

Marriage and Divorce

By LINDEN J. CARTER

Among the social problems facing the present generation few if any are more serious and perplexing than that of divorce and remarriage. It is a problem having to do with an evil which gnaws at the very vitals of our social order, an evil the magnitude of which in these latter days certainly is no credit to our twentieth-century civilization.

In the United States of America there were 160,329 divorces for the year 1932, or one divorce to about every six marriages. [The national ratio is now -1965- 1 to 3.1] (BA – as of 2003 the national ratio is greater than 5 out of 10 – more than 50%). In three of these states the number of divorces was considerably more than half the number of marriages. Joseph H. Shoate is reported to have said not long before his death: "At the time of the adoption of the Constitution of the United States, in 1787, divorce was so rare an event as to be practically unknown, but by the diversity of laws in the various states, and by the decline of marital morals, divorce has come to be one of the most shocking and disgusting evils of our day."

Nor is this evil confined to these United States. It constitutes a growing problem in other countries. For instance, in Canada, 887 divorces were granted in 1932, as compared with only 60 [note only 60!] divorces granted in that country the year before World War I.

If divorced persons were prohibited from contracting new alliances the problem would not be so serious, but where divorce is easy to obtain, and so absolute that the parties may remarry at will, it is not difficult to account for many of our hasty marriages and hasty decisions to exchange partners. Thus

Supreme Court Justice Benedict of New York is quoted as saying that "a large proportion of divorce actions would never have been brought if the plaintiff were prohibited from contracting a new alliance, arrangements for which are not infrequently made before the suit is begun."

THE TEACHING OF CHRIST

The divorce problem is not new. Moses had to deal with it in his day, and it was a storm center in the religious world when Christ was here. John the Baptist was imprisoned and ultimately lost his life as a result of speaking out in this connection, while the Pharisees tried to involve our Lord in the controversy which was then on between two rabbinic schools on the question of divorce.

One school, that of Hillel, went so far as to justify a man for divorcing his wife for such trivial causes as poor cooking, loud talking-and the fact that her husband had come to prefer some other woman! The school of Shammai seems to have been much more conservative. Opinions differed then just as they do today, and we presume that when a man really made up his mind to have a new wife he managed somehow to interpret the law in such a way as to meet his particular case. So long as he conformed to the letter of the law as to the "writing of divorcement" he felt justified. Human nature was much the same then as now.

When the question was put to Jesus, He faced the issue squarely, and we are glad for His recorded words on the subject. As His professed followers we do well to find out just what He said and what He meant, if possible, and then to take our stand on His teaching at whatever the cost. There can be no higher ideals than those set forth by the Master, and there certainly is a loud call for the highest and most unquestionable kind of precept and example in this matter of divorce and remarriage on the part of the Church of Christ in these days of moral laxity and indifference. "Ye are the salt of the earth" and "the light of the world."

What, then, was the teaching of Christ in this matter of divorce and remarriage? He touches upon the question first in

His Sermon on the Mount (Matt. 5:31, 32) He refers to the law of Moses (v. 31; cf. Deut 24:1-4), and then Himself legislates as follows: "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 commits adultery." (Matt. 5:32)

The next reference to the subject chronologically is to be found in Luke 16:18, and reads as follows: "Whosoever putteth away his wife, and marrieth another, commits adultery; and whosoever marries her that it; put away from her husband commits adultery." (Luke 16:18)

It was not long after this that the Pharisees put to Jesus this question: "Is it lawful for a man to put away his wife for every cause?" (Matt. 19:3; cf. Mark 10:2) Both Matthew and Mark record what Jesus said in this connection with reference to the original and divine order (Gen. 2:24), and the reason for divorce legislation on the part of Moses (Matt. 19:;-8; Mark 10: 3-9). We then have these words: "And I say unto you, Whosoever shall put away his wife, except it be for fornication [referring to putting away only] and shall marry another, commits adultery: and whoso marrieth her which is put away does commit adultery." (Matt. 19:9)

It is of interest to note in connection with this verse that according to some authorities there is nothing here about the husband's remarrying. Thus the Revised Version has a footnote reference to the words which follow "Whosoever shall put away his wife," and reading as follows: "Some ancient authorities read saving for the cause of fornication, maketh her an adulteress: as in ch. 5:32."

