

# *Divorce and Remarriage*

*(Study and Commentary)*

by

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## I. Introduction on Marriage

### A. Sanctity of union.

1. God institutes marriage between a man and woman. Marriage becomes the completion of man and the two jointly become vice-regents to the created order (Gen. 1:27-28; 2:18).
2. The woman is part of man and the man is part of the woman (Gen. 2:23).
3. The divine order requires that at an appropriate time men leave their parents and cleave to their wives (Gen. 2:24).
4. Marriage is a creation ordinance enacted prior to the fall as noted in Genesis 3.
5. Marriage is also noted as one of the metaphors in the New Testament that describes Christ's relationship to His church (Eph. 5:22-33). Jesus is the groom while the church is the bride. Nothing can break this union.

### B. Divorce as a disruption to divine order.

1. God hates divorce (Mal. 2:14-16).
2. Divorce perverts the metaphor (as noted above in A5) representing Christ and His church (Ephesians 5:24-32).
3. Destruction of marriage by divorce inhibits the care and instruction of children while at the same time generating a host of societal problems.

### C. Is divorce and remarriage permissible?

1. If divorce is permissible, what are sufficient grounds and is remarriage allowable (some cases/all cases)?

### D. Divorce is at epidemic levels within the U.S.A.

1. Jennifer Baker of the Forest Institute of Professional Psychology reports that of first marriages 45 to 50 percent end in divorce, of second marriages 60 to 70 percent end in divorce, and of third marriages 70 to 73 percent end in divorce.<sup>1</sup>
2. The Barna group reported in 2008 that the occurrence of divorce among born-again Christians is on par with the American average. This Research Institute also reports that the “divorce rates among conservative Christians were significantly higher than for other faith groups and much higher than atheists and agnostics.”<sup>2</sup>

E. Orthodox Protestantism has historically followed the conclusions about divorce that were appropriated during the Reformation (1500s-1600s) and from Calvin’s work in Geneva.<sup>3</sup>

1. “Adultery and desertion remained the only grounds upon which people could realistically hope to gain a divorce. Eventually a need was felt to codify these principles and provide a fully documented justification for them. That job was undertaken after Calvin’s death by his successor, Theodore Beza.”<sup>4</sup>
2. Beza further asserts that desertion could be interpreted as abuse and result in sufficient grounds for divorce and the possibility of remarriage. Kingdon summarizes: “If a faithful spouse finds herself faced with intolerable conditions, Beza argues, such as being forced by an unfaithful spouse to attend the abominable mass, and is, furthermore, in mortal danger of losing her life if she

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<sup>1</sup> See Jennifer Baker, “Divorce Statistics in America for Marriage.” Available at <http://www.divorcestatistics.org/>.

<sup>2</sup> Bruce A. Robinson, “U.S. Divorce Rates for Various Faith Groups, Age Groups, & Geographic Areas.” Available at [http://www.religioustolerance.org/chr\\_dira.htm](http://www.religioustolerance.org/chr_dira.htm) on Jan. 25, 2011.

<sup>3</sup> Robert M. Kingdon, *Adultery and Divorce in Calvin’s Geneva* (Cambridge, MA: Harvard University Press, 1995), 155ff.

<sup>4</sup> Kingdon, 166.

resists this pressure, she is not only permitted but obligated to desert her unfaithful spouse, and, once this is accomplished, she should be free to apply for permission to marry again”<sup>5</sup>

F. Additional sources from the Protestant inception period include:

1. The Westminster Confession of 1646, the doctrinal standard of most orthodox Presbyterian churches, asserts that adultery and desertion are grounds for divorce and innocent parties are free to remarry.<sup>6</sup>
2. The premier Puritan theologian of the period was John Owen (1616-1683). Having expounded on Jesus’ remarks in Matthew 19:6 and Paul’s remarks in I Corinthians 6:16, he concludes that divorce is legitimate for parties whose spouses committed adultery or were left by way of desertion. Remarriage is permissible in such cases. This was the normative doctrine among all protestant churches.<sup>7</sup>

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<sup>5</sup> Kingdon notes that Beza worked out the full extent of the early reformed position on divorce in *Tractico de Repudiset divortiis*, Kingdon, 166.

<sup>6</sup> *Westminster Confession of Faith*, “Of Marriage and Divorce,” Chapter 24. See [www.reformed.org/documents/westminster\\_conf\\_of\\_faith.html](http://www.reformed.org/documents/westminster_conf_of_faith.html). The Scots Confession of 1560, the Belgic (Netherlands) Confession of 1567, the Augsburg Confession of 1530, the Heidelberg Catechism of 1610, and the Thirty-Nine Articles of 1571 did not address marriage and divorce.

<sup>7</sup> John Owen writes: “For the form of marriage consisteth in this, that two become ‘one flesh,’ Gen. 2:24; Matt. 19:6; -- but this is dissolved by adultery; for the adulteress becometh one flesh with the adulterer, 1 Cor. 6:16, and no longer one flesh in individual society with her husband, and so it absolutely breaks the bond or covenant of marriage . . . Our blessed Savior gives express direction in the case, Matt. 19:9, ‘Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery.’ Hence it is evident, and is the plain sense of the words, that he who putteth away his wife for fornication and marrieth another doth not commit adultery. Therefore the bond of marriage in that case is dissolved, and the person that put away his wife is at liberty to marry . . . Again: the apostle Paul expressly sets the party at liberty to marry who is maliciously and obstinately deserted, affirming that the Christian religion doth not prejudice the natural right and privilege of men in such cases: 1 Cor. 7:15, ‘If the unbelieving depart, let him depart. A brother or a sister is not under bondage in such cases.’ If a person obstinately depart, on pretence of religion or otherwise, and will no more cohabit with a husband or wife, it is known that, by the law of nature and the usage of all nations, the deserted party, because without his or her default, all the ends of marriage are frustrated, is at liberty to marry . . . What shall a brother or a sister that is a Christian do in this case who is so departed from? Saith the apostle, ‘They are not in bondage, they are free, -- at liberty to marry again.’” He further asserts that during this time period these interpretations of Jesus’ and Paul’s remarks were normative. “This is the constant doctrine of all protestant churches in the world; and it hath had place in the

## II. Divorce and Remarriage – key texts.

### A. Instruction by Jesus.

1. Jesus instructs on marriage and divorce in the context of a division within two first century Pharisaic schools of thought. This discussion is recorded by both Matthew and Mark (Matthew 19:3-9 and Mark 10:2-12). He also briefly touches upon the topic in the Sermon on the Mount (Matthew 5:31-32 and Luke 16:18).
2. The fullest discussion is in Matthew 19 and only this account, of all the synoptic gospels, notes the exception clause for divorce in the case of adultery.
3. It must be noted that Jesus' remarks on divorce and remarriage are stated as an answer to a Pharisaic question. Theological questions related to divorce were heavily debated topics among Rabbinic scholars.
4. The Matthew account reads in Matthew 19:3-9:

