

DIVORCE AND REMARRIAGE IN SCRIPTURE

A Paper

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Introduction

In this paper we will discuss the topic of divorce and remarriage as it relates to Scripture. In the first section we will summarize the general positions taken by most on this subject. In the second section we will exegete those passages that we find most relevant to our study. In the final section we will synthesis this data and present a conclusion.

Various Views on Divorce and Remarriage

No Divorce, No Remarriage

This position argues that the New Testament does not allow someone to divorce, and subsequently to remarry, for *any reason*. A few scholars such as J.A. Fitzmyer, J.C. Laney, and C. Ryrie have argued for such a reading of the New Testament. In its essence this position is argued from one of two possible angles (although this is merely a summary).

The first is that πορνεία in Mt. 19:9 actually refers to incest rather than general sexual unfaithfulness. F.F. Bruce argued that this was the best way to understand the word in light of how it is used in Acts 15:20, 29 where James, the brother of Jesus, echoes Lev. 17:8-18:18 which obviously has incest in view.¹ The second is known as “the preteritive view” and it states that the phrase μὴ ἐπὶ πορνείᾳ should be translated, “not even for *porneia*” rather than the more widely accepted “except for *porneia*”.²

As regards 1 Cor. 7:15 this position suggest that the Apostle “acknowledges that the unbelieving partner may insist on ending the marriage when his or her spouse converts to Christianity” but that this does not mean that the believing spouse is now free to remarry. Rather, it means that the believing spouse is not obligated to pursue “the unwilling partner all over the

¹ F.F. Bruce, *Paul: Apostle of the Heart Set Free*, Grand Rapids, MI: Eerdmans Publishing Co., 1977. 185. As referenced in H. Wayne House, ed., *Divorce and Remarriage: Four Christian Views*, Downers Grove, IL: IVP, 1990. 36.

² R.H. Stein, “Divorce” in Joel B. Green, Scot McKnight, and I. Howard Marshall, eds., *Dictionary of Jesus and the Gospels*, Downers Grove, IL: IVP, 1992. 194.

Roman Empire.”³ While she may have been divorced by her spouse she is to live in anticipation that there will be reconciliation.

There is some exegetical substance to this view. It is not an arbitrary approach to the relevant passages. It upholds the value of the marriage covenant. Nevertheless, as we will see, it is not the most evident reading of Mt. 19:9 and it appears to be a bit of a stretch to connect this passage with Acts 15:20, 29 and subsequently Lev. 17:8-18:18. In addition, the “preteritive view” of the exception clause in Mt. 19:9 is difficult to maintain since if the author wanted to make the statement “not even for *porneia*” he could have used something like μήτε, rather than μή ἐπι.

Divorce, but No Remarriage

This was the near universal position of the church for the *first five centuries*.⁴ It argues that the Scriptures allow for divorce, but that there is no reason for remarriage. Those who defend this view argue that Jesus had a similar understanding of Dt. 24:1 to that of the rabbinic school of Shammai against that of Hillel—divorce is allowed for some sort of sexual infidelity—but that Jesus understood a married couple to be “one flesh” and therefore though legally divorced, it would be adultery to remarry.

In Mt. 19:9 the exception clause is argued to apply only to ὃς ἂν ἀπολύσῃ τὴν γυναῖκα αὐτοῦ (“whoever sends away his wife”), but not to καὶ γαμήσῃ ἄλλην (“and marries another”). Again, this was the near universal position of the early church. Most of the theologians of the first five centuries had a strong grasp of the syntax of Mt. 19:9 and they all argued that this is how this statement should be read.

³ House, 44.

⁴ D.J. Atkinson, “Divorce”, in Walter A. Elwell, ed. *Evangelical Dictionary of Theology*, 2nd Ed. Grand Rapids, MI: Baker Academic, 2001. 345.

As regards 1 Cor. 7:15 it is argued that the Apostle allows for divorce when he says that the abandoned wife is “no longer enslaved” (οὐ δεδούλωτα), but that this does not mean she is now free to remarry since the Apostle stated in v. 11 that *if a woman goes through with a divorce* she ought to remain unmarried or seek to reconcile with her husband.

