

LET THE BIBLE SPEAK SERIES

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MAARIAGE, DIVORCE, AND REMARRIAGE

The family is the most basic and ancient of all institutions, and it remains the fundamental social unit in every society.

All societies do not treat marriage, divorce and remarriage alike. In all western nations, the law insists that a man have only one wife at a time and a woman only one husband at a time. This ideal, however, is held by a minority of societies in the world.

In a cross-cultural study Geo. Murdock (1949) found that of 238 mostly preindustrial societies, only 43 insisted on restriction to one mate at a time. In 4 of the remaining societies a woman was permitted to have more than one husband, and all the rest permitted husbands to have more than one wife at a time.

The divorce rate in the U.S. is the highest in the world.

Fifty percent of recent marriages will end in divorce.

Average duration is 7 years.

More than 1 million children involved in divorce every year.

Death rate is significantly higher for divorced people than for married people at all age levels.

Who Gets Divorced?

Common among urban couples

Those who marry very young

Only short shallow acquaintance

Relatives and friends disapprove of the marriage

Wife has ability to support herself

First few years critical – 50% in first 7 years

Those married before, more likely to divorce again

Implications for the Church

1. We need to be in the business of teaching young people how to marry and whom to marry.
2. We need to be in the business of helping people save their marriages.
3. We need to emphasize what we know to be right, what we know can't be wrong, rather than the pros and cons of various interpretations of controversial passages. We often get lost in the debate over certain positions while out young and others continue to divorce and remarry.

MARRIAGE

Marriage is a family relationship that has been established by a covenant. God said "...yet she is thy companion, and the wife of thy covenant" Mal. 2:14. Marriage is a covenant that involves terms, promises, and ratification. The terms involve those who have the God-given right to enter into this relationship. The covenant involves promises to love, and remain faithful to a mate. This covenant has been ratified when whatever is legal in society has been met. Rom. 13:1. The N.T. reveals that there are those whom God identifies as married that "committeth adultery" Mt. 19:9, because they have no right to marry another. The N.T. also reveals the fact that one may be unmarried but still bound to a mate 1 Cor. 7:11. Hence, marriage involves a man and a woman who have entered into this covenant relationship. The marriage may or may not be with God's approval.

MARRIAGE ORDAINED AND REGULATED BY GOD

After God presented the woman unto man he said – Gen. 2:24-25

"Therefore shall a man leave his father and his mother and shall cleave unto his wife: and they shall be one flesh. And they were both naked, and were not ashamed."

Jesus quoted this passage in Mt. 19:4-6 and emphasized God's plan for marriage at the beginning.

"And he answered and said unto them, Have ye not read, that he which made them at the beginning made them male and female. And said 'For this cause shall a man leave his father and mother, and shall cleave to his wife: and they shall twain be one flesh? Wherefore they are no more twain, but one flesh.' What therefore God hath joined together, let no man put asunder."

WHO IS ELIGIBLE TO MARRY?

Marriage is a divinely restricted relationship into which only certain ones may enter. Who is eligible to get married?

1. One who has never been married, but who is physically and mentally capable 1 Cor. 7:28; 9:5 – provided he/she is marrying one who is also eligible to marry – Gen. 1:18; Mt. 19:5-9
2. One who has been married, but whose spouse is dead – Romans 7:1-4; 1 Cor. 7:39
3. One who has been married, but whose spouse has been put away because of fornication on the part of the companion put away – Mt. 19:9

THE DIVINE PLAN FOR MARRIAGE

God intended and still intends that one husband be joined to one wife for life. Gen. 2:20-24

Did not make two women to be wives for Adam
Did not make two males to be husbands for Eve
Did not make Adam and Steve – two men
Did not make Eve and another woman

Note: For this cause – i.e. because of the maleness of one and the femaleness of the other – For this cause – death blow to homosexual marriage.

From the scriptures the following facts are evident:

1. God joins husband and wife together;
2. this union takes priority over parental loyalties;
3. this union is for life; and
4. second marriages are adulterous.

