

### Chapter 3. The traditional view—doctrinal background

The struggle to understand the Bible’s teachings on divorce and remarriage is not unique to the Churches of Christ. Indeed, it is easy to find literature from all denominations dealing with the same issues and making most of the same arguments found in Church of Christ literature. Thus, the “traditional” view is not only the view traditional in the Churches of Christ, it is also the view traditional in Roman Catholicism and most Protestant denominations. The traditional view is so pervasive that it has even affected the law of most Western nations and even our language and vocabulary.

The traditional view is based on the King James Version translation of certain sayings of Jesus in the Gospels. In particular, most teaching is based on the following two passages in Matthew:

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

*Matt. 19:3* The Pharisees also came unto him, tempting him, and saying unto him, Is it lawful for a man to put away his wife for every cause? *4* And he answered and said unto them, Have ye not read, that he which made **them** at the beginning made them male and female, *5* And said, For this cause shall a man leave father and mother, and shall cleave to his wife: and they twain shall be one flesh? *6* Wherefore they are no more twain, but one flesh. What therefore God hath joined together, let not man put asunder.

*7* They say unto him, Why did Moses then command to give a writing of divorcement, and to put her away? *8* He saith unto them, Moses because of the hardness of your hearts suffered you to put away your wives: but from the beginning it was not so. *9* And I say unto you, Whosoever shall put away his wife, except *it be* for fornication, and shall marry another, committeth adultery: and whoso marrieth her which is put away doth commit adultery.

Now let’s start with Matthew 5:31-32. This is part of the Sermon on the Mount. As translated, Jesus declares that if a husband divorces his wife, he causes her to be an adulteress and also makes her second husband an adulterer. He makes an exception for fornication by the wife, however.

In Matthew 19 Jesus addresses the husband’s situation. If he divorces his wife, except for fornication, and marries another, he commits adultery. In the King James Versions, Jesus repeats the declaration of Matthew 5:32 that whoever marries the divorced woman also commits adultery. However, this declaration is not found in the oldest Greek manuscripts and was certainly not written by Matthew. Therefore, few later

translations include the second clause. This is important because in Matthew 5, Jesus says the husband “causes” the wife to commit adultery, but as wrongly translated in the KJV, Matthew 19 just says she’s an adulterer. As we’ll see, this is likely one major cause for our misinterpretation of this passage.

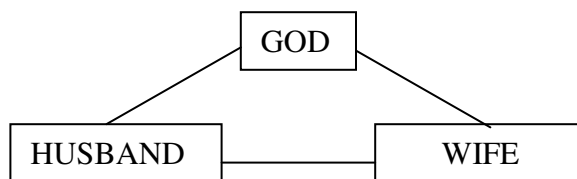
Traditionally, these passages have been interpreted thusly:

1. Any divorce not based on fornication is an “unscriptural” divorce. In God’s eyes, such a divorce never took place at all. The couple is still married in God’s eyes, so that a second marriage is actually not a marriage at all. Thus, sexual relations in the second marriage are a sin against the still-existing first marriage and therefore adultery. In other words, the traditional view is that, other than for fornication, a couple cannot actually divorce.
2. In the case of fornication, there is a “guilty” and an “innocent” spouse. Most concede that that the guilty party cannot remarry. Matthew 19:9 certainly seems to imply this result. Christians have disagreed as to whether the innocent spouse may remarry. Most believe that the innocent spouse is free to remarry. However, some have disagreed, relying on other Gospel passages where Jesus does not mention an exception for fornication (Mark 10:1-12; Luke 16:18). And some have contended that there never really is an innocent spouse, so that neither spouse is permitted to remarry.

While the majority view appears to be that in the case of fornication the innocent spouse may remarry, this creates the odd notion that the guilty party is still married to the innocent spouse (and so can’t remarry) but the innocent party is not married to the guilty one!