The Pharisees evidently were silenced, but our Lord's disciples questioned Him further (Matt. 19:9; Mark 10:10); and Matthew records what Jesus said to them about eunuchs (Matt. 19:11, 12), while Mark records another statement on the subject of divorce. (Mark 10:11, 12) The two verses read as follows: "And He saith unto them, Whosoever shall put away his wife, and marry another, commits adultery against her. And if a woman shall put away her husband, and be married to another, she commits adultery." (Mark 10:11, 12)

This completes the teaching of Christ on the subject of divorce and remarriage as recorded in the Gospels. And in the light of this teaching it is very evident that Christ did not sympathize with those of His day who thought that a man was justified in divorcing his wife for every cause."

The legislation of Moses served as a temporary regulation, "because of the hardness of your hearts' (Matt 19:8), and present-day civil legislation allowing for divorce and remarriage on various grounds is intended to meet the present situation in so far as the world in general is concerned. "But from the beginning it was not so." (Matt 19:8) Jesus goes back of all such legislation to God's original law in the matter of marriage: "And they twain shall be one flesh: so that they are no more twain, but one flesh. What therefore God hath joined together, let not man put asunder." (Mark 10:8, 9; cf. Matt 19:5, 6; Gen. 1:27; 2:24)

THE TEACHING OF PAUL

Paul also had something to say on this subject, and we quote a few verses from his inspired Epistles, as follows: "For the woman which hath an husband is bound by the law of her husband so long as he lives; but if the husband be dead, she is loosed from the law of her husband. So then if, while her husband lives, she be married to another man, she shall be called an adulteress: but if her husband be dead, she is free from the law; so that she is no adulteress, though she be married to another man." (Rom. 7:2, 3) "And unto the married I command, yet not I, but the Lord, Let not the wife depart from her husband: But if she depart, let her remain unmarried, or be reconciled to her husband: and let not the husband put away his wife." (1 Cor. 7:10, 11) "The wife is bound by the law as long as her husband lives; but if her husband be dead, she is at liberty to be married to whom she will; only in the Lord." (I Cor. 7:39)

Thus it will be seen that there is a far cry from the teaching of Christ and Paul in relation to the marriage bond to what is taking place today in the world about us in the matter of divorce and remarriage. But followers of the Christ certainly should be expected to maintain a higher standard than that of the outside world in these last days of moral degeneracy and social decay.

And what we are discussing here is especially for Christians.

There is sometimes a danger of our looking to the world and being more or less influenced by worldly practices, perhaps without fully realizing it, when as "the light of the world" Christ's followers should seek to find out what the New Testament teaches, and then live it out before the world at whatever the cost. And we may be sure that all Scripture is perfectly harmonious in its teaching when rightly understood.

THE ONE "CAUSE"

As for divorce and remarriage it is probably true that the great majority of Protestant Christians would say that the New Testament makes allowance for at least one cause, and that the one cause is adultery. Even some of the most conscientious of Christians, people who would not for a moment think of upholding divorce and remarriage on any other ground, are quite sincere in their belief that both are allowable for the innocent party in case of adultery. The supposed authority for this position is a certain exception in Matt 5:32 and Matt. 19:9.

Now it is no pleasant task to advance a minority opinion [the majority until modern times.-W.J.B.] on a question of this kind, and the writer certainly does not wish to embarrass conscientious fellow Christians who may not see eye to eye with him in this connection. But we want the truth; and surely there can be no valid objection to a reexamination of our Lord's teaching on this particular point.

However we interpret the exception to which reference is made in the Gospel according to Matthew, that interpretation must be such as not to conflict with the plain teaching of Christ as recorded by Mark and Luke, and the teaching of the inspired apostle Paul. And it must have been noted that no ground for divorce and remarriage appears in what we have quoted from the Gospels according to Mark and Luke, and the epistles of Paul. Indeed, nothing is said in the Gospel according to Matthew about the husband's remarrying after putting away his wife.

Many recent critics even go so far as to claim that the

exceptive clause in these two texts from Matthew is an early interpolation or gloss, and not to be attributed to Christ at all. This may be an easy way of getting rid of an apparent difficulty, but the present writer does not approve of taking such liberties with the text as it comes down to us. Nor does he think it necessary to substitute the footnote reading under Matt. 19:9, Revised Version, in order to interpret Matthew harmoniously with Mark, Luke and Paul.

