

Divorce and Remarriage

by J.D. Heiney

This issue, in my opinion, has become one of much abuse in the Church. Many incorrectly believe that divorce is a modern phenomenon brought about by the “sixties” and an overall downturn in morality, etc., but this could not be more wrong. Divorce and marriage abuse go back thousands of years. Yes, even all the way back to Moses. In fact, it was Moses who instructed Israel regarding divorce in Deuteronomy 24.

Clearly, when Moses commands a certificate of divorce be given and that the wife be “put away”, if she finds no favor in her husband's eyes, we are seeing something that is biblical and is addressing a situation relevant to mankind. It is clear that God, through Moses, allowed divorce and commanded it of Israel. The question then becomes, why did God allow it and is it relevant today?

To find the answer to these questions requires one to do the work of a Berean. We must research and study the scriptures. We should test our modern doctrines and theology against the Word of God. Sadly, many popular translations of scripture make it even more difficult to see the truth regarding this issue. But the Spirit leads us into all truth and we can know God's heart and intention regarding this issue.

As I studied this issue, it became quite clear that men during that time in Israel were “dealing treacherously with their wives” and abandoning them, leaving them destitute and unable to support themselves. There was a saying that the women of Israel had at this time. The women would remind each other to wear all of their jewellery and fine clothes at all times, so that, if they were suddenly abandoned by their husbands and thrown out, they would, at least, have some items of worth to hold them over.

The reason they were left destitute without any provision is because they were being abandoned by their husbands without any kind of termination of the marriage contract. Therefore, they were still legally married and unable to remarry. Since they were unable to remarry, they were left with no provision that the husband would provide. It must have been a very difficult time for wives in those days.

Throughout scripture, God consistently reveals himself as a lifter of burdens and a helper of the oppressed. He is always moving to help the down and out and relieve their burden. This is exactly what we see happening in Deuteronomy 24. God is allowing divorce as a way of relieving the devastation and destitution of an abandoned spouse. It was a way of helping them

and relieving their suffering from husbands that dealt “treacherously” with their wives. In context, divorce was allowed as a solution to the evil being perpetuated by Israeli men against their wives.

It is important to note that there are two phases to the divorce that God allows through Moses. There is the certificate, or bill of divorce, and then there is the “putting away” of the spouse. The divorce certificate dissolves the marriage and releases her to marry another. The “putting away” sends the wife away on her own and she is forbidden from ever returning to the original spouse. This is VERY important in understanding what scripture ACTUALLY teaches regarding divorce and remarriage.

Fast forward several thousand years and Jesus is being confronted by two different schools of Pharisees; Hillel and Shammai. One school (Hillel) believed that it was OK to throw your spouse out for any reason at all, even if she burned your food! The other school (Shammai) believed it was only serious violations that justify abandoning your spouse. These Pharisees want to find out who's got it right, so they ask Jesus about it. Mark 10:2 “Is it lawful for a man to PUT AWAY his wife, trying him.”

So these men are “trying” or testing him. But Jesus knows this. He answers with a question: “What did Moses command you?” The answer is obvious. (v4) “And they said, Moses suffered (allowed) to write a bill of divorcement, and to put her away.” Notice that these men know the correct procedure for divorce, as allowed by Moses. A bill of divorce is given, and then the spouse is put away (sent away).

Jesus explains that the reason this (divorce) was allowed was because of mankind's “hardness of heart” (v5-9), but that it wasn't God's intention from the beginning. God desires that a man and a woman be united for life. This is God's highest intention. But the hardness of man's heart makes this difficult.

Jesus then goes on to say, “Whosoever shall [put away] his wife, except for fornication, and shall marry another, committeth adultery: and he that marrieth her when she is [put away] committeth adultery.”

Now, if you understand the historical context, and if you understand that Jesus fulfilled the Law perfectly, then Jesus could NOT be condemning divorce across the board. The law allowed it! And Jesus fulfilled the law perfectly. What Jesus was condemning was the very thing the Pharisees were questioning him about; when was it lawful to “PUT AWAY” your spouse?

Now here is where it gets really interesting. “Divorce” and “put away” are NOT the same thing! The Greek word for divorce is apostasion. It is used exclusively for the legal bill of divorce. This is what dissolved or ended the marriage relationship. It was the proof that the spouse was, in fact, divorced and free to marry another. But this is NOT the word Jesus uses in verses 11 and 12! He was not speaking of divorce, but rather of the “putting away” of the spouse. The context is clearly, “when is it appropriate to put away your spouse WITHOUT the bill of divorcement”.

The Greek word being used throughout this exchange is “apoluo”; it means to “put away”, send away, send out of the house, separate, etc. It is unfortunate that several modern translations have erred by translating the word “apoluo” as “divorce”. This creates confusion as to what Jesus was actually saying and leads us to believe that He is condemning divorce across the board.

But Jesus is actually making a statement regarding the original question the Pharisees sought to test him with. “Is it lawful for a man to 'put away' (apoluo) his wife?” Jesus answers the question by saying that if any man “puts away” (without divorcing) his wife, and marries another, he commits adultery. Why? Because he's still married! And if the spouse remarries, she commits adultery, as well, because she is still legally married. Since there was never a bill of divorcement given, they both are still married in God's eyes (and the state's).

It was not “divorce” that Jesus was condemning, but rather the “putting away” of a spouse WITHOUT having divorced them properly. The reason is obvious; without a divorce, both parties are still married and thus to enter into another relationship is adultery. This is exactly what was happening in Moses' day! God allowed the divorce process as a way of temporarily resolving this unfortunate scenario.

