

# A Study of Marriage, Divorce, Malicious Desertion And Remarriage In The Light Of God's Word

[Prepared under the auspices of the Conference of Presidents  
of the Wisconsin Evangelical Lutheran Synod]

## Contents

<b>Foreword</b> .....	1
<b>Introduction</b> .....	2
<b>A Study of the Pertinent Passages</b> .....	2
The institution of marriage.....	2
The permanency of marriage.....	4
Divorce, a violation of God's will.....	4
The man-woman role relationship in marriage.....	5
God's hatred of divorce.....	6
Malicious desertion.....	6
Jesus on divorce.....	6
Christian discipline.....	7
Remarriage.....	8
<b>Principles</b> .....	9
Institution.....	9
Essence.....	9
Purpose.....	10
Termination.....	10
Remarriage.....	12
<b>Practical Applications</b> .....	13
1. Teaching God's people.....	13
2. Dealing with prospective members.....	13
3. Premarital counseling.....	13
4. Counseling approach.....	13
5. Dealing with troubled marriages.....	14
6. Dealing with those who have broken their marriages.....	14
7. Watching ourselves.....	15

### *Foreword*

The Board of Elders in one of our congregations requested the Conference of Presidents to appoint a committee to study all issues relating to a congregation's handling of divorce and remarriage, with special attention to what constitutes malicious desertion.

Recognizing that the problems confronting this board are not restricted to one congregation, the Conference of Presidents resolved to implement the request and herewith offers the results of this study to the church with the prayer that it may help to foster a biblically united practice among us.

As the tract is used to guide us in our study of this emotional and sensitive issue we make the added plea to strive for a clear understanding of the scriptural principles rather than look for a stock answer to suit each individual case.

President Carl H. Mischke  
December 1989

## **A Study of Marriage, Divorce, Malicious Desertion And Remarriage In The Light Of God's Word**

"Marriage should be honored by all" (Hebrews 13:4). God honored marriage not only by establishing and blessing it, but also by using it as a picture of the beautiful relationship between Christ and his church. The love of Christ, the groom, was so great that he willingly sacrificed himself for the bride, his church. Looking to that relationship, husbands are to love their wives as Christ loved the church and gave himself for her, and wives are to be submissive to their husbands as the church submits to Christ.

Scripture says, "Your attitude should be the same as that of Christ Jesus" who "became obedient to death—even death on a cross!" (Philippians 2:5,8). But how do we achieve such an attitude? "Christ's love compels us, because we are convinced that one died for all and therefore all died. And he died for all, that those who live should no longer live for themselves but for him who died for them and was raised again" (2 Corinthians 5:14,15). Living for Christ also applies to marriage.

Christ knows all about marriage, for he was there when God said, "Let us make man" (Genesis 1:26). He, the Word who was made flesh for us, was God and was with God, and by him all things were made. As the eternal Word he quotes the written word and says, "Haven't you read ... that at the beginning the Creator 'made them male and female,' and said, 'For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh'? So they are no longer two, but one. Therefore what God has joined together, let man not separate" (Matthew 19:4-6).

The living Word referred to the written word. Let us do the same looking at what Scripture says concerning marriage, divorce, malicious desertion and remarriage, and letting the word of God show us the principles God has established to guide us.

### ***A Study of the Pertinent Passages***

#### *The Institution of Marriage*

Genesis 1:27,28: So God created man in his own image, ... male and female he created them. God blessed them and said to them, "Be fruitful and increase in number; fill the earth and subdue it. Rule over the fish of the sea and the birds of the air and over every living creature that moves on the ground."

Genesis 2:18-24: The LORD God said, "It is not good for the man to be alone. I will make a helper suitable for him." Now the LORD God had formed out of the ground all the beasts of the field and all the birds of the air. He brought them to the man to see what he would name them; and whatever the man called each living creature, that was its name. So the man gave names to all the livestock, the birds of the air and all the beasts of the field. But for Adam no suitable helper was found. So the LORD God caused the man to fall into a deep sleep; and while he was sleeping, he took one of the man's ribs and closed up the place with flesh. Then the LORD God made a woman from the rib he had taken out of the man, and he brought her to the man. The man said, "This is now bone of my bones and flesh of my flesh; she shall be called 'woman,' for she was taken out of man." For this reason a man will leave his father and mother and be united to his wife, and they will become one flesh.

Matthew 19:4-6: "Haven't you read," he [Christ] replied, "that at the beginning the Creator 'made them male and female,' and said, 'For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh'? So they are no longer two, but one. Therefore what God has joined together, let man not separate."

Mark 10:6-9: "But at the beginning of creation God 'made them male and female.' 'For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh.' So they are no longer two, but one. Therefore what God has joined together, let man not separate."

Genesis I contains the synopsis account of the creation of all things, also of man and woman. Details of the creation of man and woman as well as the establishment of marriage are presented in the expanded account of Genesis 2. They are clearly among the "good and perfect gifts" lovingly given by God for the joy and benefit of mankind.

"The LORD God said, 'It is not good for the man to be alone. I will make a helper suitable for him'" (Genesis 2:18). After repeated announcements that God's creation was "good" (Genesis I), this divine

declaration catches our attention: "For Adam no suitable helper was found." The loving Creator had not yet completed his chosen work on behalf of the man. No complementary companion, no helping partner was found. The account of the formation of the woman is then related, culminating in the man's joyful response: "This is now bone of my bones and flesh of my flesh; she shall be called 'woman,' for she was taken out of man" (Genesis 2:23). The man immediately recognized and rejoiced in God's good and perfect gift for him.

The opportunity for men and women in general to recognize those of the other gender as complementary partners in life remains evidence of God's love for us. The opportunity for a particular man and a particular woman to enjoy each other in a unique, one-flesh integration of lives is likewise a gift of love from the Creator. The establishment of marriage provided this opportunity.

