

## Divorce and remarriage

The reason for divorce is to legalize or 'legitimize' another marriage. It also serves to escape from the commitment. Before proceeding, it must be made clear that a man having more than one woman did not represent adultery, as long as he maintained them all. Many men in O.T. had more than one wife, without being condemned for it. Men want divorce, but what is the teaching of the Bible? A basic rule of correct hermeneutics is to start with the clear texts and then look at any texts that are ambiguous, or that offer some complexity. So that is what I will do.

1) "Keep yourselves in your spirit, and let no one be disloyal to the wife of his youth. Because the LORD, the God of Israel, says that he hates divorce" (Malachi 2:15-16). Here we have a solemn declaration - the LORD hates divorce. So how could He approve it? He may tolerate it, just as He tolerates sin. In fact, I suppose there is no such thing as a divorce without sin. In the circumstances that culminate in divorce there is always sin.

2) Luke 16:18 presents us with the basic way in which God sees the issue, since it is a declaration made by Sovereign Jesus: "Whoever divorces his wife and marries another woman commits adultery, and whoever marries her who is divorced from her husband commits adultery". If the one who marries a divorced woman "commits adultery", it is because the first marriage still exists in the eyes of God. But the use of the word 'adultery' by the Sovereign makes the matter very serious, since in the Law of Moses adultery carried the maximum penalty (Leviticus 20:10).

3) Answering the Pharisees in Mark 10:2-5, the Lord Jesus clarified that Moses allowed men to repudiate a wife "because of the hardness of your hearts". Neither here, nor in Matthew 19:3-9, does the idea of an 'innocent party' appear. Divorce is generally based on hardness of heart—to this day. **However**, there are cases where separation is necessary to avoid premature death, but not to remarry.

4) "'For this reason a man shall leave his father and mother and be joined to his wife, and the two will be turned into one flesh'. . . . Therefore, what God has joined together, let man not separate." Mark 10:7-9). In both Mark 10:9 and Matthew 19:6, the Text says "what God has joined", not "whom God has joined". It is clear that the Sovereign did not refer to people, but to the fact of 'one flesh'. So, for someone to argue that his partner was not chosen by God, won't work. It is the fact of sexual union, not the identity of the partners, that is being discussed. See also 1 Corinthians 6:16.

It is clear that the ideal that God states is monogamy—"his wife" is singular, "the two" can only refer to one man and one woman. (It is "two", not three, four, five, etc. "The two" cannot refer to two men, a man with an animal, a woman with a demon, or whatever—it cannot.) When a man and a woman unite, they become "one flesh", and God holds that union to be sacred—"therefore what God has joined together, let man not separate". Anyone! Even the spouses themselves. Here is a clear prohibition against divorce. Even the spouses themselves cannot separate what God has joined together. In fact, it seems clear that nothing that can happen afterwards alters the fact that the union took place – "one flesh" was made, and it remains. Other eventual unions complicate the situation (sin always complicates), but are unable to make the first union non-existent. That is exactly why God calls other unions "adultery"—if the first union had been annulled, the word 'adultery' would no longer be applicable, since the word refers precisely to infidelity to a union that still exists.

5) This is what Jesus says in verses 11 and 12 (still Mark 10): "Whoever divorces his wife and marries another commits adultery against her; and if a woman divorces her husband and gets married to another, she commits adultery." In Luke 16:18 the woman is presented as passive—she is left, then taken by another. Here (verse 12) she is presented as taking the initiative—she is the

one who divorced her husband. Conclusion: whether it is the man or the woman who takes the initiative, at the moment when she is united with another, she adulterates, because the first union still exists.

6) In Matthew 5:27-28 we read this: "You have heard that it was said, 'You shall not commit adultery'. But I say to you that whoever looks at a woman to lust for her has already committed adultery with her in his heart." Of course, adulterating in the heart does not undo the first union, and adulterating in fact does not undo it either. Matthew 5:31-32 repeats material that we have already commented on, but adds the caveat, "except for a case of fornication". Since the caveat is repeated in Matthew 19:9 and the context there is broader, I will comment on it within the context of Matthew 19:3-10, as follows.

7) The Pharisees came to Jesus asking, "Is it permissible for a man to divorce his wife for *just* any cause?". In reply, Jesus appealed to the Creator's purpose, namely, monogamy, and repeated the prohibition against divorce, "what God joined together, let man not separate" (including the spouses themselves, presumably). But they didn't like that and trotted out the "certificate of divorce" spoken of by Moses. Then Jesus replied: "Because of your hard-heartedness Moses permitted you to divorce your wives, but from the beginning it has not been so." Notice, "Moses permitted", but that was not the Creator's idea, and Moses permitted "because of your hardness of heart" (no 'innocent party'). So far we haven't found anything to say that God condones divorce, but let's go to the 'caveat'.