This is God's general rule for marriage: Stated by Jesus "what therefore God hath joined together, let not man put asunder" Mt. 19:6. Stated by Paul "And unto the married I command, yet not I, but the Lord, Let not the wife depart from her husband: but and if she depart, let her remain unmarried, or be reconciled to her husband: and let not the husband put away his wife." 1 Cor. 7:10-11.

This is what we should be preaching, emphasizing. This we all agree on. We have not given the time and energy to proclaiming this as we should and the increasing number of divorces among us testify to this fact.

DIVORCE

RULES HAVE EXCEPTION

Example: "The days of our years are threescore and ten" Psalm 90:10
However, the same verse mentions an exception.

JESUS GAVE ONE EXCEPTION

"...THAT WHOSOEVER SHALL PUT AWAY HIS WIFE, SAVING FOR THE CAUSE OF FORNICATION, CAUSETH HER TO COMMIT ADULTERY..." Mt. 5:32

"And I say unto you, whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery..."

The rule is that second marriages are adulterous i.e. whosoever divorces his wife and marries another wife, committeeth adultery with the second woman. And the rule is that whosoever marries a divorced woman commits adultery. EXCEPT IT BE FOR FORNICATION.

This means: 1. That one who does put his wife away because of her fornication, and 2. Does marry another wife, 3. Does not commit adultery in marrying the second wife.

Jesus clearly states that the wife has the same privilege of divorcing her husband. "And if a woman shall put away her husband...." Mk. 10:12

In Deut. 24:1-4 there are conditioning clauses in v.1-3 that serve the role of a protasis (pra ta sis) to which v.4 constitutes an apodosis. This is an example of "if then law" or more accurately "case law". These verses contemplate a ruling that is legislated or command after a series of conditions are first presented. Thus the command is found in v.4 and the first three verses only present the case under consideration to which the command applies. Therefore the passage does not command divorce, nor does it pass a favorable ruling on divorce, it merely acknowledges its possible existence as a contributing factor in a case that might come before a Jewish court.

The basic thrust of the passage is that a woman who was put away could not remarry her first husband.

"Some unseemly thing" or "some uncleanness". What does this mean or to what does it refer?

The exact expression used in Deut. 24:1 is very rare, being used in 23:14 of human excrement. S. Driver comments "That the indecency denotes something short of actual unchastity may be inferred from the fact that for this a different penalty is enacted, viz, death (22:22) in 23:25 (14) also, the same expression is used, not of what is immoral, but only of what is unbecoming." Intl. Critical Comm.

JESUS ANSWER

Jesus must have surprised these Jews when he reached back beyond Moses and rabbinic tradition and appealed to the law of God from the beginning.

The Lord directs then to Genesis, not to Deut.; he pointed them to the beginning, not to Moses.

The appeal of our Lord is to God's original plan, in the very beginning of time, to the institution of marriage and the home. One man for one woman for life.

Jesus here affirms that God's marriage law, as instituted in Eden, had never been abrogated – only relaxed – and now, in anticipation of the approaching New Testament dispensation, the Lord restores marriage to its original basis.

To this law, Jesus adds the one exception. Fornication i.e. illicit sexual intercourse. Maurice Lusk: "The conclusion is that the only grounds for divorce which would allow the innocent party to remarry is porneia, which is the overt act of sexual immorality, including adultery, sexual perversion, incest, homosexuality or whatever may fall within the realm of sexual immorality."

This does not mean that the legal grounds must be adultery in order for one to come within the scriptural precedent. One may depart from a mate due to the unfaithfulness of that person, yet may not have the kind of evidentiary proof that would be necessary to establish the grounds in a court of law. It is sufficient if the cause exists and leads to the breakup of the marriage. Guy Woods "...divorce is a civil. Legal action having nothing whatsoever to do with determining the moral and religious principles involved. It is the Lord's edict, not man's that governs."