Genesis 2:24 is the seat of doctrine for marriage in Holy Scripture. Christ in Matthew 19 and Mark 10 regards it as the instituting and regulating word of God on marriage. Marriage is a union that God brought about. Thus this word is not merely prophetic or descriptive of what will happen, but prescriptive, because it reveals the will of God concerning the relationship of man and woman. Whether these words were spoken by Adam is not clear. If they were, they were spoken in the perfection of the image of God and perfectly reflect God's will. If given through Moses, they serve as God-breathed truth.

From these accounts in Genesis we learn a number of basic truths. One is that marriage is for one man and one woman. All other unions: one man and two or more women, or two women, or two men, are perversions of God's creating and instituting will.

Another basic truth is that God instituted marriage. God brought man and woman together. Marriage is therefore unique among all human relationships; it is a lifelong union established by God. All other human relationships are established solely by human promises and may be dissolved by human decisions.

Third among the basic truths taught by this account in Genesis is that blessings for all society flow to and through the marital union. Procreation and dominion provide for both the preservation and orderliness of the human race. Marriage is the foundation on which God builds and blesses society. In Eden the marriage of Adam and Eve constituted the elements of society that since the fall are divided into family, church and government.

Two things are essential for marriage: to leave and to be united. "Leaving" is the intent and action of separation. The intimate bond of the new marriage requires a degree of separation from the allegiance to and dependence on the previous parental bond. You cannot be united unless you leave. It is true, this leaving is often more of an emotional one than a physical one. Spouses will also continue to honor their parents even to the point of caring for them, if that becomes necessary. Though those planning marriage will respect parental counsel in regard to their impending marriage, marriage itself demands a "leaving" that makes it possible for a new family unit to be formed. The close physical, psychological and spiritual unity God intends for marriage requires a separation from all other ties that would keep this intimacy from expressing itself.

This action of leaving is a willing decision and action on the part of both individuals. It is also a public decision and action insofar as the man and the woman leave their fathers and mothers and establish a new family. In paradise "father and mother" represented all of society. Entering marriage is therefore a public action taken before family members, brothers and sisters in the Christian congregation, society and government.

The second step of marriage is "to be united." This action of being united with one's spouse is coordinate with the separation or leaving. The KJV translation is "cleave." The Hebrew verb (קָבַץ) suggests a "gluing," a close, inseparable bonding. Man and woman commit themselves to one, inseparable union. The mention of only the man suggests initiating, not unilateral action. While man and woman bring into their marriage their own identity, to be united (cleave) indicates a fusion of these identities while yet remaining individual persons. The result of such uniting (cleaving) is to be unity of goals and purposes.

This is also indicated by the words: "And they will become one flesh." The two become one. Marriage, the result of the willing and public separating and uniting, is to be a permanent union. This union includes sexual, psychological and spiritual closeness (Genesis 2:18,20-24; Proverbs 31:10-12; I Peter 3:7). Christian spouses express this union by companionship, nurture, mutual service, and spiritual care and concern for one

another (1 Corinthians 7:10-14; Ephesians 5:21,28,29). The enjoyment of sexual intercourse between man and woman, however, is to be reserved until after they are married. In fact, since the sexual union is a significant factor in becoming "one flesh," practicing it with anyone but one's wife or husband is gross immorality (1 Corinthians 6:15,16).

The establishment of this intimate relationship between Adam and Eve was intended not only for them, but for all time. Marriage is an enduring institution meant for the joy and benefit of every generation since their day.

### *The Permanency of Marriage*

Matthew 19:6: Therefore what God has joined together, let man not separate.

Romans 7:2,3: By law a married woman is bound to her husband as long as he is alive, but if her husband dies, she is released from the law of marriage.... If her husband dies, she is released from that law and is not an adulteress, even though she marries another man.

1 Corinthians 7:39: A woman is bound to her husband as long as he lives. But if her husband dies, she is free to marry.

God established marriage to be a permanent, lifelong commitment, a union that only God is to end. The death of one or the other marriage partner is God's own termination of this union. According to Scripture remarriage after the death of either partner is permissible, since marriage is a bond for this life only.

Matthew 19 shows that passages such as Romans 7 and 1 Corinthians 7, when they speak of the woman, do not apply only to her, but also to the man in the marriage relationship.

### *Divorce, a Violation of God's Will*

Deuteronomy 24: 1-4: If a man marries a woman who becomes displeasing to him because he finds something indecent about her, and he writes her a certificate of divorce, gives it to her and sends her from his house, and if after she leaves his house she becomes the wife of another man, and her second husband dislikes her and writes her a certificate of divorce, gives it to her and sends her from his house, or if he dies, then her first husband, who divorced her, is not allowed to marry her again after she has been defiled. That would be detestable in the eyes of the LORD.

Matthew 19:3-9: Some Pharisees came to him to test him. They asked, "Is it lawful for a man to divorce his wife for any and every reason?" "Haven't you read," he replied, "that at the beginning the Creator 'made them male and female,' and said, 'For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh'? So they are no longer two, but one. Therefore what God has joined together, let man not separate." "Why then," they asked, "did Moses command that a man give his wife a certificate of divorce and send her away?" Jesus replied, "Moses permitted you to divorce your wives because your hearts were hard. But it was not this way from the beginning. I tell you that anyone who divorces his wife, except for marital unfaithfulness, and marries another woman commits adultery." (Cf. also Mark 10:1-9; Luke 16:18.)

In the light of Jesus' interpretation of the Deuteronomy passage, the suggestion that this passage is a prescriptive allowance for divorce cannot be held. The words of Moses and Jesus require a formal writ of divorce as protection against the abuse of a man putting away his wife without formally stating a cause. This abuse offended the innocent wife and caused her to be branded an adulteress. Moses' allowance of civil divorce was a concession to the immorality of God's people and a desire to limit the offense of a man putting away his wife without a formal divorce decree. In no way do the words of Moses change God's will that marriage is to be permanent, that is, lifelong. To separate what God has joined together is a serious matter, a violation of God's holy will. Thus divorce writs were no more than a concession in Israel's civil law to the hardness of Israel's heart toward God's moral law. Jesus pointed back to Genesis 2:24 as God's prescriptive will concerning marriage and stated that man should under no circumstances break a marriage.

