

Doctrine of Divorce

Introduction

1. Divorce has always presented a serious problem. It is important that pastor-teachers teach what the Bible has to say about marriage and divorce. In the earliest teachings of the Bible man and woman were to “marry” and stay together refraining from sexual relations with any other; anything other than monogamy was forbidden.
2. But mankind being what mankind “was and is” has found staying married a difficult task; so polygamy early developed and God, given mankind’s wayward nature taught and authorized divorce.
3. So men began to have multiple wives and concubines; women were often divorced and family problems prevailed. Even kings were not spared incest, rape, murder, family rebellion etc. and all because they didn’t heed God’s call for monogamy.
4. So the New and the Old Testament are replete with accounts of misadventures in marriage.
5. Christ in His Kingdom teachings explained that God permitted divorce only because of the hardness of man’s heart and He further added that the only grounds for divorce were adultery.
6. Our Lord then expanded His teaching about adultery and fornication by saying if a man lusted in his heart for a woman, he was guilty. This then complicated everything, for what healthy red blooded male could avoid adultery/fornication by that definition.
7. Fortunately, next came the epistles which teach all sins were to be “attacked” in the privacy of the mind by using 1Jo 1:9, i.e., confession. The epistles, however, also stressed the heinous nature of sexual sins because they affect the body and the soul of the believer.
8. The body said Paul, is the temple of the Holy Spirit and therefore it was blasphemous to think of the body being joined to a harlot – a not so kindly description of a sexual union between two people outside of marriage.

Old Testament Teachings

1. In Deu 24:1-4 Moses permitted divorce of a husband from his wife if the husband found "**Ervat Davar**," "some uncleanness" in her (literally "a case of nakedness," or "nakedness of a thing").

Deu 24:1 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,

Deu 24:2 and if after she leaves his house she becomes the wife of another man,

Deu 24:3 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,

Deu 24:4 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.

2. The nature of such an accusation was so general that it led to two interpretations at the time of Christ: a narrower one taught by the school of Shammai which confined it to unfaithfulness.

3. A broader view, taught by the school of Hillel extended reasons for divorce to include anything that might displease the husband.

4. The requirement that a man give his wife a bill of divorcement gave the act a legal and official status; the bill of divorcement needed the consent of a Levite before it became official.

5. The decree by law prevented the male from taking his wife back after she had married. This was apparently done to show the gravity of the act. (Deu 24:4)

Deu 24:4 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.

6. There were several circumstances, however, in which divorce was forbidden. When a man had openly and wrongfully accused his young bride of premarital unfaithfulness, he must pay damages to her father and thereafter "he may not put her away all his days." (Deu 22:19)

Deu 22:19 They shall fine him a hundred shekels of silver and give them to the girl's father, because this man has given an Israelite virgin a bad name. She shall continue to be his wife; he must not divorce her as long as he lives.

7. Again, if a man had premarital relations with a maiden, he must first pay an indemnity to the father and then marry the girl. Because he had humbled her, he also was not allowed ever to divorce her thereafter. (Deu 22:28-29; Exo 22:16-17)

Deu 22:28 If a man happens to meet a virgin who is not pledged to be married and rapes her and they are discovered,

Deu 22:29 he shall pay the girl's father fifty shekels of silver. He must marry the girl, for he has violated her. He can never divorce her as long as he lives.

Exo 22:16 "If a man seduces a virgin who is not pledged to be married and sleeps with her, he must pay the bride-price, and she shall be his wife.

Exo 22:17 If her father absolutely refuses to give her to him, he must still pay the bride-price for virgins.

8. In the case of adultery with either another married person or between a married and an unmarried person, the Old Testament penalty was death. (Lev 20:10; Deu 22:22)

Lev 20:10 "If a man commits adultery with another man's wife-- with the wife of his neighbor--both the adulterer and the adulteress must be put to death.

Deu 22:22 If a man is found sleeping with another man's wife, both the man who slept with her and the woman must die. You must purge the evil from Israel.

8.1 The same penalty applied even to a wife who had practiced fornication before marriage (Deu 22:21). Thus the possibility of divorce was replaced by the penalty of death in such cases.

Deu 22:21 she shall be brought to the door of her father's house and there the men of her town shall stone her to death. She has done a disgraceful thing in Israel by being promiscuous while still in her father's house. You must purge the evil from among you.