Accepting, therefore, the commonly received text, let us endeavor to find out what is meant by this exceptive clause as recorded by Matthew. What does the exception cover? And why is it found in this particular gospel and nowhere else?

THE WORD USED BY OUR LORD

If the reader will turn again to Matt. 5:32 and 19:9, he will note that the word used by our Lord in stating this exception is translated not adultery, but fornication. This, as the writer understands it, is the key to a right understanding of these two texts.

The word "adultery" does occur later on in each of these texts, but it is the word "fornication" that is used in stating the one and only cause in the matter of putting away one's wife - saving for the cause of fornication" (Matt. 19:32), "except it be for fornication." (Matt. 19:9)

That adultery and fornication are not the same thing is plainly evident from the manner in which these two sins are classified in the New Testament. Thus we have-"For out of the heart proceed evil thoughts, murders, adulteries, fornication," etc. (Matt. 15:19; Mark 7:21) "Be not deceived: neither fornicators, nor idolaters, nor adulterers," etc. (1 Cor. 6:9) "Now the works of the flesh are these: Adultery, fornication," etc. (Gal. 5:19) "For fornicators and adulterers God will judge." (Heb-13:4;R.V.)

Indeed, the two different words for unchaste conduct, "fornication" and "adultery" as used in the two texts under consideration, show that two different things are intended. If our Lord meant to make adultery the one cause for putting

away one's wife, why did He not use the same word in stating the exception as He used later on in each of these texts in stating what follows in case of remarriage?

According to the primary definition as given by Webster, adultery is unfaithfulness on the part of a married person, while the sin of fornication applies to the unmarried. And what, we ask, is adultery as defined in these two texts from Matthew? As Dr. Walker Gwynne so well points out, "that fornication and adultery are not synonymous both passages plainly testify, for in both adultery is only used to define the sin of a married person, or an unmarried person who marries one who is divorced." (Holy Matrimony and Common Sense, p. 134)

Webster's primary definition of fornication is quite in harmony with the use of the word in 1 Cor. 7:2; and, while the word may sometimes be used in a broader sense, it is to be noted that the Greek word "fornication" is never once translated "adultery" in our English Bible.

A JEWISH APPLICATION

In the days of our Lord a Jewish betrothal was especially binding in character. Says the Jewish Encyclopedia: "After betrothal the parties were regarded as man and wife; and the act could be dissolved only by death or by a formal bill of divorce. If the woman proved unfaithful during the period of betrothal she was treated as an adulteress, and her punishment (that of stoning (Deut. 22:23, 24; Sanh. 66b) was considered to be much more severe than that (strangulation) inflicted upon the unfaithful married woman." (Deut. 22:22; Sanh. 52b)

"Betrothal, according to ancient Jewish law," says The New Century Bible, "was an essential preliminary to though distinct from, the marriage proper. The latter commenced in the bridegroom 'taking' the bride to his house. But betrothal constituted a relation of binding obligation between the parties which conferred the status of marriage. Thus, if the man died before the marriage took place, the betrothed woman was treated as a widow. After betrothal, therefore, but before the marriage (the two ceremonies were anciently separated by an interval) the man was legally "husband" (cf. Gen. 29:21; Deut.

22:23); and the bond could only be severed by a formal divorce, which necessitated the giving by the man to the woman a formal document, and the payment by him of a fine."

A case to the point is that of Joseph and Mary (Matt. 1:18-20). Joseph is called "her husband" (v. 19) and Mary his "wife" (v. 20) while as yet they were only "espoused - (betrothed) and "before they came together." (v. 18) They were husband and wife, but only so in the sense of betrothal when Joseph "was minded to put her away." (v. 19) This could be done publicly before a court of justice, or her letter of divorce could he "handed to her privately, in the presence of two witnesses." (Edersheim)

The exceptive clause in our Lord's legislation on the subject of divorce and remarriage as recorded in this Gospel certainly would cover a case of that nature. But there may well be a question as to its covering a case where the marriage has actually been consummated.