3. The even more troubling question is the fate of the spouse divorced in an “unscriptural” divorce, that is, a divorce not for fornication. Suppose a husband abandons the marriage, obtains a divorce, and never remarries or commits fornication. May his innocent spouse remarry? Some say yes, but the majority view is no, based on the evidently plain statements in Matthew 5:31-32 that seems to prohibit marriage by the wrongly divorced wife where fornication is not involved.

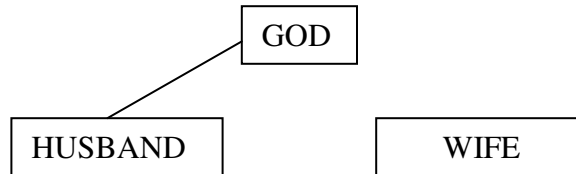
Now this seems very unfair to anyone not brought up on this teaching. After all, if a wife is wrongly abandoned by her husband, why shouldn’t she be allowed to remarry? The rationale for this is usually given by this chart:



The argument is that a marriage is a covenant between a man, a woman, and God. While a husband and wife might attempt to end the marriage by breaking the bond

between each other, the marriage bond with God is unbreakable except for fornication. Thus, an unscriptural divorce, that is, a divorce not based on fornication, is no divorce at all. The couple is still really married in God's eyes, regardless of how they or the government perceives the marriage. This makes sex with anyone, even a second spouse, adultery.

The next phase of the argument is that in the case of fornication (let's say by the husband), God releases the wife—the innocent party—from the marriage bond but not the husband:



And so the husband is still subject to the marriage covenant, having been guilty, while the wife is not—giving the somewhat incongruous result that in God's eyes, the husband is married but the wife isn't!

This view has raised a number of troubling issues over the years. And as divorce has become increasingly common over the last 40 years or so, these troubling issues have become commonplace for churches everywhere.

- a. What about a couple unscripturally divorced and remarried prior to conversion? Does baptism cleanse the former sin and allow them to remain married? Christians have disagreed, but it has often been taught that no one can be saved without repentance (undeniably true!), repentance requires a change away from former sin (such as adultery), and so the divorced and remarried couple must divorce one another—putting their wrongful marriage behind them—to be eligible for baptism. Of course, the problem with this view is that we have preachers and elders telling couples to divorce to please God—often when they have children at home—causing unspeakable pain and harm: the very pain and harm that Christ's teaching against divorce is supposed to prevent!
- b. Some have taught that, rather than divorcing, such a couple may live together so long as they do so without sexual relations. And yet, as we'll see, this seems to contradict Paul's teaching in 1 Corinthians 7—that husbands and wives may not deny one another sexual privileges—not to mention being the occasion of much temptation and sin. I mean, while I know of cases where this has been done, how many couples have been driven out of the church by such teaching? Or have lived together and engaged in what they have been taught to be wrong? As Jesus (Matt. 19:11-12) and Paul (1 Cor. 7:7) both teach, not everyone has the gift to live a celibate life!
- c. And how should we treat our church members who have divorced? The majority view would be that divorce is wrong (unless scriptural, that is, for

fornication) but forgivable. However, many churches have, for reasons not clearly articulated, treated divorced members as second-class members—not “in good standing”—and denied such members the privilege of teaching class, attending the Lord’s Table, or preaching. Indeed, if a preacher’s wife leaves him and can’t be shown to have been a fornicator, the preacher’s career is over, no matter how innocent he may have been. In some cases, even where the wife was unfaithful, the preacher has become a pariah on just the notion held by some that there really never is an innocent party.

- d. While divorce has been viewed as semi-forgivable sin, remarriage after an unscriptural divorce is viewed as unforgivable. The problem is that under the logic of the triangle drawn above, the second marriage is no marriage at all, but is cohabitation in violation of the first marriage, and adultery is committed every time the couple have sexual relations. Because adultery is committed more or less continually, forgiveness is unavailable. The only path to forgiveness is repentance, which means divorcing the second spouse—regardless of the impact on the children. Not surprisingly, remarried couples generally leave a church that takes this position and find a more indulgent denomination or else leave Christianity altogether.

It has been said that it would be better to kill your wife than to divorce her, since having killed her, you could obtain forgiveness and remarry! Just divorcing her leaves no path available for a second marriage.