9. One more example of divorce remains. The Israelites were commanded to put away unbelieving heathen wives since these wives would probably lead them astray. (Ezr 9-10 and Neh 13:23 compared with Mal 2:11-16)

Ezr 9:1 After these things had been done, the leaders came to me and said, "The people of Israel, including the priests and the Levites, have not kept themselves separate from the neighboring peoples with their detestable practices, like those of the Canaanites, Hittites, Perizzites, Jebusites, Ammonites, Moabites, Egyptians and Amorites.

Ezr 9:2 They have taken some of their daughters as wives for themselves and their sons, and have mingled the holy race with the peoples around them. And the leaders and officials have led the way in this unfaithfulness."

Ezr 10:7 A proclamation was then issued throughout Judah and Jerusalem for all the exiles to assemble in Jerusalem.

Ezr 10:8 Anyone who failed to appear within three days would forfeit all his property, in accordance with the decision of the officials and elders, and would himself be expelled from the assembly of the exiles.

Ezr 10:9 Within the three days, all the men of Judah and Benjamin had gathered in Jerusalem. And on the twentieth day of the ninth month, all the people were sitting in the square before the house of God, greatly distressed by the occasion and because of the rain.

Ezr 10:10 Then Ezra the priest stood up and said to them, "You have been unfaithful; you have married foreign women, adding to Israel's guilt.

Ezr 10:11 Now make confession to the LORD, the God of your fathers, and do his will. Separate yourselves from the peoples around you and from your foreign wives."

Ezr 10:12 The whole assembly responded with a loud voice: "You are right! We must do as you say.

Mal 2:11 Judah has broken faith. A detestable thing has been committed in Israel and in Jerusalem: Judah has desecrated the sanctuary the LORD loves, by marrying the daughter of a foreign god.

Mal 2:12 As for the man who does this, whoever he may be, may the LORD cut him off from the tents of Jacob--even though he brings offerings to the LORD Almighty.

Mal 2:13 Another thing you do: You flood the LORD'S altar with tears. You weep and wail because he no longer pays attention to your offerings or accepts them with pleasure from your hands.

Mal 2:14 You ask, "Why?" It is because the LORD is acting as the witness between you and the wife of your youth, because you have broken faith with her, though she is your partner, the wife of your marriage covenant.

Mal 2:15 Has not the LORD made them one? In flesh and spirit they are his. And why one? Because he was seeking godly offspring. So guard yourself in your spirit, and do not break faith with the wife of your youth.

Mal 2:16 "I hate divorce," says the LORD God of Israel, "and I hate a man's covering himself with violence as well as with his garment," says the LORD Almighty. So guard yourself in your spirit, and do not break faith.

New Testament

1. The Pharisees approached Christ concerning the views of Shammai and Hillel and asked, "Is it lawful for a man to put away his wife for every cause?" (Mat 19:3-6).

Mat 19:3 Some Pharisees came to him to test him. They asked, "Is it lawful for a man to divorce his wife for any and every reason?"

Mat 19:4 "Haven't you read," he replied, "that at the beginning the Creator 'made them male and female,'

Mat 19:5 and said, 'For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh'?

Mat 19:6 So they are no longer two, but one. Therefore what God has joined together, let man not separate."

2. His answer throws light on Deu 24:1-4. Moses did not "command" that a bill of divorcement be given, as they maintained, there were always conditions.

Deu 24:1 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,

Deu 24:2 and if after she leaves his house she becomes the wife of another man,

Deu 24:3 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,
Deu 24:4 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.

Mat 19:7 "Why then," they asked, "did Moses command that a man give his wife a certificate of divorce and send her away?"

3. God permitted divorce because of the hardness of their hearts said our Lord.

Mat 19:8 Jesus replied, "Moses permitted you to divorce your wives because your hearts were hard. But it was not this way from the beginning.

4. From the beginning, that is, from the first revelation of the nature and meaning of marriage in Gen 2:23-24, man was to have only one wife-"they shall be one flesh" and to have her permanently (Mat 19:6) - "cleave unto his wife."

Gen 2:23 The man said, "This is now bone of my bones and flesh of my flesh; she shall be called 'woman,' for she was taken out of man."

Gen 2:24 For this reason a man will leave his father and mother and be united to his wife, and they will become one flesh.

Mat 19:6 So they are no longer two, but one. Therefore what God has joined together, let man not separate."

5. The one exception permitting divorce, which Christ mentioned in his Kingdom Age teaching was marital unfaithfulness (Mat 19:9 and Mat 5:32).

Mat 19:9 I tell you that anyone who divorces his wife, except for marital unfaithfulness, and marries another woman commits adultery."