Marital unfaithfulness is a man's or a woman's way of wrongfully ending what only God should end.

Included in marital unfaithfulness (Gr. *πορνεία*) is the obvious sexual immorality of adultery, but also other sexual immorality such as homosexuality, lesbianism, incest, pederasty, pedophilia, bestiality—in other words, using sex that is to be restricted to one's marital partner with someone or something else. When marital

unfaithfulness has occurred, a public decree of divorce is not demanded, but permitted, since the marriage bond has been broken.

### *The Man-Woman Role Relationship in Marriage*

Ephesians 5:22-33: Wives, submit to your husbands as to the Lord. For the husband is the head of the wife as Christ is the head of the church, his body, of which he is the Savior. Now as the church submits to Christ, so also wives should submit to their husbands in everything. Husbands, love your wives, just as Christ loved the church and gave himself up for her to make her holy, cleansing her by the washing with water through the word, and to present her to himself as a radiant church, without stain or wrinkle or any other blemish, but holy and blameless. In this same way, husbands ought to love their wives as their own bodies. He who loves his wife loves himself. After all, no one ever hated his own body, but he feeds and cares for it, just as Christ does the church—for we are members of his body. "For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh." This is a profound mystery—but I am talking about Christ and the church. However, each one of you also must love his wife as he loves himself, and the wife must respect her husband.

I Peter 3:1,7: Wives, in the same way be submissive to your husbands so that, if any of them do not believe the word, they may be won over without words by the behavior of their wives.... Husbands, in the same way be considerate as you live with your wives (KJV: dwell with them according to knowledge), and treat them with respect as the weaker partner and as heirs with you of the gracious gift of life, so that nothing will hinder your prayers.

I Corinthians 11:11,12: In the Lord, however, woman is not independent of man, nor is man independent of woman. For as woman came from man, so also man is born of woman. But everything comes from God.

I Corinthians 7:1-9: Now for the matters you wrote about: It is good for a man not to marry. But since there is so much immorality, each man should have his own wife, and each woman her own husband. The husband should fulfill his marital duty to his wife, and likewise the wife to her husband. The wife's body does not belong to her alone but also to her husband. In the same way, the husband's body does not belong to him alone but also to his wife. Do not deprive each other except by mutual consent and for a time, so that you may devote yourselves to prayer. Then come together again so that Satan will not tempt you because of your lack of self-control. I say this as a concession, not as a command. I wish that all men were as I am. But each man has his own gift from God; one has this gift, another has that. Now to the unmarried and the widows I say: It is good for them to stay unmarried, as I am. But if they cannot control themselves, they should marry, for it is better to marry than to burn with passion.

These Scripture passages direct our attention to the proper and God-pleasing relationship between husbands and wives. "A husband is the head of his wife" because man was created first (Genesis 2:18; 1 Timothy 2:13); because the woman was created to be a helper for the man (Genesis 2:18; 1 Corinthians 11:9); and because the woman was created from the man (Genesis 2:21,22; 1 Corinthians 11:8). The Christian wife submits to her husband, even as the church submits to Christ.

Christian husbands love their wives, whether Christian or not, as Christ loves the church. This is a meaningful and sacrificial love, a love that is concerned about the total well-being and happiness of the wife. In dealing with their wives, Christian husbands are always to keep that in mind. Christian husbands love their wives also because they are one body, one flesh with them. Christian husbands, married to believing wives, cherish their partners not only because they are part of their body, but also because they are members with them of the body of Christ. The love and reverence Christian wives have for Christ leads them willingly to submit to their husbands as all believers submit to Christ as the head of the church.

The husbands to whom Peter wrote were Christian husbands. He reminded them to live with their wives according to the "knowledge" (Gr. γνῶσις) they had received from the Scriptures regarding the proper relationship between husbands and wives. According to this knowledge they will be considerate of their wives, described as the "weaker partners." This weakness may refer to her more delicate physical nature or to her husband's possible abuse of his authority in a sinful world (Genesis 3: 16). But in either case Christian husbands, led by God's word, will show their wives the consideration and thoughtfulness that God intends for the wife as the weaker partner.

Christian husbands will also honor their wives as co-heirs of "the gracious gift of life." When it comes to God's gift of spiritual life and eternal life, there is no difference between man and woman, husbands and wives

(Galatians 3:28). And only as Christian husbands continue to deal with their wives according to the knowledge of God's word can they expect their prayers to be heard and their worship to be acceptable. When husband and wife heed what Scripture teaches, their marriage according to God's desire will be one of a mutual meeting of needs and of unselfish caring and concern, honor and respect for one another.

### *God's Hatred of Divorce*

Malachi 2:16: "I hate divorce," says the LORD God of Israel.

By "divorce" God in this passage means the actual breaking of a marriage, not just the written, formal public decree of the break.

Marriage is God's institution. It is sacred and inviolable. Therefore God hates divorce-any divorce and every divorce. God hates it, because divorce always involves sin. That God hates divorce must be clearly taught to all, especially called to the attention of those who are contemplating breaking up a marriage and to those who have actually broken a marriage.

However, since divorce and a writ or certificate of divorce are not the same thing (Jeremiah 3:8), the spouse sinned against may secure a legal divorce and not be guilty of breaking the marriage. Such action is not hated by God. But the guilty partner faces the God who said, "I hate divorce," and recorded that fact.

### *Malicious Desertion*

I Corinthians 7: 10-15: To the married I give this command (not I, but the Lord): A wife must not separate from her husband. But if she does, she must remain unmarried or else be reconciled to her husband. And a husband must not divorce his wife. To the rest I say this (I, not the Lord): If any brother has a wife who is not a believer and she is willing to live with him, he must not divorce her. And if a woman has a husband who is not a believer and he is willing to live with her, she must not divorce him. For the unbelieving husband has been sanctified through his wife, and the unbelieving wife has been sanctified through her believing husband. Otherwise your children would be unclean, but as it is, they are holy. But if the unbeliever leaves, let him do so. A believing man or woman is not bound in such circumstances; God has called us to live in peace.

