

Straight talk for Christians about

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What God Hath Put Together ...

Till Death Do Us Part ...

By Pastor Ed Rice

Good Samaritan Baptist Church

[www.GSBaptistChurch.com](http://www.GSBaptistChurch.com)

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## DIVORCE

by Pastor Ed Rice  
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The Bible addressed divorce in three contexts, 1) the Old Testament Law, 2) Christ's reinforced expansion of the law, and 3) the Apostle Paul's clarification of the law under grace.

Divorce is an issue in Christianity that is very hurtful in its own rite, has been used as a bludgeon by Christians against Christians, and needs to be carefully understood by all. Both the bludgeoners and their bludgeoned, can be touched by God by reading His law of divorce in these three contexts.

The provision for divorce is made in the Old Testament Law, made as Jesus said for the hardness of mens heart (Matt 19:8), and established for the patriarchal context that God had established for his creation. It is clearly stated in Deuteronomy.

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. And when she is departed out of his house, she may go and be another man's wife. 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; 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 (Deut 24:1-4).

Several things need to be examined in the statement of this

law. First one must note that the setting for the law is the patriarchal system that God established for the home. There is no provision in this law for a wife to find no favor in her husband and write him a bill of divorcement. To this we clarify that God's laws are not based on man's ideas of fairness to all, but on God's righteousness for His creation. Deal with it on God's terms, He is the law giver here.

Second, there is the custom amongst Jews where parents 'married' their children in arranged marriages prior to their maturity. This provision for divorce, in these instances, was initiated prior to the husband and wife coming together to consummate the marriage. This makes for a very sterile and clean interpretation of an initial divorce. There is no physical union that is being broken only a legal union. Some Christians have contended that this is the only broken union allowed by this law, but in light of the latter half of the law, and in light of the continued broader use of this law to break consummated marriages, this is a feeble interpretation and one should not put all their eggs in that basket.

Thirdly, it needs to be said again that the wife may go out from this divorce, remarry and be another mans wife with no stigma of adultery involved. Remember this provision because it will be examined in greater detail when we consider Christ's reinforced expansion of the law of divorce.

Lastly, consider in this law the provision which constitutes the abomination before the LORD. Two insights available here are that the bill of divorce is herein allowable after consummation, and second that a woman remarried to her divorcing husband is an abomination. The divorced, here it seems, is still free to remarry another, and there is no accounting in this law for the number of times a husband divorces or a wife is divorced. We also need to discern that this law allows a bill of divorce before a marriage is consummated and allows the same

after 1,2, 3 or 30 years of marriage. In this context, and its subsequent application, one cannot limit divorce to only broken engagements of marriage before a consummation. There is no consideration for children of the union which is being broken, but again that does not preclude them. It is important to be settled on these insights for practical reason but also for their theological reason. Theologically the picture is clear in the nation of Israel of whom God says “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. And it came to pass through the lightness of her whoredom, that she defiled the land, and committed adultery with stones and with stocks.” This Old Testament law is established and worded as much for theological considerations as it is for the practical. It cannot be wholly examined outside of this overbearing patriarchal theological purpose in its consideration, but in this paper we are examining the practical application.

### **Christ's Reinforced Expansion of the Law**

Jesus reinforced and expanded many Old Testament laws with the formula “It hath been said ...” ... “but I say unto you...” This expansion is done for two reasons. Because the law was being circumvented by custom and rationalization, and to emphasize the impossibility of mans living up to the letter of the law. Again this reinforced expansion has its main purpose in communicating the impossibilities of keeping the Old Testament Law. Thereby it is to emphasize the upcoming amazing grace that will take us out from under the law. Before looking at the particulars of the expanded law about divorce, lets examine the expansion of the murder and adultery laws. Christ expands these two laws as follows:

Ye have heard that it was said by them of old time, Thou shalt not kill; and whosoever shall kill shall be in danger of the judgment: But I say unto you, That whosoever is angry with his brother without a cause shall be in danger of the judgment: and whosoever shall say to his brother, Raca, shall be in danger of the council: but whosoever shall say, Thou fool, shall be in danger of hell fire (Matt 5:21-22).

Also:

Ye have heard that it was said by them of old time, Thou shalt not commit adultery: But I say unto you, That whosoever looketh on a woman to lust after her hath committed adultery with her already in his heart (Matt 5:27-28).