- e. Elderships sometimes have to face other daunting questions under this view. For example, suppose a woman’s husband abandons her, leaving no forwarding address. May she presume that he has had sexual relations with another woman, allowing the former wife to remarry, or must she seek proof before remarrying? And how much proof is needed? Indeed, a former husband is often very vindictive, and knowing his wife’s views on remarriage, may go out of his way to deny her the ability to remarry by keeping his sexual conduct secret!
- f. What if under state law a husband who has abandoned his wife is presumed dead? May the wife remarry? What if it later turns out that he is alive and not guilty of fornication? Is she thus a bigamist? Must she divorce her second husband?
- g. And does fornication after the divorce retroactively render the divorce scriptural? Suppose a husband divorces his wife when no fornication has occurred. This is an unscriptural divorce. Suppose the husband remarries. Has he now committed fornication, freeing the first wife to remarry? This would have a certain logic, but it would mean that after an unscriptural divorce, the

first spouse to remarry is a sinner and the second spouse to remarry is not. There is logic here, but no justice—much less mercy.<sup>5</sup>

- h. And what about a post-divorce death? Following an unscriptural divorce, one former spouse dies. Is the surviving spouse now free to remarry? Most would say yes, but Jesus' sayings don't explicitly make this an exception. For those who see the prohibition on second marriage as a penalty for sin, death is no justification, and so some don't see an exception.
- i. Suppose a husband routinely beats his wife. She is as patient and loving as can be, but he is a wife beater. Preachers, elders, counselors, police, and the courts can get him to stop. She moves out to avoid permanent injury or death. May she divorce her husband? And if so, may she remarry? Under the traditional teaching, she may not divorce him and if she does, she may not remarry. However, she may live separately from him and even have the courts grant a legal separation. She may even get a restraining order to compel him to always stay 500 feet away from her. But is this really God's model for marriage? In what sense is she his wife—or should she be? How can she be relieved of her scriptural duty to submit (Eph. 5:21 *ff*) and to make her body available to him (1 Cor. 7:1 *ff*) and not be relieved of the marriage?
- j. Suppose a couple is converted and baptized, based on genuine faith and repentance. Some time later the elders learn that one of the spouses was earlier divorced and remarried. The couple now have three children at home. Do they require them to divorce? To live without sexual relations? Or do they treat the baptism as having cleansed their marriage?
- k. One of the more sad results of all this is the number of church splits triggered by disagreements on how to deal with remarried couples. Suppose an eldership admits into membership a couple divorced and remarried before baptism. The elders believe that baptism cleansed the relationship (or at least that we shouldn't judge such things), but many members consider them plainly living in adultery. It has been common practice in some parts of the country for such members to feel compelled to leave the church rather than be guilty of "condoning" the adultery by remaining members of the same church as adulterers.

If your head isn't already hurting enough, let me give an example from a couple I knew many years ago. The couple was happily married for several years. The husband at some point suffered a personality change. He became moody and melancholy. He also found himself compelled to sleep with other women. He knew what he was doing was

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<sup>5</sup> *Matt. 12:7*: "If you had known what these words mean, 'I desire mercy, not sacrifice,' you would not have condemned the innocent." Unless otherwise indicated, scriptures are quoted from the New International Version.

wrong. He regretted it deeply, but he couldn't control himself. He sought counsel from preachers across the Bible belt but could not bring his urges under control.

His wife was patient as only a Christian woman could be. But there came a point where she had to end the marriage. She filed for divorce and had her husband admit in the pleadings guilt of fornication. After all, many an eldership would doubt a woman's word on this, and getting it in writing was the one way to be sure that a second marriage would be accepted. And so they sadly divorced, and some time later she remarried.

Later on, the husband reverted to his former solid, self-controlled self and deeply regretted and repented of his former behavior. It turned out that he had bipolar disorder—he was manic-depressive. There was a chemical imbalance in his brain—easily treatable with medication once diagnosed—that drove his sinful behavior.