To quote Dr. Gwynne once more: "Fornication was the sin of the unmarried, and after the annulment of what was only a solemn engagement, the future marriage of either party was not forbidden. On the other hand, adultery is the sin of the married, after the bond of the "one flesh" has been formed by consummation. Here, while both parties remained alive, there could be no remarriage of either though the scribes or lawyers of the day, like some of their modern representatives in our own legislatures and courts, stretched and perverted the ancient law to allow divorce from the bond "for every cause." (Matt. 19:3)

In the light of all this let us now turn again to Matt. 5:32; 19:9. "But I say to you," said Jesus, "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 commits adultery." While the man who "shall put away his wife, except it be for fornication, and shall marry another, commits adultery."

This means, of course, that in the case of a man's putting away his betrothed wife on account of fornication, he would not be guilty of adultery if he should marry another party,

inasmuch as he was not actually married to the woman whom he puts away. The exceptive clause might well be placed in parenthesis.

The Gospel of Matthew is especially Jewish in its terminology and appeal, which may well account for the exceptive clause in this particular Gospel and nowhere else. It would apply, and quite properly so, to cases of infidelity during a Jewish betrothal. While we would expect such a clause in Matthew's record in order to meet a distinctively Jewish situation, we can well understand why the clause does not appear in the Gospels of Mark and Luke, which seem to have been written more especially for the Gentile world.

"TILL DEATH US DO PART"

A news item informs us of a marriage ceremony in which, at the bride's request, the word, "As long as we love each other or until legally divorced," were substituted for the words, "Till death us do part." But whether the wording of the marriage ceremony be actually changed to suit the shallow views which so many hold today with respect to this ordinance, or whether there be mental reservations on the part of those who make these solemn vows, the words, "Till death us do part," are certainly quite in accord with the original law of God as embodied in the teaching of Christ and Paul.

If there should be any thought of divorce on the part of those who are engaged to be married, they had better terminate their engagement before going any farther. There are contracts that may be terminated at will, but marriage is something more than a contract. When consummated it means "one flesh" (Gen. 2:24) "no more twain, but one flesh" (Mark 10:8); and "the woman which hath an husband is bound by the law to her husband so long as he liveth." (Rom. 7:2)

A son may cease to love his father, he may even bring disgrace upon his parents: but he is still a son. And so it is with those who are united in marriage: there may be a cessation of love; there may be incompatibility; there may be disgrace and regrets; there may even be cases where it seems necessary for husband and wife to live apart; but they are still husband and

wife..... no more twain, but one flesh" - "till death do us part."

There may, of course, be cases of prenuptial impediment or fraud of such a nature as to nullify the marriage contract beyond the shadow of a doubt, so that there is in reality no marriage. But the present writer fails to see, in the light of the New Testament, how a true and actually consummated marriage can be Scripturally dissolved by anything whatever in this present world that may take place between the time when the parties become "no more twain, but one flesh" and the death of either the husband or the wife.

As for the idea that adultery dissolves the marriage union ipso facto, it must be read into the exceptive clause in Matt. 5:32; 19:9. But we may well question such a conclusion. If marriage were dissolved by the sin of adultery, then, of course, it would be wrong for a man and a woman to continue living together as man and wife, if either should commit that particular sin. And our Lord's definition of adultery as given in Matt. 5:28 must not be overlooked in this connection. Moreover, if adultery dissolves the marriage union, then it follows that the guilty party as well as the innocent party would be free to remarry; which would mean an easy road, indeed, for a certain type of individuals to take who they might desire to change partners!

In this connection we quote from A New Commentary on Holy Scripture, published by The Macmillan Company, 1928: "The view that adultery dissolves the marriage bond not only degrades the conception of marriage by making its physical side the dominant consideration: it involves two absurdities. First, a man may cease to be married and yet be unaware of the fact. Secondly, it makes adultery, or the pretense of having committed it, the one way to get rid of a marriage which has become distasteful, and puts a premium on adultery."

Or in the words of Dr. Dollinger, as quoted by Dr. Gwynne in Holy Matrimony and Common Sense: "On this theory either party can at any moment destroy the marriage; and, if feeling it a burdensome yoke, or violently enamored of another person, is strongly tempted to annul by one act a contract formed for life; while the innocent party, no matter how anxious to forgive and preserve the marriage relation, must recognize and accept the

actual dissolution of the marriage, and let the children of the guilty party be left fatherless or motherless."