It should be noted here that we do not use these expanded laws to determine if a fellow Christian has murder in his past, or to consider a deacon or pastor who has hated someone in his past as disqualified for his office because he is guilty of murder. If one is repeatedly moved to hatred against somebody there is cause for concern because there is a continuing in sin where grace should now abound.

Also a fellow Christian who has looked with lust in time past would not be dismissed from playing the piano, teaching Sunday School, performing other Christian service or even holding a sacred office in the Church because they were guilty of adultery. All of these dismissals would be entertained and justified if the Christian were continuing in this behavior and not willing to repent of it. In this same light and spirit we should examine the reinforcement and expansion of the divorce law.

The law on divorce from Deuteronomy 24 is addressed by Christ with this expanding formula and purpose. He says in

Matthew:

“It hath been said, Whosoever shall put away his wife, let him give her a writing of divorcement: But I say unto you, That whosoever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery: and whosoever shall marry her that is divorced committeth adultery” (Matthew 5:31-32).

Note here that the patriarchal tone of the law continues; i.e. he is putting his wife away. The patriarchal system is God's design from creation. But here both the wife who is put away and the man who marries this one put away without cause are both “committing adultery.” This begs two questions. First what constitutes the proper cause for divorce? And second, if a wife is put away with a proper cause, is she, and the one who marries her, still locked in the sin of adultery?

The clause 'saving for the cause of fornication' is better understood by examination of the term “fornication.” In the Old Testament Hebrew the two words translated 'fornication' 5 times always carry the meaning of harlotry or whoredom. This context includes adultery but may not be limited to it. In the New Testament Greek it is translated from 3 words, the first used 26 times indicating any form of illicit sex, the second used 5 times, indicating sex for sale (also translated 5 times as whoremonger) and the third used 7 times to refer more directly to the committing of fornication. All uses may include adultery, but are not limited to it. When lists of the works of the flesh are expounded they include both fornication and adultery separately, i.e. “For out of the heart proceed evil thoughts, murders, adulteries, fornications, thefts, false witness, blasphemies” (Matt 15:19), and again, “Now the works of the flesh are manifest, which are these; Adultery, fornication,

uncleanness, lasciviousness” (Gal 5:19). Now Christ could have used the clause 'saving for the cause of adultery' but he did not, he used the broader category. It has been argued that this usage of the broader term removes adultery from consideration and thus ties back to the arranged marriage divorcement where the legal union is broken before a consummated physical union is established. Again such an argument cannot be long sustained in the context. The broader term is indeed broader and includes all forms of illicit sex, to include adultery. In this context then 'saving for the cause of fornication' captures any time a wife is found with any form of sexual uncleanness, she may be rightfully put away with a bill of divorcement by the husband. The patriarchal context remains intact here, with no reference to a wife divorcing a husband for his fornication. Christ could have included such. He did not. He is expounding on the existing patriarchal law.

The second question, as to whether all divorced remarriages are adulterous or just the ones wherein the initiating 'cause of fornication' was not sufficiently satisfied, is less discernible. The problem arises because the last sentence can be separated from the distinguishing clause and stand alone to state that “Whosoever shall marry her that is divorced committeth adultery.” If one has a propensity to separate independent sentences from their context, and without careful guard, we often do, one can justifiably separate this one from its context. There are not two right answers to this question, but neither is their much chance of reconciling the two directions that result when this is their point of departure. This division further lengthens when one departs from the patriarchal intent of the law and justifies a wife putting away her husband for the cause of fornication. Such reasoning comes from a rationalization of 'what's fair for one is fair for the other' and does not come from the analysis of God's law which is based on his righteousness,



and not on our sense of fairness. Remember Christ is reinforcing and expanding, even sharpening the exactness of God's law here. He is not softening it for our palatable consideration, nor practical application. The point being that living to the letter of God's law is impossible for mere man.

The enormity of the problem with Jesus' reinforcement and expansion of the law about divorce is brought into view by the discussion that ensues in chapter 19. He further expands and explains this particular consideration as follows:

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 father and mother, and shall cleave to his wife: and they twain shall be one flesh? Wherefore they are no more twain, but one flesh. What therefore God hath joined together, let not man put asunder.

They say unto him, Why did Moses then command to give a writing of divorcement, and to put her away?

He saith unto them, Moses because of the hardness of your hearts suffered you to put away your wives: but from the beginning it was not so. And I say unto you, Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery: and whoso marrieth her which is put away doth commit adultery.