Matthew 5:31-32 reveals this same context. “It was said also, Whosoever shall put away [apoluo] his wife, let him give her a writing of divorcement [apostasion]: but I say unto you, that every one that putteth away [apoluo] his wife, saving for the cause of fornication, maketh her an adulteress: and whosoever shall marry her when she is put away [apoluo] committeth adultery.” The spouse who is “put away/apoluo”, but not “divorced/apostasion”, is still married and thus commits adultery upon entering into another relationship.

So what about the exception clause? Jesus says that “except for fornication” no man can “put away” his wife. Jesus is saying that there is an exception that allows a man to literally “put away” his wife, without divorcing her. He says that this exception is called “fornication”.

Fornication is something that makes the marriage invalid from the very beginning in God's eyes. In other words, God never validated the marriage to begin with, and it should simply be abandoned. (It needs to be said that, in today's culture, this is basically impossible, since the marriage is a transaction with the State. Today, a proper divorce is needed in all cases for sake of the State.)

So what is fornication? Fornication can include a couple scenarios. For instance, if you married and later found out that your spouse was a relative, the relationship would be incestuous and thus invalid in God's eyes. Also, if you unknowingly married an already married woman. These were cases where God would allow the putting away of the spouse without a proper divorce because it was never a valid marriage in His eyes.

We see examples that support this conclusion in the scriptures. In Ezra 10:2-3, the prophet rebukes the people of God because they had broken the Lord's commandment and taken foreign wives. In God's eyes, these marriages were invalid and wrong from the beginning. Thus, through the prophet, Israel makes a covenant to "put away" their foreign wives and the children from these wives. In other words, just let them go; get rid of them without the proper divorce procedure. Since God never validated these marriages to begin with, there was no reason to even divorce. They were simply to get rid of these spouses with whom they had broken covenant with God.

So, to sum up Jesus' teaching, he is addressing a specific issue from the law, namely, the putting away of a spouse for any reason. He explains that God's will from the beginning was for marriage to be forever, but because of sin hardening the hearts of men, God allowed for divorce as a way of protecting women (and men) from abusive and harmful relationships caused by sinful individuals. Jesus was NOT condemning divorce across the board, as is taught today. Jesus was affirming the very nature of God in lifting and relieving the burden of sin on mankind. Divorce is allowed as a protection against the harm caused by mankind's hardened hearts.

This is in perfect harmony with what Paul would later instruct the churches regarding marriage. He said "Let the unmarried marry," and "Do not forbid them from marrying". Divorced persons are unmarried in God's eyes. They have been given a bill of divorce and thus the marriage is dissolved. They are allowed to remarry according to scripture. Later on, in 1 Timothy 4, Paul is warning against the many "doctrines of demons" that were infiltrating the church. Among the doctrines mentioned is "forbidding to marry". Forbidding unmarried persons to marry, as many ministers do today, is a doctrine of demons!

Today, the divorce and remarriage issue has become one of condemnation and abuse. Men and women of God, many who suffer innocently at the hands of sinful spouses, are abandoned and then told that they can never remarry, lest they become an adulterer. Others, who have genuine gifts that the Spirit of God has placed within them for the strengthening of the Church, are never again allowed to teach the body or minister to others because of a past divorce. We literally place our brothers and sisters in Christ under condemnation and a life of loneliness and forced celibacy! Doctrines of demons indeed!

Is this an excuse to divorce and remarry at will? Of course not! Paul goes to great lengths to expound on the incredible freedom God has given the believer in Christ Jesus. But then he exhorts us not to use our freedom as a means to fulfill our sinful desires. Freedom is not a bad thing. It is an amazing thing! But it can be abused.

God's intention is for all marriages to last. In a perfect world, everyone would love their spouse, respect them, honor them, and live long lives together as a wonderful reflection of Christ and His Church. Unfortunately, we live in a fallen world and many are still controlled by their sinful nature, even Christians. They abuse, whether physically, verbally, or emotionally, their spouse. They can be vicious and hateful. They can destroy their spouse's faith. For all of these reasons among many others, God has "allowed" divorce to protect those who would be abused. He also allows those who have experienced the misfortune and pain of divorce to remarry and fulfill God's plan for their lives in a new relationship.

Again, this is never an excuse to simply choose divorce as an easy way out of a difficult relationship. We should always seek restoration; always seek the Lord's healing in our own lives and our marriage. We should honor the marriage covenant and do whatever possible to make it work. But in the unfortunate case where, because of the unwillingness of a spouse to cooperate with the Lord and restore the relationship, a divorce happens, the Lord has great mercy and compassion to allow both parties to remarry. Hopefully, each party will seek the Lord's healing in their lives and commit to honoring their spouse, as the Lord desires before moving on.

If you have gone through a divorce, it is important to seek the Lord before moving on to another relationship. There are always things in our lives that need to be submitted to the Lord. The fact is, we all fall short and need the grace and healing of our Lord. It is a sad (and destructive) thing when a relationship ends and all of that baggage is taken into the next one.

The Lord desires to heal our hearts and emotions and develop His character in us, so that we can honor, love and respect our spouses for His glory. One should also wait until their divorce is

finalized before beginning another relationship. Until you have the bill of divorce and are sent away, you are still legally and spiritually married.

I hope this word helps bring freedom to those who have felt condemned and stripped of their priestly calling in Christ by those in authority, who have abused, (many unknowingly), these scriptures. It is mankind's legalistic heart and a misunderstanding of God's Word and nature that cause us to condemn and weigh down our brothers and sisters with burdens they cannot carry, while Christ has come to lift the burden and release all who believe in Him from condemnation. If you made mistakes, repent. God is faithful! Walk in your freedom! You are still useful to God! God can still use you and your marriage to bring Him glory.

God bless.

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