“<sup>3</sup> Some Pharisees came to Jesus, testing Him and asking, ‘Is it lawful for a man to divorce his wife for any reason at all?’ <sup>4</sup> And He answered and said, ‘Have you not read that He who created them from the beginning MADE THEM MALE AND FEMALE, <sup>5</sup> and said, “FOR THIS REASON A MAN SHALL LEAVE HIS FATHER AND MOTHER AND BE JOINED TO HIS WIFE, AND THE TWO SHALL BECOME ONE FLESH”?’ <sup>6</sup> So they are no longer two, but one flesh. What therefore God has joined together, let no man separate.’ <sup>7</sup> They said to Him, ‘Why then did Moses command to GIVE HER A CERTIFICATE OF DIVORCE AND SEND her AWAY?’ <sup>8</sup> He said to them, ‘Because of your hardness of heart Moses permitted you to divorce your wives; but from the beginning it has not been this way. <sup>9</sup> And I say to you, whoever divorces his wife, except for immorality, and marries another woman commits adultery.’ ”

- a. An exception clause for immorality allows for remarriage. <sup>8</sup>

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government of these nations . . . ” [Emphasis mine]. See John Owen, *The Works of John Owen*, v. 16. (Edinburgh: Banner of Truth Trust, 1991), 254-257.

<sup>8</sup> Representative of the most strident protestant view against divorce and remarriage is David Engelsma of the Protestant Reformed Church. He asserts that the innocent spouse, whose mate has committed immorality, does not have the liberty to remarry. “The Lord expressly states that the innocent party may not remarry.” See *Marriage and Divorce* [http://www.prca.org/pamphlets/pamphlet\\_15.html](http://www.prca.org/pamphlets/pamphlet_15.html). However, New Testament scholar D.A. Carson's analysis of the original language of Matthew 19:9 (Greek), regarding the exception clause, allows for remarriage. He

5. Rabbinic theological debate sets the stage for the Pharisees' test question for Jesus. Divorce and adultery were common in the Greek and Roman world.<sup>9</sup> The question centered upon Mosaic Law regarding divorce. Old Testament references note the following:

a. Divorce was practiced by the Israelites.

Leviticus 22:13; Numbers 30:9; Deuteronomy 22:19,29

These passages show that the practice of divorce was clearly happening among the children of Israel.

b. Consequences of divorce for a woman

Leviticus 21:7

A divorced woman could be categorized with harlots.

c. Law of morality

Deuteronomy 22:13-30

This passage covers in detail God's law for sexual purity before and during marriage. Virginity prior to marriage was paramount, and chastity was an expectation for all who were married.

d. Every Israelite male was entitled by God to a woman who was a virgin. If a man found his wife to not be a virgin and could prove it, she could be stoned to death. The same fate awaited a man or woman engaged in adultery. It is implied that a woman was also entitled to a chaste husband

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remarks: "More importantly sexual sin has a peculiar relation to Jesus' treatment of Genesis 1:27; 2:24 (in Matt 19:4-6), because the indissolubility of marriage he defends by appealing to those verses from the creation accounts is predicated on sexual union ("one flesh"). Sexual promiscuity is therefore a de facto exception. It may not necessitate divorce; but permission for divorce and remarriage under such circumstances, far from being inconsistent with Jesus' thought, is in perfect harmony with it." D. A. Carson, "Matthew," *Expositor's Bible Commentary*, vol. 8, Frank E. Gaebelin, gen. ed. (Grand Rapids, MI: Zondervan, 1984), 417.

<sup>9</sup> Divorces were very common. Plays, banquets, and slavery contributed to moral deterioration. The infidelity of wives was almost an accepted fact. Gerhard Kittel, *Theological Dictionary of the New Testament*, Vol. IV (Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 1967), 733.

because premarital sex was punishable by death for males and females (Deuteronomy 22:23-25).

e. The Pharisaic debate which was brought before Jesus concerned Moses' institution of the Certificate of Divorce and the theological divide between two dominate rabbinic positions of the day over the meaning of Moses' remarks in Deuteronomy 24:1-4.

i. This brief excerpt from Deuteronomy does not embody a comprehensive law concerning divorce. John Currid notes: "These verses do not lay down a general law regarding the practice of divorce in Israel. They present a very special and detailed case regarding one possible practice which may arise in relation to divorce," [*emphasis mine*].<sup>10</sup>

ii. The Certificate of Divorce.

Deuteronomy 24:1-4 –

“<sup>1</sup> When a man takes a wife and marries her, and it happens that she **finds no favor in his eyes** because he has found some **indecency** in her, and he writes her a certificate of divorce and puts it in her hand and sends her out from his house,<sup>2</sup> and she leaves his house and goes and becomes another man's wife,<sup>3</sup> and if the latter husband turns against her and writes her a certificate of divorce and puts it in her hand and sends her out of his house, or if the latter husband dies who took her to be his wife,<sup>4</sup> then her former husband who sent her away is not allowed to take her again to be his wife, since she has been defiled; for that is an abomination before the LORD, and you shall not bring sin on the land which the LORD your God gives you as an inheritance.” (emphasis mine)

God's provision for a divorced woman.

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<sup>10</sup> John D. Currid, *A Study Commentary on Deuteronomy* (Auburn, MA: Evangelical Press, 2006), 388-389. See also J. Carl Laney, "Deuteronomy 24:1-4 and the Issue of Divorce," *Bibliotheca Sacra* 149 (1992) : 3-15.

This passage is shrouded in controversy. The main problem is centered around the word “indecent” (NASU) in verse 1. The word in Hebrew literally means “a thing or matter of nakedness, i.e. some shameful thing, something disgraceful.”<sup>11</sup> This is the passage referred to by the Pharisees recorded in Matthew 19:3-12 and Mark 10:2-12. Jewish theologians had difficulty in determining what constituted “indecent” in the wife. There were two major rabbinical schools of study during the time of Christ. They were called Hillel and Shammai. Commentators universally support the view that the debate between these two schools was the backdrop to the question put to Jesus.<sup>12</sup>

Rabbi Shammai taught that the “indecent” must be some form of immorality and may not be interpreted as any other perceived deficiency. Shammai represented the conservative school.

