-4) in Lev 20:21. The resulting children were not credited to the marriage.

See also Dt 25:5-6 where the intent is to preserve inheritance for a childless brother.

- ii. Hard hearts—Mk 10:5
 - 1) If 'porneia' as known in Lev, the offenders were killed.
 - 2) Otherwise the man was bound to provide.
 - 3) Moses made provision to control what apparently was going to happen anyway.
 - iii. In this passage, it would appear that divorce is contemplated against this background.
 - iv. In this passage, the one getting the (wrong) divorce is the one who is credited with the sin of committing adultery.
- b. Lk 16:18
- i. No context is really given for this teaching.
 - ii. No exception is given.
 - iii. The one put away is said to commit adultery if there is a remarriage.
 - 1) No question of guilt or innocence is addressed
 - 2) The verb Luke uses is 'moicheuo' (commit adultery—Arndt-Gingrich) while Mt and Mk use 'moichaomai' ((passive), be caused to commit adultery, commit adultery—Arndt-Gingrich).
 - 3) This last phrase is otherwise just like the last phrase of Mt 5.
 - iv. Is remarriage forbidden for the innocent.
 - 1) Relative to the exception clause, see below on Mt 5
 - 2) Recall verses that forbid condemnation of the innocent—Ps 94:20-21; 109:31; Prov 17:15; Mt 12:7; Isa 29:21; Ja 5:6
 - 3) The situation of the illegitimate children in Israel's law
 - a) He was innocent so his standing before God could not be affected by the sin of his parents.
 - b) He was excluded from the assembly as were castrated men—Dt 23:1-2. Down to the tenth generation may have the force of 'forever.'
 - c) At least in one case, this is expressly reversed in Isa 56:4
 - d) The issue apparently was the reputation of the nation in infancy. Keil and Delitzsch suggest as much in their commentary on Dt 23.

- 4) Sin is always blamed on the guilty though the reputation may affect the innocent. See Lenski's comments on Mt 5.
- c. Neither Mk 10:11-12 nor Lk 16:18 mention exceptions while both Mt 5 and 19 do. We assume therefore that Mt 5 and 19 are the more complete. Once again, this shows that exceptions to general rules need not be given when a general rule is made. We saw this in the passages in Paul's epistles and in the OT passages on images.
 - i. We also have the exception inferred from the law for desertion since in the law that severed the marriage.
 - ii. We even infer from the law on damaged slaves that such damage could sever the relationship.
- d. Whatever allowance is made for divorce must be made while emphasizing that divorce is a very somber thing and that scripture NOT culture determines its appropriateness.
5. Passages with the exception clause.
 - a. Mt 19:1-12
 - i. The only exception stated is that of porneia.
 - ii. The only one held guilty is the one who gets the divorce illegitimately
 - b. Mt 5:31-32
 - i. The phrase, "makes her to suffer adultery."
 - 1) This is the only passage that uses a phrase regarding adultery without mentioning remarriage. It is phrased as if the divorce were the moving cause.
 - 2) No commentary seems to explain this.
 - 3) One set of commentaries claim from the context that these laws were never meant to be enacted so they ignore the implications of this verse.
 - 4) Others teach that the innocent divorcer may remarry but the innocent divorced may not.
 - 5) If subsequent remarriage is not in view, then reputation is what is in view.
 - ii. The last phrase is identical to that of Lk 16:18.
 - 1) The last phrase is taken by some to refer to the woman who was divorced on legitimate grounds.
 - 2) This doesn't solve anything since the same phrase is in Lk 16:18
 - iii. Whatever is meant by adultery is caused by the divorce.
 - 1) It affects the woman immediately.

- 2) Is the innocent party an 'adulteress' (the Greek word means that) in fact? If so, it would be the only case in scripture where an innocent person was supposed to be judged guilty for the sins of another—comp Prov 17:15. In all other cases, such is detestable. It is given as the very opposite of good government or good judgment.
- 3) C. H. Lenski (*Interpretation of St. Matthew's Gospel*, Columbus, 1932, pp. 226ff) argues that the verse should be rendered "stigmatized as adulterous" for both forms. He contends that it looks to men as if she had broken the commandment. This is the only way out of an apparent dilemma!

V. Conclusions

- A. Clearly, divorce and remarriage are allowed in this dispensation on only three grounds.
 1. Fornication (adultery or perversion)
 2. Desertion
 3. Demonstrated physical harm
- B. The same seems to be true in the gospels.
- C. Israel's penal code had some liberal provisions because of the way people are in a society.

VI. When there is sin

- A. There must be genuine repentance for the assembly to allow such folks to be involved in the church.
- B. Often, there is no way to undo the past. The divorced party does not wish to try again. Even 1Co 7:8-9 clearly allows remarriage. The divorce was the sin.
- C. Even a marriage that is improper can't be undone.