His disciples say unto him, If the case of the man be so with his wife, it is not good to marry.

But he said unto them, All men cannot receive this saying, save they to whom it is given. For there are some eunuchs, which were so born from their mother's womb: and there are some eunuchs, which were made eunuchs of men: and there be eunuchs, which have made

themselves eunuchs for the kingdom of heaven's sake. He that is able to receive it, let him receive it (Matt 19:4-12).

The reaction of the disciples is tell tale of how intently this dialog of Jesus had communicated the seriousness of divorce, and the attachment of adultery to those who would remarry after a divorce. The patriarchal intent remains, i.e. there is no provision for a wife to 'put away her husband.' The clause 'except it be for fornication' still allows that there may be such a thing as a justified divorce wherein the stigma of adultery to those who remarry may not be attached. The reaction of the disciples, again, emphasizes the seriousness of this reinforced and expanded law. It also detracts from the idea that there is any justifiable divorce provision. The same theme is reexamined when Jesus comes back to Judea and Mark records it as follows:

And he arose from thence, and cometh into the coasts of Judaea by the farther side of Jordan: and the people resort unto him again; and, as he was wont, he taught them again. And the Pharisees came to him, and asked him, Is it lawful for a man to put away his wife? tempting him.

And he answered and said unto them, What did Moses command you?

And they said, Moses suffered to write a bill of divorcement, and to put her away.

And Jesus answered and said unto them, For the hardness of your heart he wrote you this precept. But from the beginning of the creation God made them male and female. For this cause shall a man leave his father and mother, and cleave to his wife; And they twain shall be one flesh: so then they are no more twain, but one

flesh. What therefore God hath joined together, let not man put asunder.

And in the house his disciples asked him again of the same matter. And he saith unto them, Whosoever shall put away his wife, and marry another, committeth adultery against her. And if a woman shall put away her husband, and be married to another, she committeth adultery (Mark 10:1-12).

Now doubtless two distinctions appear in this more private and detailed teaching to the disciples. The patriarchal restriction is lifted in verse 12. Here, in His third reinforcement and extension of the law of divorce it is included that a woman can put away her husband. And, in this third coverage of His extension the clause 'saving for the cause of fornication' or 'except it be for fornication' has been completely removed.

The ramifications of living under the complete letter of the law here looms before us with the disciples reaction, "If the case of the man be so with his wife, it is not good to marry." Certainly Jesus did not intend to sway his creation against the marital vow that He created. No, here is expanded the complete letter of the law. The expanded law which mere man cannot lived up to. Just as the law of murder was reinforced and expanded to reveal we are murderers, and the law of adultery was reinforced and expanded to reveal us as adulterers, the law of divorce has been reinforced and expanded to reveal us as inept husbands and inept wives, unable to keep the letter of the law. The difference here being that murder is an act that can be forgiven and cleansed by the blood of the cross, adultery is an act that can be forgiven and cleansed by the blood of the cross, but when one remarries after a divorce and unites with their new spouse their adultery is renewed every day that they remain together. Under this reinforced expansion of the divorce law, the

union in remarriage constitutes adultery. If we stay under Old Testament Law, striving to live to this letter of the law will be very challenging at best.

The Gospel of Luke also references Christ's expansion of the law of divorce. Very succinctly in the context that "It is easier for heaven and earth to pass, than one tittle of the law to fail", it is recorded that:

Whosoever putteth away his wife, and marrieth another, committeth adultery: and whosoever marrieth her that is put away from her husband committeth adultery (Luke 16:8).

In contrast to the private discussion which Jesus had with just his disciples, where there was an allowance that a wife may put away her husband (Mark 10:12), in this public teaching of the letter of the law there is no such allowance and the law remains patriarchal. In contrast to the clause allowing for 'the cause of fornication' in divorce, given in Matthew 5 and 19, this emphasis on the letter of the law, has no such clause.

At this point in our venture prior to examining the clarifications which the Apostle Paul will provide to the Church of Corinth, let us be painstakingly honest and frank about where we are at on the law of divorce. Painstakingly honest is to often uncharacteristic, especially for such a divisive issue, and more so if you, a loved one, or family member, to include Church family, are embroiled in the issue, but it is necessary for Biblical clarity.