Now the challenging question is this. May he remarry? And the more challenging question is: was *her* second marriage scriptural? It all hinges on this. Can he be properly held accountable for sin driven by a diagnosed mental illness? I mean, was he guilty or not? Common decency tells us that he doesn't deserve to be denied marriage for the rest of his life due to an undiagnosed mental condition he couldn't help. And so, anyone with an ounce of mercy in his heart would allow him to remarry. It just wasn't his fault.

But if it wasn't his fault, and he wasn't really guilty, then how could his first wife be permitted to remarry? Remember, under the traditional view, if a divorce is not for fornication, *neither* spouse can remarry. There are no traditional grounds that allow both spouses to remarry. He committed fornication, but was he *guilty* of fornication?

So here we have a real life example where both spouses are innocent! What is the correct answer?

To sum up, under the traditional view, we have sometimes counseled married couples with children to divorce, we have split churches, and we have denied remarriage to perfectly innocently divorced spouses, making their victimization by their former spouses permanent. We have a doctrine that allows for no mercy, that offends notions of common decency, and that drives our members from Christ.

Moreover, we have here a doctrine that is more legalistic than the Law of Moses. Jesus said (repeatedly), "I desire mercy, not sacrifice"<sup>6</sup> Paul taught (repeatedly) that the gospel is based on love not law.<sup>7</sup> And here we have an unmerciful law. The only justification is a legalistic policy argument—that by making divorce horribly painful, we discourage divorce. But this flatly contradicts the rest of the Christian message. And experience shows plainly that it doesn't work.

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<sup>6</sup> Matt. 9:13; 12:7, in each case quoting Hosea 6:6.

<sup>7</sup> Rom. 13:8: "Let no debt remain outstanding, except the continuing debt to love one another, for he who loves his fellowman has fulfilled the law"; Gal. 5:14: "The entire law is summed up in a single command: 'Love your neighbor as yourself.'"

Christ died to bring forgiveness. Murder, adultery, rape, theft, homosexuality, not to mention lust, greed, and failure to evangelize, are all forgivable and forgiven (1 Cor. 6:9-11, for example). That's what grace is for. So can it really be true that a marriage, once made, can't be ended except for fornication? Is it truly God's law that he holds couples to their marriage vows until death—even innocent wives who have been abused or abandoned by their husbands?

Now I readily admit that the Bible teaches that breaking the covenant of matrimony is sin. It is. But does that mean that divorce doesn't really happen? If a couple divorces, they may well have sinned in God's eyes, but are they still married in God's eyes? What passage actually says that they are still married?

Doesn't Jesus flatly say in Matthew 19:1, "Therefore what God has joined together, let man not separate." Doesn't this imply that what God has joined together *can* be separated?

Now the last thing you're going to hear from this teacher is that Jesus was wrong, but I do believe that he has been mistranslated and misunderstood. Also, as I'll point out in more detail later, *these are the wrong passages to begin our study*. In the Gospels, Jesus was interpreting the Law of Moses for the benefit of Jews who were at the time under the Law of Moses.

In Matthew 5, when Jesus says, "It hath been said, Whosoever shall put away his wife, let him give her a writing of divorcement" (KJV), Jesus is referring to Deuteronomy 24, from the Law of Moses, regulating how Jews were to divorce under the Law of Moses.

In Matthew 19, when the Pharisees ask Jesus, "Why did Moses then command to give a writing of divorcement, and to put her away?" (KJV) they are asking Jesus about the same passage in Deuteronomy.

Jesus' teachings matter to Christians, but only in the context of who he was speaking to and what he was speaking about. Wouldn't it make much better sense to start with what the Bible says directly to Christians about divorce and remarriage?

After we digress to give some more background, we will very carefully study 1 Corinthians 7, because that chapter was written by Paul to Christians, no longer under the Law of Moses, about divorce and remarriage. That is where we must start, not in the Gospels. After letting the inspired Paul instruct us on what Jesus really said and how Jesus' teachings apply to Christians, we'll return to the Gospels to demonstrate that Paul and Jesus don't contradict one another.