Mat 5:32 But I tell you that anyone who divorces his wife, except for marital unfaithfulness, causes her to become an adulteress, and anyone who marries the divorced woman commits adultery.

6. Paul in Second Corinthians chapter six deals with the same problem last treated in the Old Testament: being yoked in marriage with unbelievers. This was not to be done said Ezra and Malachi and Paul reiterates and explains the dangers related to such a practice.

2Co 6:14 Do not be yoked together with unbelievers. For what do righteousness and wickedness have in common? Or what fellowship can light have with darkness?

2Co 6:15 What harmony is there between Christ and Belial? What does a believer have in common with an unbeliever?

2Co 6:16 What agreement is there between the temple of God and idols? For we are the temple of the living God. As God has said: "I will live with them and walk among them, and I will be their God, and they will be my people."

2Co 6:17 "Therefore come out from them and be separate, says the Lord. Touch no unclean thing, and I will receive you."

7. The epistles to the Church therefore, build on the caveats of the Old Testament and the Kingdom Age teaching of our Lord. In 1Co 7:10 Paul gives further teaching of Christ concerning marriage and divorce as he writes, "Unto the married I command, (yet not I, but the Lord ...) " Paul is saying that he is writing what Christ taught "stay together and stick it out!"

1Co 7:10 To the married I give this command (not I, but the Lord): A wife must not separate from her husband.

7.1 In the first chapter of Paul's first letter to the church at Corinth, Paul teaches the Corinthians about marriage and divorce.

7.2 Paul has received a question from the church at Corinth. "Is it a good thing to have sexual relations or not?" Paul responds by answering "of course, but only inside the bonds of matrimony." He adds however "if you have the gift of celibacy you are better off because you can serve God much better as a celibate than a married person."

1Co 7:1 Now for the matters you wrote about: It is good for a man not to marry.

1Co 7:2 But since there is so much immorality, each man should have his own wife, and each woman her own husband.

7.3 Paul adds by way of explanation "given there is so much emphasis on sex and the sexual drive is so strong, a man, and to a lesser extent a woman, without the gift of celibacy will need to take care of their sexual drives within the framework of marriage.

7.4 Notice how important Paul describes sex inside the marriage bond.

1Co 7:3 The husband should fulfill his marital duty to his wife, and likewise the wife to her husband.

1Co 7:4 The wife's body does not belong to her alone but also to her husband. In the same way, the husband's body does not belong to him alone but also to his wife.

1Co 7:5 Do not deprive each other except by mutual consent and for a time, so that you may devote yourselves to prayer. Then come together again so that Satan will not tempt you because of your lack of self-control.

1Co 7:6 I say this as a concession, not as a command.

1Co 7:7 I wish that all men were as I am. But each man has his own gift from God; one has this gift, another has that.

1Co 7:8 Now to the unmarried and the widows I say: It is good for them to stay unmarried, as I am.

1Co 7:9 But if they cannot control themselves, they should marry, for it is better to marry than to burn with passion.

7.5 In 1Co 7:10 Paul gives us our first direction about divorce, keep in mind this first answer is for two believers who have married, "A wife must not separate from her husband!"

1Co 7:10 To the married I give this command (not I, but the Lord): A wife must not separate from her husband.

7.6 In 1Co 7:11 we have a qualification concerning divorce; if a believing spouse leaves a believing spouse, he or she must stay single or else return to the marriage and the offended party under these circumstances has no right to divorce his wife.

1Co 7:11 But if she does, she must remain unmarried or else be reconciled to her husband. And a husband must not divorce his wife.

7.6.1 If the believing party leaves, he is not to marry again (1Co 7:11) unless the believer breaks the marriage vow by adultery or remarriage (compare Mat 5:32 and Mat 19:9).

7.7 Beginning in 1Co 7:12 the Apostle Paul shifts gears and speaks to those who have violated the principle of yoking themselves to an unbeliever. Paul has a special teaching for these folks.

1Co 7:12 To the rest I say this (I, not the Lord): If any brother has a wife who is not a believer and she is willing to live with him, he must not divorce her.

1Co 7:13 And if a woman has a husband who is not a believer and he is willing to live with her, she must not divorce him.

7.8 The direction is clear; even after the mistake the two are to stay together provided both parties want to remain married. The believing spouse must not leave the unbelieving spouse. The reason they should stay together is made clear, the unbeliever in the relationship shares to an extent in the positional holiness of his spouse and hopefully some part his or her temporal holiness.