Countering Shammai, Rabbi Hillel taught that the “indecent” had a much broader sense. Divorce and remarriage were occurring in the first century. Excavations at Qumran reveal the forbidding of all second marriages by pietists of this sect, yet their views do not seem to have influenced the rest of Judaism.<sup>13</sup>

He took the words “finds no favor in his eyes” (Deut. 24:1) to mean just about anything. According to the Mishna (Old Testament Law Commentary), burning the dinner, not wearing a covering, or talking to men were good reasons for a man to divorce his wife. This was

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<sup>11</sup> H.D.M. Spence and Joseph S. Exell, eds, “Deuteronomy, Joshua, and Judges,” vol. 3, *The Pulpit Commentary* (Grand Rapids, MI: Wm B. Eerdmans Publishing Company, 1975), 381.

<sup>12</sup> Hendriksen’s analysis is representative of expositors who note this debate. See William Hendriksen, *New Testament Commentary: Exposition of the Gospel According to Matthew*, (Grand Rapids, MI: Baker Book House, 1973), 714.

<sup>13</sup> Craig S. Keener, *And Marries Another: Divorce and Remarriage in the Teaching of the New Testament*, (Peabody, MA: Hendrickson Publishers, Inc, 1991), 40-41.



essentially the “no-fault divorce” of the first century. The Hillel School was the liberal view.

While commenting on the first century male hardness of heart concerning liberal divorces, Dorani writes:

The intertestamental book Ecclesiasticus tells husbands that if a wife refuses to do what he says, he should divorce her – literally “cut her off from your flesh” (Ecclus. 25:26). The famous Rabbi Aqiba stressed the husband’s displeasure as the ground of divorce (cf. Deut. 24:1: the wife “becomes displeasing to him”) and concluded that a man may divorce his wife “even if he found someone else prettier than she.” Evidently he thought marriage to a less than beautiful woman is “displeasing” enough to warrant divorce.<sup>14</sup>

Keener summarizes both views. “The School of Shammai say: A man may not divorce his wife unless he has found unchastity in her, for it is written, Because he hath found in her indecency in anything [Deut. 24:1]. And the School of Hillel say: [He may divorce her] even if she spoiled a dish for him, as it is written, Because he hath found in her indecency in anything. R. Akiba says: Even if he found another fairer than she, for it is written, And it shall be if she find no favour in his eyes . . . .”<sup>15</sup>

It does not seem plausible that the “indecency” in question was a reference to adultery because the penalty for this offense was death and not divorce (Deuteronomy 22:22), though it is not clear at all that the death penalty was in fact regularly imposed for adultery.<sup>16</sup> A suspicion of adultery was not sufficient grounds because there was a

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<sup>14</sup> Daniel M. Doriani, *Matthew: Volume 2: Chapters 14-28*, Reformed Expository Commentary, (Phillipsburg, NJ: P&R Publishing, 2008), 175.

<sup>15</sup> Keener, 39.

<sup>16</sup> See Henry McKeating, *Sanctions Against Adultery in Ancient Israelite Society*, 1979, 57-77. See <http://jot.sagepub.com/content/4/11/57.extract>.

prescribed procedure known as the bitter water rite (Numbers 5:5-31). However, it is likely by the time of Christ that capital punishment for adultery, and the securing of proof, was not being widely practiced. Yet, *porneia* (immorality or fornication) was indeed taking place.

B. Dr. David Instone-Brewer's<sup>17</sup> analysis on first century divorce and remarriage will now be examined. (His analysis of first century Rabbinic thought has merit and provides insightful background for interpreting Jesus and Paul's remarks on divorce and remarriage. In this section his position is noted along with other scholars on the same topic.)

1. Jesus took the Shammite position and said nothing of capital punishment for the one involved in *porneia* (translated as "adultery" in Matthew 19:9). The divorce position of Hillel was likely to be the dominant position on the topic of divorce.<sup>18</sup>

a. Instone-Brewer notes why Mark and Luke did not include the exception clause. "Whoever divorces his wife, except for immorality, and marries another commits adultery" – Matthew 19:9. "Matthew was correct to add these phrases to his account because any first century Jewish Rabbi would have mentally done likewise. The older version, which is in Mark and Luke, did not contain these phrases because they were superfluous" [unnecessary because the notation would have been more than is

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<sup>17</sup> Dr. David Instone-Brewer lives in Brighton, England. He studied Rabbinic literature during the New Testament time period at Cambridge and published his work as "Techniques and Assumptions in Jewish Exegesis Before 70 C.E." Later, he became a Baptist minister and eventually joined the staff of Tyndale House. He is presently a Research Fellow and Technical Officer for Tyndale House.

<sup>18</sup> Keener, 39.

needed].<sup>19</sup> He further asserts that when Mark records the question asked of Jesus, “Is it lawful for a man to divorce his wife” (Mark 10:2), it would have been understood to mentally add “for any cause” because this was what everyone was talking about. To simply ask, “is it lawful to divorce” would have seemed like an illogical question. In today’s vernacular it would be like someone asking if it is lawful for a sixteen year old to drink. This seems illogical on the surface because without drinking he or she would die. Hearers of the question mentally add “alcoholic beverages” to the end. In the first century, a Jew would have mentally added, “for any cause” to the end of the otherwise illogical question in Mark 10.<sup>20</sup>

- b. John MacArthur adds another insightful comment concerning the Greek text used in Matthew 19:9 (except for immorality):

In the Greek text, Jesus employs the word *porneia*, which is capable of a broad range of meanings. It is a general term for fornication (illicit sexual intercourse), but can also apply to various kinds of lascivious or immoral behavior, ranging from a moral flaw in one’s character (such as an obsessive addiction to pornography) to the act of bestiality – or even worse. It’s not the specific Greek word for adultery, which would be *moicheia* – but certainly includes adultery. Both the context and the spirit of Jesus’ remarks suggests that He has in mind serious sins involving deliberate infidelity, and He says nothing to indicate that what he is describing is limited to sins that take place during betrothal (pg. 23-24).

Adultery (or the equivalent) – especially when it becomes a persistent pattern – may be legitimate grounds for divorce. And

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<sup>19</sup> David Instone-Brewer, *Divorce and Remarriage: In the 1<sup>st</sup> and 21<sup>st</sup> Century*, Grove Biblical Series (Cambridge, UK: Grove, 2001), 9.