In verses 10 and 11 the apostle is addressing husbands and wives who are Christians. They recognize that they are bound by the Lord's word that forbids divorce except for marital unfaithfulness. When a husband or a wife separates or divorces for reasons other than marital unfaithfulness, they must remain unmarried or else be reconciled with their spouse. Marriage to another person would make reconciliation impossible, and a Christian couple will make every effort to be reconciled.

In verses 12-15 the apostle addresses the case of a Christian man or woman who is married to an unbelieving spouse. That in itself is never a reason for terminating the marriage. But if the unbelieving spouse abandons the Christian spouse by leaving or by sending the believing spouse away, what is the Christian spouse to do? The apostle's answer is clear: "A believing man or woman is not bound in such circumstances." "In such circumstances" refers to such situations where the unbelieving party has clearly made living the marital union impossible. The marriage commitment has been broken.

The Scriptures speak of the "deserter" as an unbeliever. This also applies to one who professes to believe, but becomes guilty of desertion, knowingly and willfully continuing in the sin ("malicious desertion"). Such a spouse's unbelief becomes evident by the lack of repentance. Concerning this Dr. Luther wrote: "What St. Paul here says of the heathen spouse is to be understood as applying also to the false Christian." Spouses who thus break their marriage lose their status as Christians because they are guilty of perpetrating a sin without repentance.

We use the term "malicious desertion" to describe what Paul here says is the willful leaving of one's marriage partner. We must be careful not to use this term in a broad way to cover the many reasons not in agreement with Scripture that are given for breaking a marriage.

### *Jesus on Divorce*

Matthew 5:31,32: "It has been said, 'Anyone who divorces his wife must give her a certificate of divorce.' But I tell you that anyone who divorces his wife, except for marital unfaithfulness, causes her to become an adulteress, and anyone who marries the divorced woman commits adultery."

In his Sermon on the Mount Jesus tells us what a man does to his wife who is not guilty of marital unfaithfulness when he divorces her, and what he does to the man whom she marries. While the Pharisees allowed divorce on the basis of the Mosaic concession, Jesus disallowed it but for one exception, "marital unfaithfulness." In the case Jesus talks about, the man sins by breaking his marriage on non-Scriptural grounds. The wife was not guilty of marital unfaithfulness.

The NIV translation gives an improper understanding of the verse when it translates "causes her to become an adulteress, and anyone who marries the divorced woman commits adultery." In the case of the woman we have an aorist passive (Gr. *μοιχευθήναι*) and that is better translated: "causes her to appear as an adulteress." In the case of the man who marries her the verb form used is *μοιχᾶται* (Gr. *μοιχᾶται*), which may be middle or passive. The context favors the latter. The man is also looked upon as an adulterer. The GWN (God's Word to the Nations) translation is a proper rendering of this verse: "But I tell you that everyone who divorces his wife, except for the fact that she has been sexually unfaithful, causes her to be looked upon as an adulteress, and whoever marries a divorced woman is looked upon as an adulterer." A man who divorces his wife for unscriptural reasons not only sins by getting an unscriptural divorce, but also by making her and the man she marries look like adulterers.

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

Here we have a parallel to Matthew 19:3-10. One thing is added, however. In these words recorded by the Evangelist Mark, Jesus points also to the woman as an adulteress who divorces her husband who has not been guilty of adultery. "And if she divorces her husband and marries another man, she commits adultery." What Scripture says concerning marriage and divorce applies to women as well as to men.

Also note the words "against her" in verse 11. The man who divorces his wife who has not been unfaithful "commits adultery against her." This again points to the abandoned wife who is looked upon as an adulteress as the victim (Matthew 5:31,32).

### *Christian Discipline*

I Corinthians 5:1-13: It is actually reported that there is sexual immorality among you, and of a kind that does not occur even among pagans: A man has his father's wife. And you are proud! Shouldn't you rather have been filled with grief and have put out of your fellowship the man who did this? Even though I am not physically present, I am with you in spirit. And I have already passed judgment on the one who did this, just as if I were present. When you are assembled in the name of our Lord Jesus and I am with you in spirit, and the power of our Lord Jesus is present, hand this man over to Satan, so that the sinful nature may be destroyed and his spirit saved on the day of the Lord. Your boasting is not good. Don't you know that a little yeast works through the whole batch of dough? Get rid of the old yeast that you may be a new batch without yeast—as you really are. For Christ, our Passover lamb, has been sacrificed. Therefore let us keep the Festival, not with the old yeast, the yeast of malice and wickedness, but with bread without yeast, the bread of sincerity and truth. I have written you in my letter not to associate with sexually immoral people—not at all meaning the people of this world who are immoral, or the greedy and swindlers, or idolaters. In that case you would have to leave this world. But now I am writing you that you must not associate with anyone who calls himself a brother but is sexually immoral or greedy, an idolater or a slanderer, a drunkard or a swindler. With such a man do not even eat. What business is it of mine to judge those outside the church? Are you not to judge those inside? God will judge those outside. "Expel the wicked man from among you."

Here is an example of the sin of "sexual immorality" that calls for discipline. The congregation at Corinth had a case of incest. The Apostle Paul admonished the congregation to deal firmly with the guilty party. In their "grief" over this man's sin and out of love for his soul they should have handed this man "over to Satan,"

not just to get rid of him, to clean house, but that his "sinful nature may be destroyed and his spirit saved on the day of the Lord." Repentance, forgiveness, faith, salvation should have been the goals. That was their obligation and duty as a Christian congregation. But they had not carried it out.

The apostle warned what could happen, if they continued to boast of their liberalism, their toleration, their openmindedness, their indecisiveness toward the manifest sin in their midst. "Don't you know that a little yeast works through the whole batch of dough?" If they did not discipline the man guilty of "sexual immorality," they would become involved in the guilt of the act. They would be giving offense by tolerating such a manifest sin. It would be like giving their stamp of approval. They would be doing a disservice to the man, to themselves and to outsiders. It could lead to permitting and condoning any and every sin.

