

PASTORAL THEOLOGY BRIEF: Scriptural Grounds for Divorce

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What are the scriptural grounds for divorce? The answer to this question seems simple. The scriptural grounds for divorce are unfaithfulness (πορνεία) and desertion (χωρ(ζ)ω). Jesus provides the unfaithfulness exception clause in Matthew 19 and the apostle Paul adds the desertion clause in 1 Corinthians 7.

But while we understand these biblical passages, we can struggle with the application. When we as pastoral counselors, together with our elders, assess whether a person has scriptural grounds for divorce, we discern whether it falls under one of these two categories. Is it a form of unfaithfulness or desertion?

As we wrestle with what Scripture says about divorce, we have to wonder whether this is the best approach. First of all, neither Jesus nor Paul specifically states that there are two and only two specific actions that violate and destroy the marriage bond. That is understandable since the Holy Spirit did not inspire dogmatic textbooks or pastoral theology manuals. He recorded real discussions in real life—a conversation Jesus had with the Pharisees and Paul’s written response to some questions about marriage raised by the Corinthians Christians.

However, two phrases that Paul uses in 1 Corinthians 7:15 can lead us to rephrase the way we speak about the scriptural grounds for divorce. The first is the phrase “in such circumstances” (ἐν τοῖς τοιούτοις). We note that Paul does not say “in this circumstance” which would limit it to the specific example he is addressing. The use of the plural allows for a broader application.

Paul himself helps us understand which circumstances he is talking about by the final phrase in this verse: “in peace has God called us” (ἐν δὲ εἰρήνῃ κέκληκεν ὑμᾶς ὁ θεός). To continue in marriage with such a person or to insist that such a person remain would not allow the believing spouse to live in the peace to which God has called him or her. Many commentators see this phrase as the one which defines the verse. David Prior states,

We must give proper weight to Paul’s words: God has called us to peace. For him this appears to be the overriding principle. Here Paul reminds Corinthians experiencing real stress and distress at home that the essential nature of God’s calling to each of them is

an invitation, indeed a summons, into a peace in which he wants them to dwell daily. This peace is not mere absence of strife or the end of bickering; it extends to cover the wholeness and the healing of all our relationships.¹

Simon J. Kistenmaker explains,

“God has called us to peace.” This is one of the fundamental principles in the New Testament. In the previous chapter Paul told the Corinthians not to go to court but by mediation to settle their differences peacefully (6:1-8). Now he recommends peace in marriage by forbidding divorce and promoting reconciliation. This does not mean peace at all cost, for the Christian spouse cannot abrogate his or her faith.²

Commentator John Peter Lange writes,

But in peace God hath called us. This is directly connected with the foregoing, and confirms still further the propriety of the injunction: “let him depart.” The determination to continue in marriage against the will of the other party would lead to hatred and strife, and this would be contrary to the peaceful character of the Christian calling.³

So Paul is not just speaking about this specific case of separation ($\chi\omega\rho\iota\zeta\omega$) that he refers to in this chapter. He is talking about circumstances where one spouse makes remaining in the marriage in a peaceful manner impossible, whether it involves a spatial separation or not.

In our WELS circles we have often understood these two phrases as having a broader application. In the pamphlet titled, *The Study of Marriage, Divorce, Malicious Desertion and Remarriage in the Light of God's Word*, the writer notes, “‘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.”⁴ Likewise David Valleskey understands “in such circumstances” as referring to situations “where it is impossible for the believing partner (the ‘brother’ or ‘sister’) to hold the marriage together, of which physical leaving is the example Paul cites.”⁵ In explaining the phrase, “God has called us to live in peace,” Valleskey suggests, “You could not

¹*The Message of 1 Corinthians*, Downers Grove, IL: Inter-Varsity Press, 1985, p. 128.

²*New Testament Commentary: Exposition of the First Epistle to the Corinthians*. Grand Rapids, MI: Baker Books, 1993, p. 227.

³*Lange's Commentary*, Grand Rapids, MI: Zondervan, 1960, p. 149.

⁴Prepared under the auspices of the Conference of President of the Wisconsin Evangelical Lutheran Synod, p. 14.

