

Marriage, Divorce and Remarriage

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I. BIBLICAL PRINCIPLES

A. MARRIAGE

The Bible makes clear that God views marriage as a covenant or contract between a man and a woman who have agreed to be husband and wife for the rest of their earthly lives.

1. The Beginning of a Marriage

The Bible makes a distinction between marriage and a sexual relationship between a man and a woman. A sexual relationship between a man and a woman was strictly prohibited before marriage – and a person did not automatically become married as a result of having sex with another party. In fact, a man and woman were considered husband and wife after they were irrevocably “pledged to be married” – even though a sexual union between the two might take place at a latter date (Deuteronomy 22:23-29; Matthew 1:18-19).

2. The Permanency of a Marriage

In Matthew 19:4-6, Jesus makes clear that men and women are warned not to cause a separation between a husband and a wife who have been brought together by God in marriage:

MT 19:4 "Haven't you read," he replied, "that at the beginning the Creator `made them male and female,'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' ?⁶ So they are no longer two, but one. Therefore what God has joined together, let man not separate." (*Matthew 19:4-6*)

In Romans 7:2-3, it is clear that only God has the right to end a marriage through the death of either the husband or wife:

RO 7:2 For example, by law a married woman is bound to her husband as long as he is alive, but if her husband dies, she is released from the law of marriage.³ So then, if she marries another man while her husband is still alive, she is called an adulteress. But if her husband dies, she is released from that law and is not an adulteress, even though she marries another man. (*Romans 7:2-3*)

B. DIVORCE

1. In Practice

Although it appears from the above that a marriage covenant was not to be terminated except upon the death of either the husband or the wife, numerous passages in the Old Testament indicate that divorces were common. Interestingly, divorce was never explicitly permitted in the Old Testament; it appears to be considered a fact of life and was regulated. (Deuteronomy 24:14).

In Mark 10:2-12, however, Jesus spoke against divorce even though it was a common practice among the Jews. The Pharisees asked Jesus if it was a man was allowed to divorce his wife. Jesus responded by them telling that if a man or woman divorced his/her spouse and married another person, they were committing adultery by doing so. Jesus was reconfirming God's intention that the marriage covenant was intended to be in effect until either the husband or wife died; in God's eyes, the husband and wife were still married even though they obtained a divorce which was legal in man's eyes – and their remarriage was classified as adultery since they were having a sexual relationship with someone other than their spouse.

MK 10:2 Some Pharisees came and tested him by asking, "Is it lawful for a man to divorce his wife?" MK 10:3 "What did Moses command you?" he replied. MK 10:4 They said, "Moses permitted a man to write a certificate of divorce and send her away."

MK 10:5 "It was because your hearts were hard that Moses wrote you this law," Jesus replied. ⁶ "But at the beginning of creation God `made them male and female.' ⁷ `For this reason a man will leave his father and mother and be united to his wife, ⁸ and the two will become one flesh.' So they are no longer two, but one. ⁹ Therefore what God has joined together, let man not separate."

MK 10:10 When they were in the house again, the disciples asked Jesus about this. ¹¹ He answered, "Anyone who divorces his wife and marries another woman commits adultery against her. ¹² And if she *divorces her husband and marries another man, she commits adultery.*" (Mark 10:2-12)

2. Exceptions

Nevertheless, in the New Testament Jesus and the Apostle Paul address the issue of divorce in greater detail – and in so doing identify certain circumstances under which a divorce is allowed as follows:

a. For Marital Unfaithfulness

In Matthew 19:9, Jesus is recorded as telling the Pharisees that anyone man who divorces his wife except for marital unfaithfulness and marries another woman was committing adultery by so doing.

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

Additionally, Jesus states that if a man divorces his wife even though his wife has not been unfaithful to him – he is causing *her* to commit adultery and *the man that marries her* to commit adultery. (Apparently, Jesus assumed that the innocent wife would remarry after her husband divorced her – and considered the husband and wife to still be married in God’s eyes because they had entered into a marriage covenant for life). The fact that the wife in this case was the innocent party in a divorce did not give her the right to remarry since she was still married to her original husband in God’s eyes.

MT 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. (*Matthew 5:32*)

The obvious question from the above is why Jesus *allows, but does not command* divorce and remarriage in the case where one spouse has been unfaithful to their spouse – and what the meaning of “marital unfaithfulness” is. The answer to this *may* be found in the Old Testament in Deuteronomy 22:22 where “marital unfaithfulness” - or sleeping with another man’s wife – was punishable by death.

DT 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. (*Deuteronomy 22:22*)

If the Old Testament command had been implemented, a husband or wife who had been unfaithful to their spouse would have been stoned to death, their marriage would have been dissolved and their innocent spouse would have been free to remarry. In New Testament times, the Romans did not consider unfaithfulness to one’s spouse to be an offense punishable by death – and Jews were not permitted under Roman law to execute such a person according to this Old Testament command (John 18:31). As such, Jesus permitted a divorce and remarriage – perhaps because he recognized it was unfair if the innocent spouse was not able to consider his/her marriage as dissolved due to the inability of the Jews to execute the unfaithful spouse.

b. By Two Believers

In I Corinthians 7:10, the Apostle Paul reaffirms Jesus’ prohibition against a wife and husband separating. (In the context, there does not appear to be any distinction between separation and divorce). As can be seen in contrast with I Corinthians 7:12, Paul is speaking to a husband and wife who are both believers in our Lord Jesus Christ. However, in I Corinthians 7:11, Paul appears to say that if the husband and wife disobey the Lord’s command and separate / divorce, they must either remain unmarried or reconcile. He seems to imply that the couple is still married in God’s eyes and the husband or wife would be compounding their sin by marrying someone else and thus committing adultery.