<sup>20</sup> David Instone-Brewer, *Divorce and Remarriage in the Church: Biblical Solutions for Pastoral Realities* (Downers Grove, IL: IVP Books, 2003), 58-59.

in such cases, the innocent spouse is free to remarry after divorce.<sup>21</sup>

2. In a well documented section, Instone-Brewer notes that there were only three Old Testament grounds for divorce before “any matter divorces” [or no-fault divorces] of Hillel became popular. Before the invention of ‘Any Matter’ divorces, a Jew could only secure a divorce for a limited number of grounds which had to be proved in court if they were disputed, so they often entailed embarrassing public accusations. The ‘Any Matter’ divorces did not require any proof or court appearances so they soon became very popular.<sup>22</sup> The traditional Old Testament grounds for divorce, as employed in the first century, were:

One: Deut 24:1: ‘an indecent matter,’ that is, adultery;

Two: Gen 1:22,28: ‘be fruitful and multiply.’ The Jews thought that this command made infertility a ground for divorce, and they applied it also to blemishes which made the person repulsive to their partner;

Three: Exod 21:10f: ‘you shall not diminish her food, clothing or love.’ (NASU translates this as conjugal rights.) This text referred to the status of a slave wife when a man took a second wife. The lawyers argued that if a slave wife had these rights, then so did a free wife and so did a husband. These three rights became grounds for divorce if a husband or wife neglected their spouse’s material or emotional support, or subjected their spouse to physical or emotional abuse.<sup>23</sup>

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<sup>21</sup> John MacArthur, *The Divorce Dilemma: God’s Last Word on Lasting Commitment* (Leominster, England: Day One Publications, 2009), 26.

<sup>22</sup> See also David Instone-Brewer, *Divorce and Remarriage in the Bible: The Social and Literary Context*, Chapter 5, Rabbinic Teaching, (Grand Rapids, MI: William B. Eerdmans Publishing Company, 2002), 85ff. This book is more academic and comprehensive when compared to other Instone-Brewer works.

<sup>23</sup> Instone-Brewer, *Divorce and Remarriage in the Church*, 33-37.

The Exodus Text reads:

“<sup>10</sup> If he takes to himself another woman, he may not reduce her food, her clothing, or her conjugal rights. <sup>11</sup> If he will not do these three things for her, then she shall go out for nothing, without payment of money.” – Exodus 21:10-11. NASU

The Exodus 21:10-11 text is unfamiliar to many Christians of today. The following sources are helpful in understanding the intended meaning. In his commentary, John L. Mackay also takes the position that the slave girl (Exodus 21:10) is in a marital situation and as a bride had special rights. *The Pulpit Commentary* also notes marriage and freedom to marry another.

The underlying premise is that the woman had not been sold into slavery for general purposes, but specifically as a wife or concubine. The contract had been broken by the master’s improper treatment, and the woman was therefore allowed to depart without there being any economic penalty involved. If the owner refuses, then she may go free without any payment. The slave bride had special rights.<sup>24</sup>

*The Pulpit Commentary* notes that a slave girl in this position, “shall retain during her life all the privileges of a married woman . . . she shall be returned to her father at once, a free woman, capable of contracting another marriage,”<sup>25</sup>

Also of note is Keil and Delitzsch’s scholarly work on the Hebrew text. The authors refer to the slave girl as a wife.

“. . . her raiment, and her duty of marriage he shall not diminish,” i.e. the claims which she had as a daughter for support, and as his son’s wife for conjugal rights, were not to be neglected; he was

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<sup>24</sup> John L. MacKay, Exodus (Ross-shire, Great Britain: Christian Focus Publications, 2001), 370.

<sup>25</sup> H.D.M. Spence and Joseph S. Exell, eds, “Genesis, Exodus” vol. 1, *The Pulpit Commentary* (Grand Rapids, MI: Wm B. Eerdmans Publishing Company, 1975), 167.

not to allow his son, therefore, to put her away or treat her badly.<sup>26</sup>

A husband had to provide food, clothing or money, and the woman had to make them into meals and clothing. The neglect of ‘food, clothing or love’ were the main grounds for divorce before the ‘Any Matter’ divorce was introduced, and even a woman could gain a divorce on these grounds. If she convinced a court that she had been neglected, it would force her husband to write out a divorce certificate.<sup>27</sup>

a. Philip Ryken, while exegeting Exodus 21:10-11, adds:

“In practical terms, the law for maidservants helps set the agenda for Christian marriage. What does a wife need? She needs to eat; so it is a husband’s responsibility to provide. She needs shelter; so she ought to find protection in his care. She also needs intimacy, at every level. Sex is never just about what people do with their bodies. It is an expression of the total love commitment between a husband and wife. These are all areas where a woman contributes to the marriage as an equal partner. But her husband has the responsibility before God to make sure that she gets what she needs. A husband who fails to care for his wife in any of these areas – provision, protection, or the physical expression of love – violates the law of God.”<sup>28</sup>

3. Jesus made clear that in the case of divorce for ‘Any Matter’ (no fault), he sided with the Shammaites. On other issues He sided with Hillel, and often He disagreed with both. Jesus’ words, “Let no one separate” (Matt. 19:6), are misunderstood to mean the complete impossibility of separation (divorce). The

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<sup>26</sup> C.F. Keil and F. Delitzsch, *Commentary on the Old Testament in Ten Volumes, Vol. I: The Pentateuch* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1975), 131.

<sup>27</sup> The importance of Exodus 21:10-11 cannot be understated. This protection, set in place within the law for the preservation of a slave concubine, indicates the heart of God toward innocent parties. Arguing from the lesser to the greater – If a slave girl had these rights, then a married wife must have had at least the same.

<sup>28</sup> Philip Graham Ryken, *Exodus: Saved for God’s Glory* (Wheaton, IL: Crossway Books, 2005), 704.

verbs used in both Matthew and Mark are an imperative indicating a command or a plea. Instone-Brewer notes, “ ‘Please do not separate’ or ‘You must not separate.’ Both of these imply that it is possible for couples to separate, but they should not do so.”<sup>29</sup>

4. Matthew 19:10 conveys the disciples’ surprise at Jesus’ answer, and indicates for Instone-Brewer the Apostles’ wonderment that for any cause divorce would not be permissible. John Piper vehemently disagrees with Instone-Brewer’s first century analysis and maintains that the disciples’ surprise was not over a rejection of “any cause,” but rather, over rejection of divorce at all.<sup>30</sup>

John Piper’s credentials and reputation as an expositor of the Word of God are impeccable. His criticism of Instone-Brewer should be analyzed, but I find the rigidity of Piper’s biblical view on this topic not compelling. In dealing with Instone-Brewer’s analysis of the Matthew 19:3 text and “for any cause divorce,” Piper dismissed the author’s analysis as “an example (common, it seems, in New Testament studies today) of taking extra-biblical observations and using them to silence the fairly plain meaning of biblical texts.”<sup>31</sup> However, background on first century use of language, customs, and interpretation of the Old Testament are basic hermeneutic tools, together with others, in discerning the original

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<sup>29</sup> Instone-Brewer, *Divorce and Remarriage in the 1<sup>st</sup> and 21<sup>st</sup> Century*, 12. Instone-Brewer’s comment on the Greek imperative mood is possible. The imperative mood may be 1) a command, 2) a prohibition, 3) a request or polite command, 4) permissive imperative or imperative of tolerance, or 5) a stereotypical greeting. The imperative mood influences listeners.