Can anyone conceive of Christ's legislating so as to allow and encourage anything like that? I certainly cannot do so.

Separation may sometimes be absolutely necessary and for the best good of all concerned; but such separation should not be thought of as a dissolution of the marriage bond with the privilege of remarriage. So long as the door is left open for repentance and reconciliation, there is always the possibility of a reunion of husband and wife. But where it is assumed that a marriage can actually be dissolved, and a legal divorce is obtained and new alliances entered into, it is not so easy to retrace one's steps, and especially where innocent children are involved.

There is generally a safe position to take on debatable question; and, if this matter of divorce and remarriage is still considered debatable, we do well to adopt the safe position, and thus avoid the possibility of serious entanglements and after-regrets.

THE INNOCENT PARTY

In this matter of divorce and remarriage, as well as in all other matters, the follower of Christ should be guided by the New Testament law of love. Where there is sin there is suffering, and in this present world the innocent often have to suffer with the guilty. But Christianity is practicable. And it is better to suffer patiently and hopefully than to run the risk of displeasing Christ and coming under condemnation.

When two persons are united in marriage it is "for better or for worse." And if, unfortunately, there should arise anything to mar the anticipated bliss of wedded-life and cause disappointment and heartaches, we may be sure that divine grace will be given the obedient child of God for every emergency.

Even the sin of adultery is not unpardonable. Said Jesus to the adulteress who was brought before Him: "Go, and sin no

more." (John 8:11) "Where sin abounded, grace did much more abound." (Rom. 5:20) God is willing to forgive the repentant sinner who pleads the merits of Christ's atoning blood. And if God's love dwells in our hearts, we, too, will be willing to forgive.

If the sin of adultery heads the list of "the works of the flesh" (Gal. 5:19), it is also true that love heads the list of "the fruit of the Spirit." (v. 22) And surely the child of God with God's love in his or her heart should be expected to set an example in patience and willingness to forgive. Separation in some cases may be necessary, but that does not of necessity call for a legal divorce with the privilege of remarriage, even in the case of adultery. Love "bears all things, believes all things, hopes all things, endures all things." (I Cor. 13:7) Even if the guilty party never repents and reconciliation is impossible, it is better for the innocent party to suffer than to act hastily and then afterwards regret the step.

CLOSING WORD TO MINISTERS

The minister of the Gospel may not legislate for the world without, but he certainly has his pulpit and pastoral influence and responsibility. The New Testament is not silent on the question now before us, and the "good minister of Jesus Christ" (1 Tim. 4:6) must not shun to declare "all the counsel of God." (Acts 20:27) It is possible for him to advise and warn those under his charge, and especially to help the young people of his flock to understand as they should the sacredness and permanency of the marriage relation. Furthermore, he can decline to officiate at any marriage where there is any question as to its being in harmony with New Testament teaching.

The writer as been a minister and pastor for over a quarter of a century. And during all these years he has refused absolutely to marry any couple where either party has been divorced from another partner who was still living. If all ministers of the Gospel were to take this stand, it is my firm conviction that it would help in a large measure to lessen the extent of a great evil.

LOVE is echo-like. That is the way we love God echo-like. It is because He first loved us. Love causes the beloved to love the lover. In this connection, Jesus said, "Sinners love those that

love them." (Luke 6:32) In these words Jesus Himself taught that love is echo-like. Love is one thing that begets its kind even in sinners. "Be not deceived; God is not mocked; for whatsoever a man soweth, that shall he also reap." (Gal. 6:7) And "He which soweth sparingly shall reap also sparingly; and he which soweth bountifully shall reap also bountifully." (2 Cor. 9:6) The husband who nourishes and cherishes his wife sparingly, shall reap sparingly. But he who loves, nourishes and cherishes his wife bountifully, shall reap also bountifully. Therefore, the husband who loves his wife "even as Christ also loved the church," and nourisheth and cherisheth his wife as the Lord the church, shall as surely have a wife who loves him, and whose desire shall be unto him a wife who will not give her body over to another, for love will constrain her.

-Kimbrow

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