7.8.1 He adds, "the children will certainly be better off if one of their parents is a believer; the children will most clearly get some instruction about the Lord. Furthermore God cares for his children and though He hates the unbeliever's unbelief, when an unbeliever and believer become one, God's hand cannot help but assist the other half even though one-half of the partnership is an enemy of God."

1Co 7:14 For the unbelieving husband has been sanctified through his wife, and the unbelieving wife has been sanctified through her believing husband. Otherwise your children would be unclean, but as it is, they are holy.

7.9 Beginning at verse fifteen Paul provides instruction about what to do when the unbeliever leaves. If the unbeliever wants to leave says Paul, you must let him or her go. The believer is no longer bound by his marriage vow.

7.9.1 Paul explains to the believer left in the lurch, "you really had no assurance that your living with your unbelieving spouse would result in him or her becoming a Christian."

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1Co 7:15 But if the unbeliever leaves, let him do so. A believing man or woman is not bound in such circumstances; God has called us to live in peace.

1Co 7:16 How do you know, wife, whether you will save your husband? Or, how do you know, husband, whether you will save your wife?

7.9.2 Let me quote from the Wycliffe Encyclopedia regarding 1Co 7:15:

"However, if the unbeliever deserts his believing wife, then the believer seems to be considered free to remarry: "A brother or a sister is not under bondage in such cases."

7.9.3 As long as we are on this subject of reasons for divorce I, along with others, conclude that homosexuality on the part of either spouse is justification for divorce just as is fornication and adultery. It is, after all, listed as an even greater sin than adultery, being "against nature" (Rom 1:26-27).

Rom 1:26 Because of this, God gave them over to shameful lusts. Even their women exchanged natural relations for unnatural ones.

Rom 1:27 In the same way the men also abandoned natural relations with women and were inflamed with lust for one another. Men committed indecent acts with other men, and received in themselves the due penalty for their perversion.

7.10 Paul in verse seventeen begins a series of verses (1Co 7:17-24) teaching the importance of remaining in the status God has left you. Not demanding the wife return, not trying to gain your freedom if a slave and/or fretting over whether you were or were not circumcised when you were saved.

7.10.1 "Don't be wishing" says Paul "that you were somewhere else doing something else. Where you are right now is God's place for you. Live and obey and love and believe where God has led you. God, not your marital status should define your life."

1Co 7:17 Nevertheless, each one should retain the place in life that the Lord assigned to him and to which God has called him. This is the rule I lay down in all the churches.

1Co 7:18 Was a man already circumcised when he was called? He should not become uncircumcised. Was a man uncircumcised when he was called? He should not be circumcised.

1Co 7:19 Circumcision is nothing and uncircumcision is nothing. Keeping God's commands is what counts.

1Co 7:20 Each one should remain in the situation which he was in when God called him.
1Co 7:21 Were you a slave when you were called? Don't let it trouble you--although if you can gain your freedom, do so.
1Co 7:22 For he who was a slave when he was called by the Lord is the Lord's freedman; similarly, he who was a free man when he was called is Christ's slave.
1Co 7:23 You were bought at a price; do not become slaves of men.
1Co 7:24 Brothers, each man, as responsible to God, should remain in the situation God called him to.

7.11 In 1Co 7:25-38 Paul speaks to the predicament of the maiden or unmarried female - called in the KJV, NIV and Message Bible a virgin and he again makes clear his position on the unmarried man, celibacy, marriage, and more. Paul says "Are you married? Stay married. Are you single? Stay single. He then begins an extensive dissertation on what hard work is involved in being married. Paul also seems to differentiate between the sex drive of a man over against a woman, noting by implication the man's drive is no doubt stronger and without the gift of celibacy a man will have a real problem.

1Co 7:25 Now about virgins: I have no command from the Lord, but I give a judgment as one who by the Lord's mercy is trustworthy.
1Co 7:26 Because of the present crisis, I think that it is good for you to remain as you are.
1Co 7:27 Are you married? Do not seek a divorce. Are you unmarried? Do not look for a wife.
1Co 7:28 But if you do marry, you have not sinned; and if a virgin marries, she has not sinned. But those who marry will face many troubles in this life, and I want to spare you this.
1Co 7:29 What I mean, brothers, is that the time is short. From now on those who have wives should live as if they had none;
1Co 7:30 those who mourn, as if they did not; those who are happy, as if they were not; those who buy something, as if it were not theirs to keep;
1Co 7:31 those who use the things of the world, as if not engrossed in them. For this world in its present form is passing away.
1Co 7:32 I would like you to be free from concern. An unmarried man is concerned about the Lord's affairs--how he can please the Lord.
1Co 7:33 But a married man is concerned about the affairs of this world--how he can please his wife--
1Co 7:34 and his interests are divided. An unmarried woman or virgin is concerned about the Lord's affairs: Her aim is to be devoted to the Lord in both body and spirit. But a married woman is concerned about the affairs of this world--how she can please her husband.
1Co 7:35 I am saying this for your own good, not to restrict you, but that you may live in a right way in undivided devotion to the Lord.
1Co 7:36 If anyone thinks he is acting improperly toward the virgin he is engaged to, and if she is getting along in years and he feels he ought to marry, he should do as he wants. He is not sinning. They should get married.