8) "And I say to you that whoever divorces his wife, except for fornication, and marries another commits adultery; and whoever marries a divorcee commits adultery." The key issue is the exact meaning of "fornication". In the New Testament, the term refers to prostitution (it would be the central meaning), premarital sex, incest and homosexuality. There is no clear case to defend the meaning of 'adultery'. In fact, in Matthew 15:19, Mark 7:21, 1 Corinthians 6:9 and Galatians 5:19, 'fornication' and 'adultery' are presented as different, distinct things and it would be surprising if the Holy Spirit were to later confuse the two. In the present case (Matthew 19:9) it would be like insulting the Holy Spirit to say that "fornication" has only the meaning of 'adultery'—it would be to impute dishonesty to Him, or at the very least to say that He intended to confuse the reader. If the desired meaning was 'adultery', then the Author would have written 'adultery'. Indeed, by saying "fornication" Jesus made clear that the marriage had not yet taken place, otherwise He would have said 'adultery'.

That is exactly why it seems to me more likely that this is a case similar to Joseph's dilemma with Mary, pregnant, but not by him. In the culture of that time, once promised in marriage, a woman was considered to belong to the groom, even before the actual marriage and the consummation of the physical union. If, before the actual wedding, it was proved that the bride was no longer a virgin (as a result of fornication, inevitably), normally the groom would break off the marriage, refusing to actually marry her. The bride would be repudiated, and if the man later married another there would be no adultery, for he had never been sexually united with the first one. If another man later married the repudiated bride, it would not be adultery, because although no longer a virgin, she did not get married. In fact, Matthew 19:9 does not contradict Luke 16:18 and Mark 10: 11-12; the three passages are unanimous—God does not recognize divorce. Only death undoes the marital union. Infidelity complicates, but does not undo. That is why Jesus calls any second marriage 'adultery', because the first union still exists. It seems clear that the disciples understood it at the time. Consider their reaction.

9) "His disciples said to him: 'If that is the situation of a man with his wife, it is better not to marry!'" (Matthew 19:10). Come now, why so much despair? Obviously Jesus' word was very hard for them to assimilate. They were used to the ease that Moses allowed, although there were several positions at the time as to the type of thing that would justify divorce. But it seems that everyone agreed that infidelity justified repudiation—at least that. Multiplied thousands (if

not millions) of men have accepted marriage, thinking of no way out unless (God forbid) because of the woman's infidelity, in the event—so that interpretation seems inadequate to explain the disciples' reaction. It follows that Jesus simply closed the door—there is no divorce that permits remarriage. Only death opens the door again. Consider what follows.

10) "Do you not know, brothers (for I am speaking to those who know law), that the law has authority over someone only as long as he lives? 2 For example, a married woman is bound by law to her husband while he lives, but if the man should die, she is released from the law about the husband. 3 So then, if she should 'marry' another man while her husband is living, she will be labeled an adulteress; but if the husband should die, she is free from that law, not being an adulteress if she marries another man." (Romans 7:1-3). "While her husband is living, she will be labeled an adulteress"—no 'innocent party', no divorce; as long as the first spouse is alive, the union exists, and any additional union is characterized as "adultery." Only death breaks the union. See 1 Corinthians 7:39 as well.

11) Returning to Matthew 19, let us consider Jesus' response to the disciples' despair (verses 11 and 12): "So He said to them: 'Not all *can* assimilate this word, but those to whom it has been given. 12 For there are eunuchs who were born that way, from their mother's womb; and there are eunuchs who were castrated by men; and there are eunuchs who castrated themselves for the sake of the kingdom of the heavens. He who is able to assimilate it, let him assimilate.'" Wow, what a strange thing to say. What in the world do 'eunuchs' have to do with divorce and remarriage? Well, do eunuchs have sexual relations? It seems clear—Jesus is saying that whoever separates from his wife should then live as a 'eunuch'; no new marriage until the first spouse dies.

12) It remains to comment on 1 Corinthians 7:10-17: "Now to the married I command (not I, but the Lord): a wife is not to be separated from her husband (but if she does separate herself, let her remain unmarried, or be reconciled to her husband), and a husband is not to divorce his wife" (verses 10-11). Everything is consistent—no divorce. Even in the case of separation, let them remain unmarried! This is for a believing couple, but will the rules be different for a mixed marriage? Please note that it is the Lord who orders them to remain unmarried. Then, in verse 12, Paul offers his own opinion.

13) After affirming that the believing party should never leave the unbelieving party, the apostle continues: "But if the unbeliever separates, let him separate—in such cases the brother or the sister is not enslaved, but God has called us to peace" (verse 15). If re-marriage is not allowed if a believing partner leaves (verses 10-11), with what logic can it be argued that the rule changes if the partner is an unbeliever? It simply does not follow. (Is Paul's opinion worth more than the Lord's commandment?) On the contrary, the believer is called upon to make a special effort to win the other. However, if the unbeliever is determined to leave, an effort by the believer to go along at any cost will only prolong a climate of strife, and God has called us to peace. There is nothing in the text to justify the idea that the abandoned believer is entitled to another marriage, absolutely. So much so that the apostle closes the chapter reiterating that only death frees the survivor for remarriage (1 Corinthians 7:39).