This position has the strength of history behind it as well as sound exegesis of the relevant passages. On the other hand, as noted by R.H. Stein, there are a couple problems with this interpretation of Mt. 19:9. First, he argues that in vv. 3 and 8 the Pharisees would have understood divorce and the right to remarry as paired, as they are by Jesus himself in Mk. 10:11-12 and Lk. 16:18. Therefore, the answer that Jesus did give should not be seen as separating these two actions. Second, if we do separate these two actions it appears that there is no consequence for someone who divorces for reasons not included in the exception clause since Jesus attaches μοιχάω (“adultery”) to remarriage. Therefore, Mt. 19:9 should be read as saying that someone who divorces and remarries (paired action) has committed adultery, unless the exception clause has been applied.

In 1 Cor. 7:15 this position assumes more than the Apostle when he states that the woman is no longer “enslaved”. He does not say that the woman is free to remarry or that she is not free to remarry. As Gordon Fee argues, “All of this is not to say that Paul *disallows* remarriage in such cases; he simply does not speak to it at all.”⁵

Divorce, Remarriage for Adultery and/or Desertion

Stein notes, “This is the interpretation associated with Erasmus and is the view of the Protestant Reformers.”⁶ This position argues that there are only two biblical reasons for divorce

⁵ Gordon Fee, *The First Epistle to the Corinthians*, NICNT; Grand Rapids, MI: Eerdmans Publishing Co., 1987. 303. As cited by G.F. Hawthorne, “Marriage and Divorce, Adultery and Incest” in Gerald F. Hawthorne, Ralph P. Martin, and Daniel G. Reid, *Dictionary of Paul and His Letters*, Downers Grove, IL: IVP, 1993. 599.

⁶ Green, 193.

and remarriage. The first is adultery as seen in Mt. 19:9. The second is abandonment as seen in 1 Cor. 7:15.

It is argued that the exception clause does apply to both statements in Mt. 19:9, therefore it is adultery to divorce and remarry “except for *porneia*”. This implies, of course, that it is not wrong to divorce and remarry if *porneia* has occurred. The debate is then over the definition of *porneia*.

In 1 Cor. 7:15 the Apostle is understood to be implying that the woman is free to remarry since she is no longer “enslaved”. It appears to be contradictory that he would say she is no longer “enslaved” to her husband, yet she can never remarry. Some argue that this is similar to when the Apostle says in Rom. 7:3 that a wife is “freed” (ἐλευθέρω) from her husband once he dies. In this statement he sees a woman who lives with another man as adulterous otherwise.

This position is strong exegetically. It accounts for the biblical data and it does not assume more than the biblical authors wrote. On the other hand, it does have history against it as regards the interpretation of Mt. 19:9. If Erasmus was the first one to really popularize this view this means that it did not gain much respect until around the sixteenth century (of course, there were several very biblical doctrines that were renewed around this time as well).

Divorce, Remarriage for Various Reasons

There are a few popular approaches to this position which teaches that there are various reasons for divorce and remarriage. First, there are those who attempt to make a case exegetically, such as Larry Richards, when he argues that Mt. 19:9 is in the context of chapters 18-20 where Jesus develops his “theology of greatness”, or what it means to be great in the Kingdom of God.⁷ It is a complex argument with heavy Lutheran overtones that essentially argues *a priori* that Jesus could not have been developing a new legalism, but instead was

⁷ House, 220.

contrasting those who approach God like a child with those who approach him through the Law (see Mt. 18). Therefore, Mt. 19:9 could not have been Jesus giving a new law, but instead he was arguing that because of the hardness of human hearts God has allowed divorce as a means of grace.⁸

There are arguments given for this reading, and it is not impossible that the text is contrasting two ways of approaching God—one via works and one via grace—but this seems unlikely. When Laney critiqued Richards he noted that Richards “does not seem to be in touch with the work of other expositors and scholars”.⁹ In other words, Richards’ approach is a minority reading of the text that most reject and for good reason. It is creative, but creative does not mean accurate.

A second approach is to argue that the teaching found regarding marriage and divorce is a *generalized* teaching on the topic. We do not have the words of Jesus or the Apostle Paul in response to questions such as, “What about abuse? What about when one’s life is in danger?” This is probably the strongest argument for this position from an exegetical standpoint.

A third approach is like that of Richards when he suggests we must read these texts with the grace of God in mind. Even Laney—who sees no valid reason for divorce and remarriage—writes, “...divorce and remarriage are not ‘unforgivable’. God’s grace is sufficient to forgive and cleanse.”¹⁰ It appears that these last two points can be combined to argue that the Scriptures do seem to give only a couple of exceptions for divorce and remarriage, but that is because the Scriptures only addressed a handful of situations. If spousal abuse or child molestation was an issue that the New Testament addressed, divorce would be an option we would find noted by the biblical authors, but if such a divorce *is* done unlawfully then we appeal to the grace of God.