The motivation for taking action is stated in these words, "For Christ, our Passover Lamb, has been sacrificed." Since Christ had been slain for them and his blood had blotted out their sins, how could they be unconcerned about any fellow member who continued to live in sin?

From what the apostle writes in this chapter it is obvious that we too are to discipline (cf. Matthew 18: 15-17) a professing brother or sister who is guilty of adultery or malicious desertion. Their sins dare not be condoned. If we do nothing, we give offense, cause others to stumble in their faith. Action is to be taken in order to lead the impenitent sinner to realize the guilt of his sin before God so that he may repent and lead a godly life—or in the words of Paul: "that the sinful nature may be destroyed and his spirit saved on the day of the Lord."

### *Remarriage*

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

I Corinthians 7: 15,39: But if the unbeliever leaves, let him do so. A believing man or woman is not bound in such circumstances.... A woman is bound to her husband as long as he lives. But if her husband dies, she is free to marry anyone she wishes, but he must belong to the Lord.

That remarriage after the death of a spouse is permitted is beyond question in Scripture. Marriage is a bond for this life only, and death is God's own termination of the covenant that he himself sealed. It should be noted, however, that the NIV translation of I Corinthians 7:39 is restrictive beyond what the Greek text states. The Greek does not say that the man a Christian woman marries must "belong to the Lord," that is, be a believer. Not the object of her remarriage must be in the Lord, but the action of her remarriage. She will take the Lord's will into consideration for her new marriage.

The moral propriety of remarriage after a divorce decree is not specifically treated in Scripture. It is clear that the conscience of the offended party in the breaking of a marriage should not be bound. St. Paul writes in regard to the desertion of the unbelieving spouse, "A believing man or woman is not bound in such circumstances; God has called us to live in peace." The offended party is free to remarry. By implication Jesus' words allow the same conclusion in Matthew 5:32. With his clause of exception, "except for marital unfaithfulness," Jesus allows that a divorce decree may properly be obtained by the offended party because the marriage was broken by marital unfaithfulness.

The question of remarriage for the guilty or offending parties in marriage breakups and divorce actions does not receive explicit treatment in the texts about marriage and divorce. Many other biblical teachings and truths must be applied when sin so complicates human lives. A study of repentance, faith, fruits of repentance, public offense and church discipline is required to give proper evangelical counsel and to lead Christians to God-pleasing actions.

## *Principles*

### *Institution*

1. God instituted marriage at creation (Genesis 1:28; 2:22-24).

God instituted, and also blesses and preserves, marriage. Thus marriage is not only a relationship between husband and wife, but also a relationship between both husband and wife and God. A right relationship with God promotes a right relationship between husband and wife (Ephesians 5:22-33).

2. God's institution of marriage is valid for all time (Matthew 19:6).

God's institution of marriage is not a historically isolated decree separate from the reality of the present day. Marriage is not merely a social phenomenon subject to the moral whims of an evolving society, but is part of God's order of creation. Even today it is God who joins husband and wife together.

3. God who instituted marriage reserves for himself alone the right to define, regulate and terminate marriage (Genesis 2:24; Malachi 2: 16; Matthew 19:4-6; Hebrews 13:4).

God defines and regulates marriage in his word. Marriage is terminated without sin only when God himself takes back the soul of one of the spouses. For a proper understanding of marriage: what it is, what it is for, and when it ends, believers turn to the word of God. The laws of the government, the customs of society, the practices of religious groups and the advice of secular counselors must all be viewed in the light of the word of God, for Christians are bound to that word.

### *Essence*

4. God establishes a marriage a) when one man and one woman (Genesis 1:27,28; 2:22-24; Matthew 19:4-6), b) both of whom are truly free to marry in God's eyes (Matthew 19:4-6; Romans 7:2; I Corinthians 7:10,11,39), c) willingly make known their promises to live together as husband and wife for life (Genesis 2:24; 24:58; Matthew 19:6; Romans 7:2; I Corinthians 7:39; Mark 10:9).

a) The marriage bond and the sexual contact that expresses marital unity are only for one man and one woman. All other sexual relationships, including polygamous, incestuous and homosexual, are contrary to God's will (Leviticus 18:22,23; 20:10-17,19,20; Romans 1:24-32; I Corinthians 6:9-11; I Timothy 1:10).

b) God requires that both the man and the woman entering into marriage be free to marry, that is, be truly single (Mark 10:11,12; Romans 7:2). This means that they must not be married to or involved in an illicit relationship with someone else (I Corinthians 6:16). Truly single are those who have never been married, those who have been previously married but whose spouse is deceased, those who were the offended party in a divorce, and the offending party who has repented and sought reconciliation.

c) Marriage consists of one man and one woman who make known their promises to live together as husband and wife for life. This is the essence of marriage. The sexual union itself does not create the marriage, nor do compatibility, expressions of mutual love and companionship, or the bearing and rearing of children. These are aspects of marriage God graciously gives to couples, as he chooses and as they live out their chosen vocation, but are distinguishable from the stated commitment (vows) that bring marriage into existence.

God's establishment of marriage as a lifelong union requires commitment (Genesis 2:24; Matthew 19:6; Ephesians 5:22-33). The most important quality in a marriage partner is faithfulness. Commitment to lifelong union keeps a marriage intact. Those who intend to enter marriage do well to look for this quality above all else in their prospective partner. External appearance, compatibility, romantic love are desirable, but commitment is the heart of a stable marriage. This quality of commitment is enhanced by faith in God (Genesis 2:23; Proverbs 31:30; Ephesians 5:25,33; I Peter 3:3-5). Thus the key element in maintaining mutual love between marriage partners is faith in God and a love for his calling and gift that led to the joining of the couple.

Because God made marriage a lifelong union, all conditional arrangements for a man and a woman to live together are contrary to God's will. Living as husband and wife without the commitment to lifelong union is sinful. As homosexuality attacks the one-man-one-woman aspect of the essence of

marriage, so cohabitation without marriage denies God's requirement for making known the willing promise for lifetime faithfulness. Any conditional arrangement for living together without lifetime commitment is sexual immorality. Cohabiting as if husband and wife denies God the right to define the marriage he instituted and distrusts God's ability to preserve and bless what he established. It is rightly described as living in sin.