The Lord Jesus Christ has given clarification to the Old Testament law of divorce of Deuteronomy 24:1-4. As per our Lord's manner the clarification has sharpened the law, given keen focus to the law, and amplified the law. His clarification has fractured but not completely shattered the patriarchal intent of the law. He has allowed that a wife may also use the law to

put away her husband (Mark 10:12). His clarification has established that those who remarry after a divorce are committing adultery. His clarification does not establish that a bill of divorcement was only applicable for the prearranged unconsummated marriage. And His clarification has not clearly established nor negated that there is a justifiable cause and, ergo, a divorce where remarriage is allowed. On this latter point hangs the divisiveness of this issue. Minds have been made up. Swords have been drawn. Divisions have torn apart congregations. Bludgeons have been swung and much discord has been sown in this fertile ground.

If there is a justified divorce where remarriage is allowed the justification hangs on two identical clauses “saving for the cause of fornication” (Matt 5:32), and “except it be for fornication” (Matt 19:9). If there is no justified divorce where remarriage is allowed it, at this point prior to the Apostle Paul's clarification, hangs on the lack of any such clause in Mark 10:11 and Luke 16:18. Certainly the latter of these two considerations bears more weight and anyone wishing to 'error on the side of caution' will be riveted in this camp. But there will always be Christians, hurt and torn by life, who are forced to cling to those two clauses to rationalize and justify their divorce and remarriage, or their spouse's previous divorce.

### **God's N T Law of Divorce and Remarriage for Christians**

Clearly the missing peace about what this law of divorce had become, and the lifelong bondage in celibacy that it would induce, prompted the question which the Apostle Paul answered in 1Cor. 7. In light of this great consternation every Christian should be conversant and fluid in that answer. Paul clarifies:

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. But to the rest speak I, not the Lord: If any brother hath a wife that believeth not, and she be pleased to dwell with him, let him not put her away. And the woman which hath an husband that believeth not, and if he be pleased to dwell with her, let her not leave him. For the unbelieving husband is sanctified by the wife, and the unbelieving wife is sanctified by the husband: else were your children unclean; but now are they holy. But if the unbelieving depart, let him depart. A brother or a sister is not under bondage in such cases: but God hath called us to peace. For what knowest thou, O wife, whether thou shalt save thy husband? or how knowest thou, O man, whether thou shalt save thy wife (1Cor 7:10-16)?

Notice that Paul first repeats the reinforced, highly focused law of the Lord Jesus Christ “If she depart, let her remain unmarried, ... and let not the husband put away his wife” (vr 11). Paul then interjects that he is now giving commandment that the Lord did not give. Paul is not stepping out of his Apostolic authority and giving us a personal opinion, but stepping up to his Apostolic authority and giving us a command of God. Under grace God lightens the strong dissertation on the law of divorce which the Lord Jesus gave us. The new commandment stipulates at least three new characteristics. First, it even handedly references the departing wife or husband and removes the patriarchal inequality of the law. The Lord's command inferred such but did not directly address it. Second, it clarifies the acceptable cause for the divorce. The Lord's command inferred that fornication may be a justifiable cause,

but here it is codified that the simplest cause is acceptable, i.e. where the unbelieving spouse is not pleased to remain in the marriage. Should a believer remain in the bonds of marriage to an unbeliever if the unbeliever prefers to depart? No. "Let them depart."

Thirdly, the clarifying new law from God declares that "a brother or sister is not under bondage in such cases: but God hath called us to peace." However, all divisiveness of the law of divorce and remarriage is not cleared up by this declaration. To be 'not under bondage' and 'called to peace' does not forthrightly mean that the remarriage of a divorced believer is thus condoned. It seems clearly implied by these two statements that remarriage is completely acceptable. It could have been stated at the end of verse 15 "let them remarry." Those three words would have eliminated all consternation about divorce. God did not give them to us and this lack of clarity forces us to fall back on 'individual soul liberty', for the complete resolution of this conflict.

Individual soul liberty cannot compel that something might be sin for one Christian but not sin for another, but that individual souls are compelled to do what is right based on their ongoing walk and personal relationship with the Lord Jesus Christ. God could have openly and clearly dictated that remarriage after a believer's divorce is acceptable, condoned and free from all adultery. That case is implied but not declared. When God does not declare, Christians should not. Where God makes implication Christians should not make declarations for themselves or for others, but should feel absolutely free to live and breath and walk with their Lord in their individual soul liberty. And so, to the dismay of some, but to the joy and peace of many, God has left the law of divorce and remarriage undeclared but openly implied. To the praise of His glory.