⁸ Ibid, 219-238.

⁹ Ibid, 250.

¹⁰ Ibid.

The danger of this position is that it allows for a dangerous subjectivity in reading the Scriptures. One may apply this type of hermeneutic to many issues, such as polygamy or homosexuality, and then begin to argue that although the Scriptures do appear to reject these lifestyles there are forms of homosexuality, for instance a lifelong, monogamous relationship, that the biblical authors never addressed. This should be a serious concern since it has the ability to undermine the authority of the Scriptures in the mission of the church. It should also be taken seriously since there are many things that the Scriptures do not address directly.

Exegetical Considerations

Genesis 2:18-25

There are some things that ought to be noted regarding this passage. First, it is argued by Jesus to be the standard for the marriage covenant in Mt. 19:5-6. Second, it is superior to Dt. 24:1-4 which was an exception given by Moses which Jesus said was only because of “your hardness of heart”.¹¹ Third, God created woman for man as a “partner-helper corresponding to him” (עֵזֶר כְּנֶגְדּוֹ) and God made woman from the side of the man (מִצַּלְעֵתָיו). This signifies the equality of the genders, in contrast to the rest of the created order (see also Gn. 1:26-27), while maintaining their distinctions. Finally, as Jesus quoted, the narrator sees this event as the proto-marriage. In other words, the man and woman are to leave past family associations to begin a new one together when they become “one flesh”. Bruce Waltke comments that, “The intimacy and harmony that should support the marriage relationship is captured perfectly in this image.”¹²

¹¹ Philip Wesley Comfort, *Cornerstone Biblical Commentary, Vol 11*, Carol Stream, IL: Tyndale House Publishers, 2005. 246

¹² Bruce Waltke and Cathi J. Fredericks, *Genesis: A Commentary*, Grand Rapids, MI: Zondervan, 2001. 89.

Deuteronomy 24:1-4

Jesus argued in Mt. 19:8 that Moses did not command divorce, but rather here in the Law he “permitted” it (ἐπέτρεψεν). The phrase from 24:1 that has been endlessly debated since the days of Jesus is כִּי־נִזְנָא בְהָ עֲרוֹנָתָ דְּבָרָא. Some argue that Moses allowed divorce for the “nakedness of thing” (literal translation) and therefore only adultery (i.e. the school of Shammai). Others argued that the adjectival function of עֲרוֹנָתָ means that this passage allows divorce for anything found to be “unseemly”, even a ruined meal (i.e. the school of Hillel). While grammatically each position is valid we must note that Jesus seems to have opted for the more conservative position associated with Shammai. Therefore, Jesus understood the only valid “nakedness of thing” to be *porneia*.

Ezra 9-10; Malachi 2:10-17

These passages from the post-exilic Jewish community contribute to the subject of divorce and remarriage, but they do not settle the matter by any means. In Ezra 9-10 the Jews have married pagan women. The men had not “separated” (נִבְדָּלוּ) from their pagan wives (9:1). To remedy the problem Shecaniah suggest that the wives and their children should be “sent out” (לְהוֹצִיא) (10:3). This suggestion leads Ezra and the elders to declare that the people needed to separate from their wives and the other pagans (וְהִבְדָּלוּ) (10:11).

It is not clear whether this is a reference to (1) simply some form of separation without divorce¹³, where the pagan families had to live apart from the Jewish men, (2) Ezra enforcing separation while not understanding it as causing divorce because he saw the marriages as simply illegal according to the Law, or (3) an actual legal divorce¹⁴.

¹³ House, 26.

¹⁴ Ibid, 218.

It is most evident from Mal. 2:10-17 that YHWH does not approve of divorce. The oracle of the prophet in v. 11 chastised the men who marry pagan women and in vv. 14 and 16 we see that the men have been divorcing the wives of their youth to do this and by doing so they have angered YHWH. YHWH sees this as the illegal ending of a covenant.

Matthew 5:31-32; 19:1-12; Mark 10:1-12; Luke 16:18

In Mk. 10:1-12 we have a narrative that parallels the one we have exegeted in Mt. 19:1-12. There is an important difference between these two—there is *no exception clause* in Mk. 10:11. Mt. 5:31-32 is a quote from the Sermon on the Mount and it has the exception clause found in Mt. 19:9. On the other hand, Lk. 16:18, another quote, is absent of an exceptional clause like Mk. 10:11.