### *Purpose*

5. One of God's purposes in instituting marriage is the mutual companionship and love of husband and wife (Genesis 2:18,23,24; Ecclesiastes 9:9; Proverbs 12:4; Colossians 3:19).

The husband is to care for his wife as Christ does for the church (Ephesians 5:28,29). The wife is to be a suitable helper for her husband (Genesis 2:18). The one-flesh relationship that God establishes in marriage serves this purpose. This loving companionship is a purpose and product of marriage, not a part of its essence. Because of human sinfulness, it will be expressed in degrees short of perfection and may be entirely absent at times; yet its imperfection or even its absence does not itself break a marriage.

In a Christian marriage this companionship includes mutual spiritual care, concern, support, encouragement and example for one's spouse (1 Corinthians 7:12-16; Ephesians 5:21--23,28,29; Colossians 3:19; 1 Peter 3:1,2,7). This companionship will be carried out in accordance with the roles God established at creation: the husband is the head and the wife is the helper.

6. Another of God's purposes in instituting marriage is to provide the blessing of children and the context of the family to care for those children (Genesis 1:28; 9:1; Psalm 127:3-5; 128; Mark 10:14; Ephesians 6:4).

The same selfless love and sacrifice that nurture marriage also serve to bring children up "in the training and instruction of the Lord."

The joining of a man and a woman in marriage, with their sexual union, is God's chosen way for them to receive the gift of children. While God governs the distribution of this gift and marriage partners may remain involuntarily childless, we still recognize procreation as one of God's purposes in marriage. Refusal to acknowledge God's blessing of children as one of his purposes for marriage is a spiritual weakness. Such weakness is not in itself an impediment to marriage, nor is it a cause for breaking a marriage. However, Christians entering marriage who express an intention to have no children should be counseled on the basis of Scripture.

The Christian approach to birth control and family planning will be guided by the knowledge of God's desire and promise to bless marriage with children. Children are God's blessing. The use of contraceptives will be guided and limited by the principles of moral law (Commandments 5, 6, 7, 8, 10—and thus the refusal of all abortifacient agents). The individual Christian conscience will apply the law of God to the circumstances pertaining to the physical and mental health of the spouse. Christians will also weigh the stewardship of their resources for raising children over against the covetous and selfish desires natural to the flesh, as they prayerfully ponder God's will for their family.

7. After the fall into sin a subsequent purpose God has for marriage is the promotion of sexual purity (Matthew 5:27,28; 1 Corinthians 6:12-20; 7:2-6; 1 Thessalonians 4:4,5; Hebrews 13:14).

The enjoyment of sex in marriage is a natural expression of the "one flesh" companionship. The practice of sex in marriage is also a God-given "marital duty" (1 Corinthians 7:3) that helps quench the temptations to sexual sins in thought (Matthew 5:28), speech (Ephesians 4:29; 5:4) or actions (Ephesians 5:23; 1 Corinthians 6: 12-20). Sexual fulfillment as an expression of marital companionship, apart from the intent or desire to procreate, is also God-pleasing.

### *Termination*

8. Marriage ends in a God-pleasing way only when one of the partners dies (Romans 7:2; 1 Corinthians 7:39).

Because marriage is a lifelong union established by God, only God has the right to terminate it. God does this through the death of one of the spouses. The death of a spouse is the only God-pleasing way in which a marriage is terminated.

Jesus taught that marriage is for this life only (Luke 20:27-36). Thus the death of a spouse releases the surviving partner from the marriage, and he or she is free to remarry (Romans 7:2,3; 1 Corinthians 7:39).

9. God hates divorce (Malachi 2:13-16; Jeremiah 3:1; Matthew 19:8,9).

This unpopular truth, enunciated in Scripture in many different ways, must be proclaimed to Christians, since they also are sinners and are surrounded by a contrary pagan mindset. Divorce always involves sin. At least one partner is guilty of the specific sin of breaking the marriage. Today complicity in divorce often involves both partners in sin.

Society is its own witness that divorce creates more problems than it solves. It divides families: spouses, children, grandparents, in-laws. It is usually an economic hardship for one or both spouses. It can damage children spiritually and psychologically, leave them without parental role models, create insecurity and may make them feel guilty for the sins of their parents. It may bring loneliness to the separated spouses that often impels them to engage in sinful relationships or to enter into another equally unstable marriage. It may leave all involved with a lifelong sense of failure.

Though God hates divorce as he hates all sin, yet it is equally true that God is a God of love. His love is reflected by us in our compassion for the innocent victims of divorce. A careful translation of Matthew 5:32 reveals Christ's great compassion for victims of divorce. God's love is also reflected by us in willingness to extend his forgiveness to those who repent of their sin of breaking a marriage and are willing to bring the fruits of repentance.

10. Marriage is sinfully ended a) by a spouse who engages in sexual intimacy outside of marriage and b) by a spouse who maliciously deserts his or her partner.

a) A spouse who engages in sexual intimacy outside of marriage violates the one-flesh commitment of faithfulness and thus breaks the marriage. The sexual intimacy that breaks a marriage is physical adultery or coital contact. Incest, homosexuality, pederasty, sodomy and bestiality also constitute an adulterous relationship.

b) Marriage is sinfully ended by a spouse who maliciously deserts his or her partner. The word Paul uses (1 Corinthians 7:15) to describe desertion means "to divide" or "to separate oneself from." Thus desertion can be the actual departure of a spouse or the forcing of a partner to leave. It includes the possibility of a spouse who does not physically leave, but makes it impossible for the partner to stay, as might happen with persistent physical abuse. It certainly also refers to the unbelieving spouse seeking a divorce for non-scriptural reasons and being unwilling to return. "In such circumstances" (1 Corinthians 7:15) includes all cases where the essence of the one-flesh commitment is broken.