God's New Testament law of divorce and remarriage

declares that for any departing unbeliever, let them depart. The cause is not codified, and Christians are not to be in bondage. Christians are not to live in conflict but in peace. If one is a declared unbeliever and they wish to depart, the case is clear. But otherwise determining if one is an unbeliever, or which one in a divorce proceeding may be the departing unbeliever, will ever remain a 'sticky wicket.' There are many professed-believers with bad fruit, so a very intimate, soul searching, personal decision will need to be made. That decision must be made by an individual soul, and will always be influenced by our nature of vain rationalization. The decision will not likely be as clear to an outsider, but Godly counsel should make it clear to a believer. Remarriage of a divorced Christian seems to be condoned under this new law, but is also a decision that can only be made by the individual soul.

If we have properly interpreted God's treatment of this command, and remarriage is allowed after an unbeliever would desire to depart from a believer, why do Baptist stipulate that that their pastors and deacons not be divorced and not be married to a divorced woman? There are generally three good reasons but understand that these cannot be cast in granite nor applied to every congregation.

Divorce considerations are usually in a Church's constitution with this template as the format:

Article VII, Section 2, A. The pastor shall be a fundamental Baptist minister who meets the qualifications listed in I Timothy 3:1-7 and Titus 1:5-9 . He shall be a spiritually mature man who evidences a burden for lost souls and who is in agreement with the covenant, constitution and articles of faith of this church. He shall be a man who has never been divorced nor married to a divorced woman.

And for a Church deacon:

Article VII, Section 3, A. The church shall elect from its



membership at least two qualified men to serve as deacons. They shall be spiritually mature men who have been members of this church for at least six months. They shall be actively engaged in seeking to win the lost, have a good family testimony with neither the husband nor his wife having been divorced and shall be in hearty agreement with the policies and programs of this church. They must meet the standards of Acts 6:3 and I Timothy 3:8-13. One additional deacon shall be elected for every fifty active members. When a qualified deacon cannot be secured, the office shall remain vacant.

For the office of Pastor and Deacon these restrictions, if they error, error on the side of caution. This is a sound reason for the restriction. If there is going to be an error, that is the side to error on. This restriction clearly follows the teaching of the Lord on divorce.

Secondly this restriction is the simplest of provisions. If the restriction were to be lifted or exception made, it would be necessary to have some sort of public examination of the details of the divorce. In the qualification evaluation it would be best to demonstrate that the divorce was Biblically justified and prudent. Such is certainly doable with a Biblically educated and mature congregation, but it can be a very slippery slope with many opportunities for conflict and consternation. Following only Christ's commands on divorce is the simplest solution, but such should not necessarily be mandated for every Baptist congregation. After all, that is why we are independent.

Thirdly, the rendering of "Husband of one wife" can easily be read as 'married only one time.' And taking this rendering will cause one to 'error on the side of caution.' Again this will greatly simplify this consideration. Some, however, prefer this rendering to be, "the husband of one wife at a time," and thus they condone any sort of divorce, and any number of divorces as acceptable. The Bible, however, does not boldly declare that remarriage after a divorce is acceptable. It does

make the implication, but where the Bible does not boldly declare, it would behoove us to not boldly declare. Again staying on the side of caution with the requirement of being the “Husband of one wife” is the safer choice, but should not be cast in granite for all congregations.

There will always be preachers and churches who will be led into a variant look at this issue. Clearly the Word of God allows this liberty. Our old nature which likes to declare my position 'right' and your position 'wrong' on the issue of divorce will need to be thoroughly drowned in God's perfect grace. Independent Churches will take independent positions on the issue and so it must be left. This is just as God has left it, i.e. unclarified. Within a Church, however, there should be sufficient grace that individual soul liberty allows the full exercise of God's provision “if the unbelieving depart, let him depart. A brother or sister is not under bondage in such cases: but God hath called us to peace” (1Cor 7:15). Paul's desire was that there be peace and not division in the congregation at Corinth. God's desire is that there be peace and not consternation in His congregation, and so may we pursue peace.

God's intent for one man and one woman to be one flesh for one lifetime has not changed. There is a provision in the law for divorce “because of the hardness of mans heart.” For the same reason that provision is available under grace. It is never to be taken lightly nor superficially, but when rightfully exercised by a Christian it is never to be held over them as a slander or a bondage, for God has called us to peace.

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