<sup>30</sup> See John Piper, *Tragically Widening the Ground of Legitimate Divorce: A Response to Instone-Brewer’s Article in Christianity Today* 18 Oct 2007. Available online at [www.desiringgod.org/ResourceLibrary/TasteAndSee/ByDate/2007/2443\\_Tragically\\_...](http://www.desiringgod.org/ResourceLibrary/TasteAndSee/ByDate/2007/2443_Tragically_...) . . . Articles by both Instone-Brewer and Piper were published in Christianity Today Magazine. Instone-Brewer did respond to Piper that his Christianity Today article was brief and that some may have interpreted it as paving the way for trivial divorces. He expressly states that this was not his purpose. See [biblicalfoundations.org/bible/david-instone-brewer-responds](http://biblicalfoundations.org/bible/david-instone-brewer-responds).)

<sup>31</sup> John Piper, “Tragically Widening the Grounds of Legitimate Divorce: A Response to Instone-Brewer’s article in Christianity Today.” See [Desiringgod.org](http://Desiringgod.org) for the complete article.

intent of biblical authors. To examine Rabbinic theological understanding of texts such as Exodus 21:10-11 is a helpful insight to first century views. In an excellent work on interpreting the Scripture, authors McCartney and Clayton make the following point:

“If God speaks to us in Scripture, he certainly spoke as well to the original readers in a way that they could understand. Grammatical-historical exegesis attempts to uncover the meaning that a text would have had to its original human author and readers. This involves a consideration of the cultural, social, geographical, linguistic, and historical background to the original situation, the usual significance of the words, phrases, and idioms used, any special circumstances or problems faced by the author or his original hearers.”<sup>32</sup>

Yet, it is conceded that interpreters may press first century views of the Old Testament to a point that results in text distortion. I do not find this to be the case with Instone-Brewer. There is no dispute that divorce was occurring in the first century within Hebrew and Roman contexts. To determine grounds from the first century context may be very helpful in understanding Jesus’ apparent categorical imperative (“Let no man separate,” Matt. 19:6). Instone-Brewer’s insights may also be helpful in understanding the widespread silence about divorce by New Testament writers, except Paul’s brief remarks which will be explained later in this study, even though there must have been sizable numbers of converts who were divorced for numerous reasons.

5. Remarriage was permitted if there had been a valid divorce.

The clause follows the verb “divorces,” not because the subsequent marriage is at issue, but because the divorce is already final, as Matthew 5:32

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<sup>32</sup> Dan McCartney and Charles Clayton, *Let the Reader Understand: A Guide to Interpreting and Applying the Bible*, 2<sup>nd</sup> edition (Phillipsburg, NJ: P & R Publishing, 2002), 119-120.



indicates. If the divorce is valid, so is the remarriage;<sup>33</sup> Jesus calls remarriage (after an invalid divorce) adulterous only because the divorce was invalid due to insufficient grounds. Early Jewish law also judged the validity of the remarriage entirely on the validity of the divorce. The issue is entirely about whether or not the divorce was legitimate, and thus it is to the issue of divorce that the exception clause must be appended. . . .

A valid divorce by ancient definition implied the right to remarry (the phrases used for it relate to “releasing” someone from an attachment to allow them to engage in another such attachment). No ancient Jewish reader would have read Matthew otherwise. Again, an exception clause would have little practical value if the divorced person could not remarry.<sup>34</sup>

6. There were far more issues that could have been raised in the debate brought before Jesus, including grounds for divorce, upon which everyone agreed. They were probably not mentioned because there was no dispute. Instone-Brewer notes:

“The gospels normally omit to mention things on which all Jews agreed. They never record Jesus forbidding polytheism or sex before marriage, as all branches of Judaism already condemned these. However, the epistles did teach against these things because they were addressed to a non-Jewish world. But where Jesus disagreed with the status quo, the gospels do appear to record his teaching.

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<sup>33</sup> It is of note that the Apostle John records an interesting conversation between Jesus and the Samaritan woman who had contracted five marriages (John 4:16-19). Jesus specifically refers to her former spouses as “husbands” (“For you have had five husbands,” verse 18). It is of note that he seems to acknowledge repetitive marriages as valid while at the same time confronting her licentiousness. Her former spouses are not referred to as adulterers, and He did not command her to return to her first husband. Perhaps these comments were beyond John’s contextual meaning. Nonetheless, Jesus did not raise the concern of adultery. Calvin asserts that the husbands were “lawful.” “I do not think He is referring to one act of adultery, for when He says that she has had five husbands, we may suppose it happened because she drove her husbands to divorce her with her wanton and stubborn ways. I interpret the words like this: Though God joined you to lawful husbands, you never stopped sinning, and at last your divorces cost you your reputation, and you gave yourself up to prostitution” (emphasis mine). John Calvin, *The Gospel According to St. John: 1-10*, Calvin’s Commentaries: translator T.H.L. Parker (Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 1961), 94.

<sup>34</sup> Keener, 44.

“The same was true for rabbinic debates, which only mentioned differences between the two sides. When one reads the debate about divorce, one might conclude that the Shammaites only allowed divorce for ‘Indecency.’ However we know that they also allowed divorce for other Old Testament grounds which all branches of Judaism in the first century accepted.”<sup>35</sup>

7. The provision of “food, clothing, and love” were considered part of a marriage contract and in some cases were written into ancient Jewish marriage contracts. It is plain to see that Jesus did not condone ‘Any Matter’ divorce and did accept divorce for adultery. Yet, what was the position on other first century known causes for divorce. There is an argument from silence that Instone-Brewer makes which may have merit. It is possible that Jesus agreed with other grounds for divorce because of His silence in these matters. This is defensible, because His silence is surprising. Jesus was confronted with a specific case (‘Any Matter’ divorce), but before giving His opinion on the matter at hand, He addresses a large number of issues pertaining to marriage and divorce in which He disagrees with all branches of Judaism. In view of this, it is highly instructive to note that Jesus did not mention the other grounds for divorce which were commonly accepted by both the Hillelites and Shammaites. Instone-Brewer writes:

“When Jesus denied the validity of divorce on any grounds ‘except for Indecency’ this did not imply that ‘Indecency’ was the only allowable ground in Scripture. The Shammaites used exactly the same phrase, and we know that they also allowed other types of divorce. The Shammaites meant that ‘there is no ground for divorce in all Scripture, except ‘Indecency.’ ”<sup>36</sup>

8. Having noted Instone-Brewer’s analysis, along with others, it must also be clearly stated that Jesus’ intent was to hold marriage high as a covenant rather than a

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<sup>35</sup> Excerpts from Instone-Brewer, *Divorce and Remarriage in the 1<sup>st</sup> and 21<sup>st</sup> Century*, Chapter 6, 133ff.