**CONCLUSION:** For God, there is no divorce. It is never lawful to enter into a second marriage as long as the first spouse is alive. God takes sex seriously! So much so that He decrees the death penalty for certain abuses. Any kind of incest incurs death; homosexual practice incurs death; having sex with an animal incurs death; having sex with a woman in menstruation incurs death—read carefully Leviticus 20:10-21. Why does God react so severely? I suppose it is because of the following: the last three procedures destroy the seed of the man (the first one distorts it), and it is the seed that transmits 'the image of the Creator'. He did not create sex for our pleasure, except on a secondary level, but to guarantee the continuity of the race. The main purpose of the

creation is to glorify God, not to satisfy the desires of men. Any argument that relates to the pleasure or convenience of men is suspect and inadequate. Humanism increasingly invades evangelical churches, but humanism is idolatry and contrary to God. There is more; even in that severity about sex, God was foreseeing the well-being of the human race. In Malachi 2:15 we read: "Did He not make them one? . . . And why one? He seeks godly offspring. Therefore take heed to your spirit, and let no one deal treacherously with the wife of his youth." The word translated 'one' is *ehad*, which includes plurality within the unit. I understand that the reference is to 'one flesh'. The responsible use of sex aims to avoid the debasement of the race – the fear of God serves for that as well.

All right, God never wanted divorce, but what to do in the face of the confusions and complications that already exist? Under the Law of Moses, which was given by God, adultery carried the death penalty for both participants (Leviticus 20:10). As a result, since death frees people, 'widows', surviving spouses, could remarry. When a society does not execute an adulterer, the way out that death would provide no longer exists.

1) The Bible never uses the expression 'to live in adultery'; it uses 'to commit adultery'. Even having an adulterous beginning, a second union also exists and is recognized by God. Perez entered the line of the Messiah although he was the product of the shameful union of Judah and Tamar (Genesis 38). Prostitute Rahab became King David's great-great-grandmother despite her sordid life. The crowning example must be that of David and Bathsheba. Their union started in the most sinful and criminal way possible (adultery and murder, very cowardly, by the way), but even so God recognized it and even blessed it to the point of putting the fruit of that union, Solomon, on the throne and even allowing him to build the temple, which God honored with His Shekinah glory. That is, if someone is faithfully living with a second spouse, the phrase 'living in adultery' does not apply, even if they committed adultery at the beginning of the union. Once there is a second union, it exists as much as the first and there is no way to undo it. A second divorce does not solve anything.

2) In fact, there is a procedure that God absolutely forbids. After a woman marries a second man, she will never be able to return to the first, even if the second one dies (Deuteronomy 24:1-4). The reason given is that such a woman has already been "contaminated", and if she goes back to the first one, God considers it an "abomination". The expedient of requiring a newly converted person, who has already gone through two (or more) unions, to return to the first spouse is sadly unbiblical—it only makes things worse.

3) I know that there are horrifying cases, even of criminal abuse by one of the spouses, where separation becomes a necessity precisely to avoid the premature death of one of the parties. Violence may justify separation, but not remarriage. In my view, one of the most wretched aspects of sin is that almost always the worst consequences fall on others, often truly innocent with regard to the sin whose consequences they are suffering. We spend our lives victimizing and being victimized. What then? Can we undo or escape? Even when the case is totally tragic, unfair, disgusting? As a rule, no. The way to go is to avail ourselves of the grace of God and "run with endurance the race that is set before us . . . looking unto Jesus, the Founder and Perfecter of the Faith, who for the joy that was set before Him endured a cross, scorning its ignominy, and took His seat at the right hand of the throne of God." (Hebrews 12: 2).

4) Sin is sin and sin receives punishment, but it also may receive forgiveness (except for blasphemy against the Holy Spirit). The past is beyond our reach; we cannot change it, nor can we undo our sins, but the blood of Christ can cover the past and cleanse us from sin. Qualifications for service in the Church of Christ are stated in the present tense. (And who among us would score 100% on all the qualifications?) Despite the past, God deals with us in the present based on our current reality. However, there seems to be an exception.

5) There is grace and forgiveness, but they do not free us from the consequences of our sins in this life. It is certain that there seems to be a difference between deliberate sin after being converted and what was done before. Paul explains that although he came to the point of persecuting believers (even to death) [he was executing, not murdering—there is a fundamental difference], he achieved grace and a ministry (quite prominent, by the way) because he did it "ignorantly, in unbelief" ( 1 Timothy 1: 12-14). After being converted, he subjugated his body "lest I myself should be rejected" (1 Corinthians 9:27). Sin can disqualify you from ministry—this is clear from 1 Timothy 3: 1-12, among other passages. There we find "the husband of one wife". In Malachi, "the LORD hates divorce" is part of a larger context where He is punishing the priests who divorced their wives. In Malachi 2:13-14 God states that for that very reason He no longer took notice of their offerings. Everything indicates that God wants neither a priest nor a pastor who is divorced, and will retain the blessing if they persist anyway (even worse if they divorced after being converted).