Christians must be careful not to follow the world in using malicious desertion as a catchall excuse to seek a divorce for any and every dissatisfaction with their marriage. Scripture demands patience, love, sacrifice, cross-bearing, prayer, forgiveness, toleration and long-suffering. Paul, for example, allows for the possibility of a period of abstinence (1 Corinthians 7:5) or even a period of separation (1 Corinthians 7:11). Christians and their counselors must avoid premature judgment and before contemplating divorce must be convinced that malicious desertion has actually occurred. They must act with a clear conscience (Romans 14:23).

Malicious desertion occurs when an unbelieving spouse unilaterally, willfully and permanently breaks the one-flesh commitment. The unbelieving spouse may even be a professing Christian who knowingly and willfully continues in sin. Refusal of sexual intercourse, abortion, prevention of pregnancy, physical abuse, mental cruelty, incompatibility of temperament, non-support, drug and/or alcohol addiction are a prevention of or an interference with God's gracious purpose for marriage. Though they do not in themselves set aside the essence of marriage, they may nevertheless become

supporting evidence that malicious desertion has taken place. The spouse who deserts is an unbeliever (I Corinthians 7:15). Such a person must be excluded from the church as an adulterer or an adulteress (I Corinthians 5: 1,9-13).

Paul is not adding a second exclusion to Jesus' exception of marital unfaithfulness, when he says that desertion ends a marriage. Sexual contact outside of marriage and desertion both break the marriage because they destroy the essence of marriage. Sexual intimacy outside of marriage breaks the one-man-one-woman bond. Desertion likewise breaks the lifelong commitment.

Incompatibility is a general term used to include many reasons people give for breaking up their marriage when there has been no marital unfaithfulness or desertion. Divorce on the basis of such incompatibility is sin. The same is true of "no fault" divorce in which the spouses do not see marriage as an unbreakable, God-made bond and desert each other by common consent.

Victims of broken marriages are to forgive their sinful partners and, if circumstances warrant, are encouraged to reestablish their marriages. Spouses who do forgive their sinning partners and reestablish their marriages may not at a later time claim their partner's original offense as grounds for divorce.

### *Remarriage*

11. Remarriage is governed by the same essential elements as marriage: one man and one woman, both free to marry, willingly making known their promise to live together as husband and wife for life. Remarriage is permitted by God, when the one who was married previously is truly free to marry. This may occur a) when the marriage bond has been dissolved through death (Romans 7:2), b) when a spouse has been the victim of a wrongful divorce (1 Corinthians 7:15), and c) when the guilty party is penitent and has sought reconciliation (Luke 3:8).

There is no question at all that those whose spouses have died have the privilege of remarrying. The reality of divorce, however, inevitably leads to the question of remarriage on the part of those whose marriage was broken.

It is not always possible to effect a reconciliation when a marriage bond is severed due to sin. God encourages but does not insist that an abandoned partner receive the former spouse back.

An abandoned husband or wife is therefore free to remarry should that be perceived under God as his or her new calling or vocation.

While the words of Matthew 5:32 have been understood by some as a prohibition of remarriage, a more accurate translation of the passage (see page 14) shows that such a remarriage is not to be termed adultery, but as an act that might be viewed as adulterous by others. This is unfortunately another price exacted by broken marriages. The subsequent marriage, however, is acceptable before God and God's people.

Also Christ's words in Luke 16:18 have led many to look upon God's will as being categorically opposed to remarriage. Note, however, that the specific circumstances are not mentioned by the Lord. Comparing these words of his with other statements made by him indicates that undoubtedly both partners sinned in dissolving their marriage, did so with remarriage in mind, and thus entered their new marriages with the guilt of adultery.

In the case of the spouse who sinfully ended a marriage by adultery or desertion, we first and foremost look for repentance. With repentance we also anticipate a genuine desire to restore the broken relationship, if possible. Should this be truly impossible, there seems to be no categorical prohibition that prevents the repentant person from remarrying. This assumes, however, that, as far as one can observe, the repentance is genuine and the attempt at reconciliation is equally genuine. In other words there can be no "planned" repentance, for that is no repentance at all. The repentant person must also have the intention of living a godly life in the new marriage bond.

## *Practical Applications*

### *1. Teaching God's People*

In a society that has a lax view of marriage and divorce it is vital to teach our congregations what the Bible says about such subjects as marriage and divorce, the Christian life, love and forgiveness (2 Timothy 4:2,3). In fact, the need to educate our congregations on what Scripture says on these subjects cannot be emphasized too much. Since it is a sad fact that many in our congregations do not appear to be fully convinced of what the Bible says on these subjects, we need to repeat and repeat: "What God has joined together, let man not separate."

It is vital to lead all members of our congregations to understand the scriptural ideal of marriage. And they will as they call to mind the loving relationship between Christ and his bride, the church. When each husband "loves his wife as he loves himself," and when the wife respects her husband, imperfect as he may be in his efforts to take care of her, there will be a happy marriage.

To achieve this we will use all possible means—our sermons, our educational agencies, our various organizations, our personal contact with our members. We will encourage all our members to attend church regularly, to participate in Bible classes and to do personal Bible study. We will also teach parents to know and to express their roles, not only as spouses, but also as parents. We will train our children by giving them a clear picture of God's will. In this present world they cannot learn too young. The Lord who has laid this responsibility upon us will also support us and guide us as we carry it out.

### *2. Dealing with Prospective Members*

We will teach prospective members who may be divorced, remarried or living together outside of marriage, that a commitment to Christ is the most important thing. Only after we have nourished that commitment may we expect the appropriate fruits of faith (Matthew 12:33; 2 Corinthians 5:14-18; Ephesians 4:21-24).

### *3. Premarital Counseling*

Formal and intensive premarital counseling is urgently needed. In premarital counseling we have an opportunity to discuss what marriage is all about—not only in the secular sense, but as Scripture reveals it. In doing so we will explain what the essence of marriage is, with particular emphasis on commitment. Many who profess to be Christians unfortunately do not understand what a lifelong commitment implies. The same is true about love and respect. There are any number of couples who do not really understand what love is. They need to be reminded that love for one another must be rooted in the love God has for them. A significant cause for the failure of marriages is a misunderstanding of the concept love. Though love itself does not establish the marriage relationship, its presence is important if the marriage is to be a "good one."