<sup>36</sup> Ibid, 14.

contract which may be broken. God's intent is that marriage is a life-long commitment (Matthew 19:4-6) which exists between one woman and one man.<sup>37</sup> Divorce destroys the original intent as does all transgressions of God's law. Atonement for sin, including the sin that leads some to divorce is only found in the cross.

### C. Divorce and Remarriage as addressed by Paul.

#### 1. Romans 7:2-6

<sup>2</sup> For the married woman is bound by law to her husband while he is living; but if her husband dies, she is released from the law concerning the husband. <sup>3</sup> So then, if while her husband is living she is joined to another man, she shall be called an adulteress; but if her husband dies, she is free from the law, so that she is not an adulteress though she is joined to another man.

<sup>4</sup> Therefore, my brethren, you also were made to die to the Law through the body of Christ, so that you might be joined to another, to Him who was raised from the dead, in order that we might bear fruit for God. <sup>5</sup> For while we were in the flesh, the sinful passions, which were aroused by the Law, were at work in the members of our body to bear fruit for death. <sup>6</sup> But now we have been released from the Law, having died to that by which we were bound, so that we serve in newness of the Spirit and not in oldness of the letter.

The context of Paul's remarks (if a woman marries another man while her first husband remains alive is an adulterous, yet free to marry if he died, vs. 2-3) is the relationship of the law to an individual.

a. People are tied to the Law of Moses until they die, just as a wife is tied to her husband until death. If a woman marries another she would be an adulteress unless her husband had previously died. Therefore, God determines that we should die with Christ, in order that we might marry Christ.

1. Instone-Brewer notes:

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<sup>37</sup> See Doriani, Matthew, 180-182.

“Paul compares our relationship to the law to that of a woman’s relationship to her husband. A Jewish believer is like someone who is married to the law – a demanding perfectionist who can never be pleased. This believer meets Christ and falls in love with him, but she cannot marry him because if she did she would be committing adultery. All she can do is wait until the marriage ends through death – although, of course, her husband, the law, is eternal and so her wait is hopeless. But the wonderful news that Paul brings is that Christ died for her, and she has died with Christ. Therefore her marriage to the law has ended through death – her death – and now she is free to marry Christ!”<sup>38</sup>

- b. The passage is primarily instructing about the law and Christ, but does imply that earthly marriage cannot end through desertion or divorce. Instone-Brewer points out that desertion and divorce do not fit into Paul’s illustration because “The law would never desert her or break his marriage vows in any way that would lead to divorce, because being the law, he would always keep them to the letter, so the whole concept of divorce or desertion would be out of place in this picture, and no reader would expect Paul to mention them or be surprised at their absence.”<sup>39</sup>

His analogy is correct because the law, “though a demanding perfectionist,” would be the perfect spouse and not reflect sinful neglect or adulterous tendencies. Paul is not dealing with the broader concern of divorce and remarriage in Romans as he does in I Corinthians. The Romans text is mainly a reference to divorce as an illustration for the Romans theme of the believer’s relationship to Christ and the law. “Just as the parable of the sower is not a good manual for teaching us about

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<sup>38</sup> Instone-Brewer, *Divorce and Remarriage in the Church*, 88.

<sup>39</sup> *Ibid.*, 89.

farming, so we should not expect to learn much about marriage from an illustration about a believer's marriage to the law and to Christ.”<sup>40</sup>

## 2. I Corinthians 7:10-16

<sup>10</sup> But to the married I give instructions, not I, but the Lord, that the wife should not leave her husband <sup>11</sup>(but if she does leave, she must remain unmarried, or else be reconciled to her husband), and that the husband should not divorce his wife.

<sup>12</sup> But to the rest I say, not the Lord, that if any brother has a wife who is an unbeliever, and she consents to live with him, he must not divorce her. <sup>13</sup> And a woman who has an unbelieving husband, and he consents to live with her, she must not send her husband away. <sup>14</sup> For the unbelieving husband is sanctified through his wife, and the unbelieving wife is sanctified through her believing husband; for otherwise your children are unclean, but now they are holy. <sup>15</sup> Yet if the unbelieving one leaves, let him leave; the brother or the sister is not under bondage in such cases, but God has called us to peace. <sup>16</sup> For how do you know, O wife, whether you will save your husband? Or how do you know, O husband, whether you will save your wife?

Paul allows for divorce in the case of the unbelieving partner who wishes to depart.<sup>41</sup> The terms “depart” and “divorce” are interchangeable by Paul in this chapter. “He tells the wife not to leave and the husband not to divorce her in the passage where he refers back to Jesus’ teaching, vs. 10-11 . . . .”<sup>42</sup>

He also opens the door for remarriage<sup>43</sup> although a second marriage was commonly understood as permissible in first century Judaism and the Greco-

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<sup>40</sup> Ibid, 89.

<sup>41</sup> New Testament scholar, F. F. Bruce notes the possibility of remarriage. “Would it be permissible in that case for the Christian to enter into a new marriage? Probably Paul would give the same answer to that question as he gave to widows and unmarried persons (including those couples who had resolved to live together in virginity): ‘You will do better if you refrain from marriage, but if you must marry, then marry: it is no sin!’” F.F. Bruce, *Paul: Apostle of the Heart Set Free* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1977), 268-269.

<sup>42</sup> Keener, 51-52.

<sup>43</sup> While commenting on I Corinthians 7:15-16, New Testament Greek scholar A. T. Robertson asserts: “Wilful desertion of the unbeliever sets the other free, a case not contemplated in Christ’s words in Matt. 5:32; 19:9. Luther argued that the Christian partner, thus released, may marry again. But that is by no means clear unless the unbeliever marries first. . . . If it is a hopeless case, acquiescence is the only wise solution. But surely the believer ought to be sure that there is no hope before he agrees to break the bond.” Archibald. Thomas Robertson, *Word Pictures in the New Testament: Volume IV – The Epistles of Paul* (Nashville, TN: Broadman Press, 1931), 128-129.

Roman world.<sup>44</sup> Verse 15 indicates that the believer, in the case of a departure of an unbelieving spouse, is not “under bondage.” An innocent party unable to preserve the marriage against the spouse’s will is not to be held responsible for the divorce or forbidden to marry.”<sup>45</sup> Instone-Brewer further notes that on verse 15 that:

Some people interpret ‘not enslaved’ as meaning ‘no longer tied to your partner’ (that is, you can live apart but you cannot divorce), while others interpret it as ‘no longer tied to your marriage’ (that is, you can get divorced but not remarry). Both these interpretations would have sounded like nonsense to the first-century reader because Paul was speaking to people who were *already divorced*, so they had no choice in the matter. It was of no value telling them that they could live apart, because this was already forced on them, and it was of no value telling them that they could get divorced, because as far as Roman law was concerned they were already divorced.