^{1CO 7:10} To the married I give this command (not I, but the Lord): A wife must not separate from her husband. ¹¹ But if she does, she must remain unmarried or else be reconciled to her husband. And a husband must not divorce his wife. (*I Corinthians 7:10-11*)

Perhaps Paul realized that there would be some cases when a husband or wife might need to separate due to the danger of physical abuse by one spouse against the other.

Alternately, some think that the phrase translated from Greek as "if she does" should more properly be translated "if she has" – thus addressing those who had already separated / divorced from their spouses at the time that Paul wrote I Corinthians.

c. By a Believer and an Unbeliever

Finally, in I Corinthians 7:8-16 Paul addresses whether a believer should divorce his/her spouse who is an unbeliever - apparently because some had become believers after they were married and felt that it was not appropriate to stay married to an unbeliever. (As is clear in I Corinthians 7:39, believers were commanded to only marry believers and were forbidden to marry unbelievers). Under the inspiration of the Holy Spirit, Paul says that a believer should not divorce an unbelieving spouse since the believer may save and will sanctify his/her spouse and children. However, the believer is told that he/she should let the unbeliever leave if the unbeliever chooses to do so.

^{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. 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. 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.

^{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. ¹⁶ How do you know, wife, whether you will save your husband? Or, how do you know, husband, whether you will save your wife? (*I Corinthians 7:12-16*)

In the above passage, the believer is told that he/she is "is not bound" if his/her unbelieving spouse leaves. It is not clear from this passage whether Paul meant that a believer whose spouse deserted them would be free to remarry or not. Some would argue that the believing spouse would be free to marry since they were not married in God's eyes since one or both were not believers at the time of their marriage. Others would argue that regardless of their spiritual condition, remarriage by the believing spouse would be considered adultery since the husband and the wife entered into a marriage with each other.

II. JICF APPLICATION

A. Marriage. JICF understands the Bible to teach that a believer should only marry a person of the opposite sex who is also a believer and who is similarly committed to serving our Lord Jesus Christ. (II Corinthians 6:14-18; I Corinthians 7:39). Accordingly, JICF will not perform a marriage between a believer and an unbeliever – and those of us who attend JICF should actively discourage any believer who is considering marriage to an unbeliever.

B. Pre-Engagement Marital Counseling. Couples who are considering marriage should consider it to be lifelong commitment. As such, couples are strongly encouraged to participate in pre-marital counseling by a Christian pre-marriage counselor. Couples considering marriage should provide sufficient time to participate in such counseling *before* either becoming publicly engaged or making marriage plans in order to avoid possible embarrassment if the marriage plans are later cancelled as a result of issues that surface during the counseling.

In light of the above, JICF has decided upon the policy that JICF will not marry any couple unless the couple has participated in counseling by a JICF appointed pre-marriage counselor. Please contact the church office or one of the elders if you wish to participate in JICF pre-marriage counseling.

C. Divorcees. JICF does not understand that people who are divorced are “second class citizens”. There are a significant number of people who attend JICF who have been divorced – and we should be compassionate while encouraging people to be knowledgeable about Scripture and obedient to the Lord regarding any steps he would now have them take, if any. A number of these may have been divorced prior to becoming a believer – and are now washed and sanctified as a result of repenting and deciding to follow our Lord (I Corinthians 6:11).

Some may have legitimately divorced their spouse after becoming believers and in so doing exercised their Biblical right to divorce their spouse for being marital unfaithfulness. Others may have been unfaithful in their marriage – and thus been responsible for their spouse divorcing them. And some of these may have repented while others may not have done so.

In other situations, two believers may have mutually agreed upon a divorce because of “incompatibility” or for other reasons not allowed in the Bible. And this may either have been done in disregard for or in ignorance of Scripture. In such cases, those of us who attend JICF should do our best to encourage the believing husband and believing wife who have divorced to remarry each other – if they have not already married someone else.

Due to the above, JICF will only marry a divorced person after thoroughly investigating the reasons for the divorce. JICF understands believes that the Bible is relatively clear in allowing the remarriage of a divorced person in cases

where a) the person divorced their spouse due to marital unfaithfulness or b) the person was deserted by their unbelieving spouse.

D. Widows / Widowers. The Bible makes clear that the marriage covenant between a husband and wife is ended upon the death of either party (Romans 7:1-2; I Corinthians 7:8-9; 7:39-40). However, the Apostle Paul does encourage a widow to consider staying single in order to serve the Lord – but states that if she chooses to marry she should be sure that she only marries a man who “belongs to the Lord” or is a believer (I Corinthians 7:8-9; 7:39-40). Accordingly, a widow or widower is free to be married – and JICF is certainly willing to perform such a marriage as outlined above.