### *4. Counseling Approach*

To enrich marriages and to foster healing between partners in troubled marriages, we will maintain the centrality of the gospel. When counseling, we will let those whom we counsel know that first and foremost we are concerned with their souls and with their relationship to their Savior. It is only in nurturing and guiding those whom we are counseling in that way that we will enable them to grow in marital commitment as well as in mutual love and respect. Forgiven and forgiving spouses will love each other as Christ loved them and gave himself for them.

Our purpose then goes beyond the restraining of sin and the furthering of external tranquility in the home and family. Sin is to be repented of and forgiven and in this way continuously removed as a destructive force that separates partners. Only the gospel can move spouses in a God-pleasing way to be kind, compassionate and forgiving by pointing them to God's prior forgiveness in Christ (Ephesians 4:32; 5:1,2).

In counseling marriage partners we will also caution them to recognize the biblical call to personal appropriation and application of God's word. Christian husbands and wives are to examine their own lives in the

light of the word and acknowledge individual accountability before God as having a far higher priority than seeking to change the marriage partner. It is so easy to focus on faults of the spouse instead of seeking God's grace and power to deal with personal shortcomings.

Christian counselors will offer those whom they counsel scriptural advice on loving communication, human sexuality and all other areas on which Scripture touches. They will, however, also be ready and willing to refer couples to secular counselors for advice in areas not specifically touched on in Scripture.

### *5. Dealing with Troubled Marriages*

The church stands ready with scriptural counseling to help spouses who have marital problems. This counseling is usually provided by the pastor, but may also be provided by other members of the congregation and by professional Christian counselors.

When we counsel spouses with troubled marriages, we are especially concerned about promoting reconciliation by zeroing in on commitment in marriage and the love and respect concepts (see No. 3). Those contemplating divorce are first of all to be encouraged to establish a closer relationship with God. We must seek to strengthen their commitment to the Scriptures.

Counselors may come to the conviction it would be best to allow some troubled couples to separate temporarily. But if they are not absolutely sure it is the will of God, it is important to wait. Christian counselors and married couples with doubting consciences must wait until the doubt is cleared up before they act, since Paul says, "But the man who has doubts is condemned if he eats, because his eating is not from faith" (Romans 14:23). This is particularly important because those dealing with troubled marriages often have difficulty in determining what is really going on between partners who declare their grievances against each other. Another reason for being cautious in recommending separation is that such separation in and of itself will not solve the marital problems, though it will give the partners time and opportunity to grow spiritually and focus on the issues. But there is the danger the couple may enjoy living apart and never get back together again.

In cases of mental abuse we need to remain alert to the emotional, physical and even spiritual damage that persistent mental abuse can cause. The abusers need to learn from Christ to love and respect their spouses. It may be necessary to encourage abusers to get professional help. In extreme cases separation may become a necessary option.

Physical abuse must be dealt with as soon as it becomes known. The abusers must be held responsible for their actions, for the Fifth Commandment condemns their conduct. Outside help may also be indicated, and separation may be an immediate need.

With increasing frequency the Christian counselor is confronted with the question whether persistent mental, emotional or physical abuse on the part of a marriage partner, drug and/or alcohol addiction, inadequate or sporadic financial support for the family, or physical violence in the home, are tantamount to desertion. Great caution should be exercised that I Corinthians 7:15 not be pressed into service as a license to dissolve the marital bond for insufficient cause. An abusive spouse certainly hinders the enjoyment of marriage and its purpose, but this does not necessarily indicate an abandonment of the marital bond itself. Such behavior, however, may be evidence of desertion should the offender unilaterally, willfully and permanently prevent the marriage from functioning despite admonition. Great care needs to be exercised in determining if this is so, and the emphasis of the believing partner will remain on seeking reconciliation and showing patience with forgiveness.

### *6. Dealing with Those Who Have Broken Their Marriages*

The church with its called pastor(s) needs to deal with broken marriages. If we do nothing, we give offense—hardening the guilty in their sin and leading others to commit the same sin by giving the impression that the church allows marriages to be broken (I Corinthians 5:1-13).

The church with its called pastor(s) should seek to bring to repentance the spouse who broke the marriage bond in a sinful way. The sinner who repents will be assured of the Lord's forgiveness (2 Samuel

12:13). The sinner who repents will also produce fruits in keeping with repentance (Luke 3:8). These fruits, we need to remember, are not a cause or condition of forgiveness, but a response of faith in God's forgiveness.

In seeking fruits of repentance we will keep in mind that the Scriptures do not specify the exact form they must take. Also to be noted is that since they are in the area of sanctification, they will never be perfect. In general, the fruit of repentance is to amend one's sinful ways. Out of love to God for his goodness in forgiving their sins, penitent sinners will fight against the sin repented of and will seek to restore, if possible, what sin damaged or ruined.

When it becomes evident that the person who has broken the marriage does not repent, excommunication is called for. Excommunication is the church's public announcement that the unrepentant by persisting in sin have excluded themselves from the kingdom of God. Only thus will such persons be faced with the magnitude of their sin, and—pray God—be moved to repentance.

### *7. Watching Ourselves*

In all of our dealing in these cases we will be careful to watch ourselves (Galatians 6:1-5). We will let the principles of God's word, not our feelings, guide us. Let us never be hasty in our dealing, if there is some uncertainty as to facts or conscience. Let us avoid judging a case or another pastor's or counselor's handling of it, when we may not have all the facts (Matthew 7:1,2). If we have questions about another pastor's or congregation's handling of disciplinary cases, let us lovingly approach them for information. To do otherwise would be to sin against them.

Love is our motive—love for God and his word; love for sinners, seeking to call them back to God and his word; and love for those who have been wronged, supporting them with the guidance and help of God's word.

"Who is equal to such a task?" (2 Corinthians 2: 16).

"Our competence comes from God" (2 Corinthians 3:5).