We conclude that Mt. 5:31-32 and 19:9 includes the exception clause because it was relevant to the argument put forth by the author. This may be because as several have suggested that the First Gospel was written to a Jewish audience while the Second and Third Gospels were written to Gentile audiences. The exception clause was valuable in this context because of the rabbinic debates. Whether or not this is the reason for its inclusion is beyond the point. The point is that just because it is not in Mk. 10:11 and Lk. 16:18 this does not invalidate it.

In addition we find that while the exegesis of the early church is important when considering whether or not the exception clause applies to both statements in Mt. 19:9 the arguments presented by Stein to be convincing. Therefore, Mt. 19:9 allows for at least one exception for divorce *and* remarriage—namely *porneia*. What is *porneia*? The NASB and NET translate it “immorality”. The ESV is more specific translating it as “sexual immorality”. The NIV translates it as “marital unfaithfulness”. We suggest here that the ESV is the clearest rendering of this already abstract word.

1 Corinthians 7:1-20

In this passage the Apostle Paul addresses several issues related to marriage. In 7:10 the Apostle instructs husbands and wives to avoid divorcing each other. In v. 11 he acknowledges that divorce may occur and if it does occur that person should remain unmarried. In v. 12 he begins to deal with a question that Jesus never addressed (“To the rest I say—I, not the Lord”), namely whether or not a Christian should remain married to an unbelieving spouse. This is a similar problem to the one found in Ez. 9-10. In this situation though the Apostle believes that the believing spouse ought to try to convert the unbelieving spouse and therefore the marriage should remain intact (vv. 12-14, 16).

In v. 15 the Apostle addresses what to do if the unbelieving spouse abandons the believing spouse (χωρίζεται). There is much debate over whether or not this word refers to mere abandonment, separation, or legal divorce. The basic meaning though is that the spouse has separated from his believing wife.

In this situation the Apostle says that the abandoned spouse is οὐ δεδούλωται (not enslaved). Earlier we noted that Fee writes that the Apostle says nothing about remarriage, at all, in this statement. He simply says the spouse does not have to try to save the marriage. Other like Laney would agree. Again, if one says that the Apostle is against remarriage, and if another says the Apostle is for remarriage, there is one problem—the Apostle says nothing about remarriage.

Synthesis/Conclusion

Biblical Doctrine

After we have considered all the views on this subject, as well as researched the various biblical passages that address divorce and remarriage, we can conclude that (1) the Scriptures teach that marriage is a life-long covenant. (2) That divorce does occur and it was permitted

under the Law. (3) Jesus permitted divorce *and remarriage* in the situation where someone has left their spouse because their spouse was sexually unfaithful. (4) The Apostle does not expect a believer to force an unbelieving spouse to remain in a marriage if the unbelieving spouse refuses to do so, but neither does the Apostle expect Christians to divorce their spouses. If they do then they should remain unmarried and in this context function in the gift of singleness. If the believer is abandoned the Apostle says nothing regarding whether or not this means that remarriage is an option.

Pastoral Implications

As we see of the Apostle Paul in 1 Cor. 7:10 we should always strive to teach the ideal that Jesus set forth. We must acknowledge that people will often not meet that ideal as we see in 1 Cor. 7:11. We must also admit that the Scriptures address divorce and remarriage in general. The Apostle had to make a decision regarding what a believing spouse should do if an unbelieving spouse abandons him/her. He could have stated that the exception that Jesus gave was *porneia* and *porneia* alone, but he realized Jesus was never faced with this scenario, and therefore he had to make decisions while being lead by the Holy Spirit.

Likewise, Jesus never addressed physical abuse, he never addressed child molestation (although he did say in Mk. 9:42 that it would be better to tie a large stone around one's neck prior to jumping into the sea than it would be to offend a child), and he did not address dozens of other situations that pastors must often address when considering the will of God as regards divorce and remarriage. While we agree that the *biblical* reasons for divorce and remarriage are limited to sexual immorality by one's spouse and *maybe* abandonment (as regards remarriage), we acknowledge the role of the Holy Spirit whom Jesus promised to send as our *parakletos* in his absence. Let the grace of God be that which we lean on as we guide his people.

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