MARRIAGE MAY BE LEGAL YET UNSCRIPTURAL

Civil vows do not guarantee marriage acceptable in God's sight. Herodias was the wife of Philip Mt. 14:30. But Herod "had married her" Mk. 6:17 John plainly said to Herod "It is not lawful for thee to have her." Mt. 14:4, Mk. 6:18

OLD TESTAMENT CONSIDERATIONS

Jesus looked back to the O.T. for the basis necessary to understand the subject of divorce. Mt. 19:4-5

A look there reveals that in Deut. 24:1-4 the Hebrew word *kerithuth* is used of divorce and carries a basic meaning of "cutting off". This passage is significant for two reasons:

1. Its significant contribution to the discussion of the subject by Jesus.
2. Because its true meaning has been obscured by some of the older translations. The KJV renders the passage....

When a man hath taken a wife, and married her, and it come to pass that she find no favour in his eyes, because he hath found some uncleanness in her: then let him write her a bill of divorcement, and give it in her hand, and send her out of his house.

² And when she is departed out of his house, she may go and be another man's wife.

³ And if the latter husband hate her, and write her a bill of divorcement, and giveth it in her hand, and sendeth her out of his house; or if the latter husband die, which took her to be his wife; ⁴ Her former husband, which sent her away, may not take her again to be his wife, after that she is defiled; for that is abomination before the LORD: and thou shalt not cause the land to sin, which the LORD thy God giveth thee for an inheritance.

When viewed from this version, the impression can easily be conveyed that these verse legislate and even command divorce. However when studied from newer renderings there appears a very obvious difference in what is said about divorce. NASB, NKJV, or the NIV all more accurately reflect the Hebrew of the passage and show that divorce is not commanded but is merely something that happens on occasion.

Note the NIV

If a man marries a woman who becomes displeasing to him because he finds something indecent about her, and he writes her a certificate of divorce, gives it to her and sends her from his house, ² and if after she leaves his house she becomes the wife of another man, ³ and her second husband dislikes her and writes her a certificate of divorce, gives it to her and sends her from his house, or if he dies, ⁴ then her first husband, who divorced her, is not allowed to marry her again after she has been defiled. That would be detestable in the eyes of the LORD. Do not bring sin upon the land the LORD your God is giving you as an inheritance.

THE GUILTY PARTY

The one exception of Mt. 19:9 is the person who puts away his spouse because of his/her fornication. This is the only person allowed to divorce and marry another. Since this is the only person (the one who has divorced a mate because of fornication) allowed to remarry after a divorce, it is obvious that the guilty party is not allowed to remarry. If the guilty party is allowed to remarry, it would follow that the one exception named by Jesus is not the one exception.

Some argue that the exception phrase should be understood as applying in the last part of the Mt. text i.e. "he that marrieth her which is put away, except for fornication doth commit adultery." Hugo McCord "in no Greek manuscript does the exceptive phrase appear in the second clause..." "the omission of the definitive Greek article from the second clause forbids grammatically carrying over the exceptive phrase to the second clause. This is true because the second clause in omitting the definite article cannot refer to any specific woman, but to any put away woman...A marriage with any put away woman Jesus asserted, is adultery." (NASV is good here also AV and ASV. The NEB and NIV are not).

Who has the right to marry, is the real issue relative to the guilty party. The issue is not whether the marriage is broken. Not whether the man or the woman become free from each other. The issue is whether God grants the guilty party the right to remarry. God gives the innocent party the right to remarry. He does not give the same right to the one whose fornication caused the break of an union which God ordained should last for a lifetime.

If the wife who is divorced for reasons less than fornication does not have a right to remarry, by what token of logic and fairness can it be assumed that one who is divorced for fornication will have the right to remarry?

MAY THE GUILTY PARTY REMARRY HIS/HER SPOUSE?

Four persons are discussed by Jesus in Mt.19:9

1. the man who divorces his wife
2. the "another" the woman the first "whosoever" later remarries
3. "her which is put away" the woman divorced by the first man
4. the second "whosoever" the man who marries "her which is put away"

Note: 1. The woman referred to as "another" is not "her which is put away". Likewise, the first "whosoever" is not the second "whosoever". False to suggest the first whosoever included the second. Would it be any less false to suggest that the second whosoever includes the first?

To deny the guilty from remarrying his/her original mate places a strange meaning on the word adultery. No third party is involved. Only the original two who were married in the first place. How can a man commit adultery by marrying the same woman to whom he was originally joined?