⁵*Dealing with Divorce in the Parish*, p. 11, available through WLS library essay file.

have peace if you insisted that the unbelieving partner remain. Rather there would be ongoing strife.”⁶

Both of these sources indicate that the main principle Paul sets forth is not “malicious desertion breaks the marriage bond.” Rather Paul is helping his readers determine whether one partner’s actions have unilaterally, willfully, and persistently made living in that marriage impossible. He then provides spatial desertion as an example. Paul realizes that it is not possible to live peacefully in a marriage when one partner leaves and refuses to return. But his words are broader in their application and would include other situations where one partner makes living peacefully in the marriage impossible.

What does all this mean for our ministry as pastoral counselors? First, it does not mean we have now justified divorce “for any and every reason” as the Pharisees suggested in Matthew 19. Such an approach would go contrary to what the Lord says in Malachi 2, what Jesus says in the gospels, and what Paul states in this chapter. Rather it means we alter the question we ask when faced with challenging situations in troubled marriages. Instead of asking, “Is one person guilty of some form of πορνεία or χωρίζω” we ask, “Has one person’s actions—unilaterally, willfully, and persistently—destroyed the marriage bond and made it impossible for the other partner to live peacefully in that marriage?”

Certainly these are not questions a pastoral counselor ponders on his own. He is wise to get the input of his elders. Together they can pray about the matter. Together they can struggle to apply the principles of Scripture in a difficult matter. Together they can wrestle with this key question.

A few examples can demonstrate why changing the question we consider is important. Suppose a husband is guilty of viewing pornography. One could argue that this is πορνεία and yet we know that simply looking at a woman lustfully is not scriptural grounds for divorce. While Jesus warns against such looking in Matthew 5:28 and labels it “adultery in the heart,” his words speak to mentally undressing a clothed woman—hardly scriptural grounds for divorce—as well as viewing pictures of a woman who is already unclothed. Yet when a husband has accessed numerous porn sites or viewed countless adult videos and has demonstrated a sinful pattern that he is not willing to change, one senses that he has violated the marriage bond. But rather than asking, “Is he guilty of the πορνεία that Jesus speaks about in Matthew 19, it seems wiser to ask, “Have his actions destroyed the marriage bond and made it impossible for his wife to live with him in peace?”

⁶*Ibid.*

Or suppose a man has emotionally abused his wife. He has never hit her or hurt her physically, but he has made repeated threats to do so. He has left a gun on the nightstand by her pillow in an effort to intimidate her into "submission." He has threatened to take the children away from her. He could argue that he is not guilty of *πορνεία* or *χωρίζω*. But one has to consider whether by his emotional abuse he has destroyed the marriage bond and made it impossible for his wife to live with him in peace.

Perhaps a woman refuses to have sexual relations with her husband. He is a loving and caring husband who has dealt patiently with his wife. There is no medical reason for her refusal to have sexual relations. Her pastor shares with her Paul's words earlier in the chapter, "Do not deprive each other except by mutual consent and for a time." Yet she persists in her actions. By her persistent refusal has she destroyed the marriage bond and made it impossible for her husband to live with her in peace? That is the question that pastors and elders have to consider.

God makes it clear what he thinks about actions that destroy a marriage bond: "I hate divorce" (Mal 2:16). As followers of Christ and leaders in the church we share this hatred of anything that destroys marriages. Yet as we manage the marital messes that we face in pastoral ministry, considering the right question can be helpful. As R. C. H. Lenski concludes,

To speak, as is generally done, of "two causes for divorce" is a mistake. In the first place, neither Jesus nor Paul discusses what we term "divorce," namely legal court action; both speak about what destroys a marriage. In the second place, just as a man may be murdered in various ways, the one frightful thing being that he is murdered, so no matter how a marriage is destroyed, the terrible thing is its destruction.⁷

As pastors we often struggle to say and do the right thing when faced with difficult divorces. Asking the right question can help us in this challenging task.

⁷*The Interpretation of 1 and 2 Corinthians*, Minneapolis, MN: Augsburg Publishing House, 1963, p. 295.