A first-century reader of Paul’s letter would have had no doubt about what ‘not enslaved’ meant, because it would remind them about the words on their divorce certificate: ‘You are now free to marry.’ Even if they did not have a divorce certificate (because many Roman divorces took place without an actual certificate), they would still have had this right under Roman law. Paul would have been understood to be saying very clearly, ‘You are no longer enslaved; you are free from that marriage and, as any divorce certificate says, free to remarry.’<sup>46</sup>

Calvin views this text as instructing the freedom of the believer to divorce.

“In this verse, Paul frees a faithful husband, who is himself prepared to live with a wife who is an unbeliever, but is rejected by her; and similarly frees a wife, who is put away by her husband, although there is no fault on her side.”<sup>47</sup>

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<sup>44</sup> Keener, 51.

<sup>45</sup> Ibid, 55.

<sup>46</sup> Instone-Brewer, *Divorce and Remarriage in the Church*, 112.

<sup>47</sup> John Calvin, *The First Epistle of Paul the Apostle to the Corinthians*, Calvin’s New Testament Commentaries (Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 1960), 150.

Richard Pratt adds that “the terms separate and divorce were not distinguishable in Paul’s day as they are in many cultures today. To separate was to divorce.”<sup>48</sup>

Simon Kistemaker notes:

“ ‘A brother or sister is not enslaved.’ The unbeliever is the one who breaks the marriage bond, which God had meant to be for life. Now the believer is no longer bound to that union, for his or her unbelieving spouse ‘has made a breach with God rather than with his or her partner.’ In this verse Paul neither forbids nor advocates remarriage for the forsaken spouse and leaves this matter an open question (compare vv. 9,11). [Emphasis mine] He is interested in the Christian’s witness to the world, including the unbelieving husband or wife. He urges the Christian to seek peace with the unbelieving spouse. Paul wants the Christian marriage partner to live in obedience to Christ’s gospel and thus to oppose valiantly the forces of the evil one (Eph. 6:15).”<sup>49</sup>  
(emphasis mine)

While commenting on I Corinthians 7, John MacArthur notes the possibility of remarriage.<sup>50</sup>

R. C. Sproul notes that the text also allows for remarriage. In addition, he notes remarriage as a possibility even for the guilty party if repentance is demonstrated.<sup>51</sup>

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<sup>48</sup> Richard L. Pratt, *I & II Corinthians*, Holman New Testament Commentary (Nashville, TN: Broadman & Holman Publishers, 2000), 115.

<sup>49</sup> Simon J. Kistemaker, *I Corinthians*, New Testament Commentary (Grand Rapids, MI: Baker Books, 1993), 226-227.

<sup>50</sup> MacArthur, 72.

<sup>51</sup> “Paul says that if an unbelieving spouse wants out and departs, the believer is then free. Now he doesn’t define what free is. Does that mean free just to let go and then live a life of celibacy and singleness? Some people take that view. I think that Paul means free from the marriage contract, from the oaths and obligations; that person is now considered single and, I would say, free to remarry. . . . I would also say that even the guilty party can get remarried if there is authentic repentance.” See <http://www.ligonier.org/learn/gas/are-there-any-biblical-grounds-divorce-and-if-so-w/>.

Finally, in regard to Paul's remarks to Corinth, care must be taken in focusing too greatly upon an exit strategy for the innocent party. Paul maintains a high view of marriage as he notes the possibility of an unbelieving spouse becoming converted because of the faithfulness of the believing spouse (I Corinthians 7:16).

### III. Moving forward for Today's Church.

#### A. Marriage is a life-long commitment.

1. It is clear that the intent of God in Genesis 2:23-24 as well as Paul's commentary (Eph. 5:22-33) on this same text (relationship of Christ and the church) is cohesive with Jesus' remarks in Matthew 19:3-12. Marriage is designed to be for a lifetime, and when this injunction is not followed many pains are suffered within family and society.
2. Yet, it must be understood by the Christian that God's order is routinely ignored by the unbelieving world. This is true in all areas of biblical instituted regulations. Consequently, those who remain outside of the faith will have little, if any, desire to follow biblical mandates. They are dead in sin and naturally follow their own lusts as governed by the Prince of Darkness (Eph. 2:1-3). Consequently, Christian norms may not be imposed by the church on the unbelieving world even though society would be healthier if biblical law is followed. While commenting on Jesus' remarks in Matthew 19:3-12, James Montgomery Boice writes:

“This means that believers must not try to impose them on other people. We believe that following Christian standards would make men and women happier than they are apart from them, and we can point with justified alarm to the weakening of the family and the decay of lasting relationships in today's society. But the majority of people are not Christians, and it would be both wrong and irrational to expect them to lead Christian lives.



“C.S. Lewis offered a good suggestion when he argued that ‘there ought to be two distinct kinds of marriage: one governed by the state with rules enforced on all citizens, the other governed by the church with rules enforced by her own members. The distinction ought to be quite sharp, so that a man knows which couples are married in a Christian sense and which are not.’”<sup>52</sup>

3. In addition, persons often become Christians after they have been married and divorced. In fact, marriage may have occurred several times. Nevertheless, their past life is wiped clean by the blood of Christ. They are new creatures in Christ. The old things have passed away and new things have come (II Cor. 5:16-17). “When a new creature in Christ meets another new creature in Christ and God leads them to each other, do they not have a right to marry and establish a Christian home regardless of their previous marital history?”<sup>53</sup>
4. The Bible is clear that Christians should try to remain in marriage with unbelievers (I Cor. 7:16), but the unsaved person may not desire to remain. In addition, repetitive adultery may also occur which makes the union untenable. Paul indicates that the believer is free in such situations which also is congruent with Jesus’ remarks (I Cor. 7:15; Matt. 19:9).
5. Divorce and remarriage issues are seldom neat and tidy. Discerning what is best in an imperfect and sin stained world is often very difficult. A Christian may have to choose between the lesser of two evils. “In some circumstances, this could be divorce.”<sup>54</sup>

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<sup>52</sup> James Montgomery Boice, *The Gospel of Matthew, Vol. 2: The Triumph of the King: Matthew 18-28* (Grand Rapids, MI: Baker Books, 2001), 404.

<sup>53</sup> Ibid, 405.

<sup>54</sup> Ibid, 405.

6. James Montgomery Boice’s discussion on this topic has been cited above, but his closing remarks regarding the stigma of divorce and remarriage is worth review in its entirety.

“ . . . [I]t is true that Christians who marry out of God’s will and get divorced often remarry (frequently to Christians) and that God seems in grace often to sanctify and bless the second marriage. Does this mean that God modifies his standards? No. But it does mean that divorce and remarriage, as bad as they are, are not unforgivable and that God is always willing to begin again with us wherever we are or whatever we have done. Churches should never be closed to such people, and Christians above all should be understanding of others and show mercy.