1Co 7:37 But the man who has settled the matter in his own mind, who is under no compulsion but has control over his own will, and who has made up his mind not to marry the virgin-- this man also does the right thing.

1Co 7:38 So then, he who marries the virgin does right, but he who does not marry her does even better.

7.12 Paul closes out the chapter with a statement about the widow.

1Co 7:39 A woman is bound to her husband as long as he lives. But if her husband dies, she is free to marry anyone she wishes, but he must belong to the Lord.

1Co 7:40 In my judgment, she is happier if she stays as she is--and I think that I too have the Spirit of God.

Conclusion

1. How is Christ's view of divorce to be reconciled with the Old Testament? How could Moses have been instructed of God to give such general permission? The condition of mankind at that time needs to be considered. These instructions were given to Moses because of the demoralized attitudes of man since the "fall."

2. The ideal conditions which existed when God gave the original ordinance of marriage no longer existed. Moses was told to promulgate a civil law which would regulate divorce rather than by a divine law, such as later would be revealed by Christ.

3. Such being the case, this civil law can well be a guide to man as he deals with unsaved persons and for civil laws even today, but it cannot be set up as the spiritual standard of the church.

4. To this must be added the fact that though fornication and adultery are separately mentioned in many cases (1Co 6:9; Gal 5:19), fornication is often used to cover any sexual act outside of marriage. (Acts 15:20; 21:25; Rom 1:29; Eph 5:3).

1Co 6:9 Know ye not that the unrighteous shall not inherit the kingdom of God? Be not deceived: neither fornicators, nor idolaters, nor adulterers, nor effeminate, nor abusers of themselves with mankind ...

Gal 5:19 Now the works of the flesh are manifest, which are these; Adultery, fornication, uncleanness, lasciviousness ...

Acts 15:20 But that we write unto them, that they abstain from pollutions of idols, and from fornication, and from things strangled, and from blood.

Acts 21:25 As touching the Gentiles which believe, we have written and concluded that they observe no such thing, save only that they keep themselves from things offered to idols, and from blood, and from strangled, and from fornication.

Rom 1:29 Being filled with all unrighteousness, fornication, wickedness, covetousness, maliciousness; full of envy, murder, debate, deceit, malignity; whisperers,

Eph 5:3 But fornication, and all uncleanness, or covetousness, let it not be once named among you, as becometh saints;

5. The view generally held, therefore, is that by the use of the term fornication our Lord meant to cover the two. This is borne out further by the fact that the sinful conduct of Israel as Jehovah's wife is sometimes called adultery (Jer 3:8; Eze 23:45) and sometimes fornication (Jer 3:2-3; Eze 23:43).

Jer 3:8 And I saw, when for all the causes whereby backsliding Israel committed adultery I had put her away, and given her a bill of divorce; yet her treacherous sister Judah feared not, but went and played the harlot also.

Eze 23:45 And the righteous men, they shall judge them after the manner of adulteresses, and after the manner of women that shed blood; because they are adulteresses, and blood is in their hands.

Jer 3:2 Lift up thine eyes unto the high places, and see where thou hast not been lien with. In the ways hast thou sat for them, as the Arabian in the wilderness; and thou hast polluted the land with thy whoredoms and with thy wickedness.

Jer 3:3 Therefore the showers have been withheld, and there hath been no latter rain; and thou hadst a whore's forehead, and you refuse to be ashamed.

Eze 23:43 Then said I unto her that was old in adulteries, Will they now commit whoredoms with her, and she with them?

6. Again, in 1Co 7:2 fornication is used to cover either sin.

1Co 7:2 But since there is so much immorality, each man should have his own wife, and each woman her own husband.

7. In the New Testament, we find that a divorce is permitted where there has been fornication, adultery or other deviate behavior like homosexuality, lesbianism and/or bestiality. Additionally, the willful desertion of an unbeliever married to a believer is justification for divorce.