“There is hardly a matter in today’s church that is treated with more laxity than the issue of divorce and remarriage. But identifying with and seeking to help people who have failed in their marriages does not mean lowering the standards. We must maintain the standards, but we must also be compassionate and understanding of those who have not followed them. We will never be of much help to anyone if we are not.”<sup>55</sup>

#### IV. Summarization and Session (Board of Elders) Oversight.

A. Divorce between unbelievers or believers is a serious breach of God’s covenantal arrangement found in marriage.

1. Marriage was instituted before the Fall and was intended for a lifetime. It is understood that all who participate in this covenant must do so with the intent that they will remain faithful to their vows.
2. Nonetheless, divorce occurs among those outside and inside the church. Rationale for breaks in the covenantal arrangement range from adultery to anything noted under no fault.
3. Each breach of the covenant is typically viewed as unique to those who seek a divorce. (“No one knows my situation other than me.”)

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<sup>55</sup> Ibid, 405.

- B. Remarriage is legitimate if a biblical rationale for divorce is present. Adultery (Deuteronomy 24, Matthew 19), withholding of love and nurture (Exodus 21:10ff), and desertion (I Corinthians 7:10-16).
1. But who decides if adultery has taken place? Is one immoral act sufficient cause for divorce? Who decides if love and nurture are absent in extreme cases of alcohol, drug abuse, and bodily harm, and what proofs are grounds for desertion?
  2. The governing determinate of these matters is not the individuals themselves, but rather the spiritual court (Board of Elders, Session) of the local church. While commenting on the Westminster Confession of Faith, Marriage and Divorce, Chapter 24, R. C. Sproul notes the importance of church courts making judgment regarding divorce and remarriage.

On many occasions, the church must establish the innocent party and the guilty part in a divorce case. If there is a married couple in the church, and one spouse files for divorce without biblical grounds, the church has a responsibility to step in and say, 'You can't do that.' If the person persists in divorcing a spouse without just grounds, it is the duty of the church to excommunicate that person. The guilty spouse is to be excommunicated in order to protect the innocent party and to allow the innocent party to remarry according to biblical law. However, since secular law does not require excommunication prior to remarriage, most churches abandon their responsibility at that point.<sup>56</sup>

- C. Elders are empowered by God to oversee those allotted to their charge (I Peter 5; I Thessalonians 5:12,13) and the congregation is to obey their guidance (Hebrews 13:17).

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<sup>56</sup> R. C. Sproul, *Truths We Confess*, Vol. 3 (Phillipsburg, NJ: P & R Publishing, 2007), 40.

1. Elders are entrusted with the keys of the Kingdom. One key (the Gospel Key) opens the path to salvation, while the second key (Discipline Key) closes the path, (Matthew 16:18-19 and Matthew 18:15-20).<sup>57</sup>
2. Examples of elders acting within a New Testament context (involved in various kinds of disciplinary matters) are replete in the Scripture (I Corinthians 5:1-13, II Corinthians 2:5-11, II Thessalonians 3:6-15, I Timothy 1:18-20, I Timothy 5:19-20 and Titus 3:9-11).
3. Elders are involved in all sorts of corrective and formative application of discipline. Certainly, this oversight extends to the making or breaking of the marriage covenant.<sup>58</sup> If a marriage covenant is breaking down, sin must be present. Consequently, elders have the responsibility of sifting through the case data and discerning fact from fiction. From a spiritual perspective only elders, as a group, may make a ruling in the case for or against divorce and justifiable remarriages. Individual married partners do not have the right to separate or divorce without sanction by the local church court.
4. When elder oversight is present, sin is acknowledged, impropriety corrected and the innocent exonerated. In addition, ways for reconciliation for those in marital strife are pursued. Previous cases of divorce are examined of those who now seek remarriage.

## V. Practice in the Church

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<sup>57</sup> Don E. Galardi, *Corrective Church Discipline* (Owosso, MI: Community EPC, 2006), 48-63. Also online at [www.communityepc.org](http://www.communityepc.org).

<sup>58</sup> *Ibid*, 6.

A. The Scripture remains as the supreme guide for righteousness, and ordained elders must diligently study it in order to properly apply applicable texts to various situations.

1. All matters of faith and conduct must be centered within the Scripture (II Timothy 2:15).

B. Congregational members, wives and husbands, must submit their marital difficulties to the Session for oversight. They must not forget that even when great emotional pain is present, elders always have their spiritual welfare in mind. Elders should be focused upon oversight in the following concerns and objectives:

1. Empathy and compassion will be present.

2. Sin will be admonished.

3. Reconciliation will always be the primary objective.

a. Reconciliation is the heart of the gospel.

#### II Corinthians 5:16-21

“<sup>16</sup> Therefore from now on we recognize no one according to the flesh; even though we have known Christ according to the flesh, yet now we know Him in this way no longer. <sup>17</sup> Therefore if anyone is in Christ, he is a new creature; the old things passed away; behold, new things have come. <sup>18</sup> Now all these things are from God, who reconciled us to Himself through Christ and gave us the ministry of reconciliation, <sup>19</sup> namely, that God was in Christ reconciling the world to Himself, not counting their trespasses against them, and He has committed to us the word of reconciliation. <sup>20</sup> Therefore, we are ambassadors for Christ, as though God were making an appeal through us; we beg you on behalf of Christ, be reconciled to God. <sup>21</sup> He made Him who knew no sin to be sin on our behalf, so that we might become the righteousness of God in Him.”

b. Troubled married partners must realize how serious their situation has become if one or both assert irreconcilable differences. It is only in the most grievous circumstances that a divorce may be sanctioned.

4. Separation may be advised.
5. Marital counseling from a licensed professional may be ordered.
6. One or both marital partners may be temporarily suspended from the Lord's Table.
  - a. This would be done as a protection to ensure that the partner was not partaking in an unworthy manner (I Corinthians 11:27).
  - b. Such a suspension heightens the serious nature of an unreconciled state within the marriage.
  - c. It is hoped that spiritual hunger, from not partaking, will make the suspended parties circumspect about their own sin and desire for oneness with the partner from whom he or she is estranged.
7. An older married couple from church may also be assigned to work with and pray for the troubled married partners.
8. Depending on the serious nature of the marital breach, a long period of time may transpire while trying to impose all means to preserve the union.
9. Only after the Session is satisfied that all means of discipline have been exhausted may a divorce be condoned.
  - a. A ruling will be made in written form clearly noting the reason(s) for the marital failure.
  - b. Innocent and guilty partners will be acknowledged.
10. An innocent partner will be free to remarry.
  - a. In situations where divorce occurred, before individuals became members of a church, each case shall be examined on an individual basis by the pastor and reported to the Session. This procedure applies to both innocent and guilty parties.

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