

Divorce in the Bible

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I welcome insights and comments on this topic. Please back them up by scripture and sound logic.

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I will add your good insights and corrections to this paper!

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Introduction:

Divorce is rampant in American Society and in the American Church. Traditionally the church has stood against divorce and especially against remarriage after divorce. This paper is an attempt to review the relevant scriptures in order to gain an understanding of God's will for those who are married, for those who are divorced and for those who are remarried. All scriptures are taken from the New King James Version (NKJV) unless otherwise noted.

Relevant Scriptures Discussed:

Genesis 2:18-25

And the LORD God said, "It is not good that man should be

alone; I will make him a helper comparable to him.” Out of the ground the LORD God formed every beast of the field and every bird of the air, and brought them to Adam to see what he would call them. And whatever Adam called each living creature, that was its name. So Adam gave names to all cattle, to the birds of the air, and to every beast of the field. But for Adam there was not a helper comparable to him.

And the LORD God caused a deep sleep to fall on Adam, and he slept; and He took one of his ribs, and closed up the flesh in its place. Then the rib which the LORD God had taken from man He made into a woman, and He brought her to the man.

And Adam said:
“This is now bone of my bones And Flesh of my flesh; She shall be called Woman, Because she was taken out of Man.” Therefore a man shall leave his father and mother and be joined to his wife, and they shall become one flesh.

And they were both naked, the man and his wife, and were not ashamed.

We see here God’s design for marriage – a man and woman come together sexually and are thereby ‘one flesh’. Jesus stated, “what God has joined together, let no man separate” (see Matt. 19 below). It is important to note that sex alone is implied without any mention of a ‘marriage’ ceremony or taking of vows. Adam and Eve had no one conducting a marriage ceremony and had no marriage certificate. They simply became ‘one flesh’. The original intention was that sex and marriage would be synonymous, equal terms. Only because of sin did the terms come to have such separate meanings.

Deuteronomy 24:1-5

“When a man takes a wife and marries her, and it happens that she finds no favor in his eyes because he has found some uncleanness in her, and he writes her a certificate of divorce, puts it in her hand, and sends her out of his house, when she has departed from his house, and goes and becomes another man’s wife, if the latter husband detests her and writes her a certificate of divorce, puts it in her hand, and sends her out of his house, or if the latter husband dies who took her as his wife, then her former husband who divorced her must not take her back to be his wife after she has been defiled; for that is an abomination before the LORD, and you shall not bring sin on the land which the LORD your God is giving you as an inheritance.

“When a man has taken a new wife, he shall not go out to war or be charged with any business; he shall be free at home one year, and bring happiness to his wife whom he has taken.

To divorce one’s wife, knowing full well she will remarry and have sex with another man and then to take her back is an abomination. This is where Jesus word’s “he causes her to commit adultery” apply. This is basically the sin of ‘wife swapping’ or ‘swinging’. Jesus acknowledged that Moses wrote this commandment. However Jesus showed logically that this was not God’s intention.

2nd Samuel 3:13-16

And *David* said, "Good, I will make a covenant with you. But one thing I require of you: you shall not see my face unless you first bring Michal, Saul's daughter, when you come to see my face." So David sent messengers to Ishbosheth, Saul's son, saying, "Give *me* my wife Michal, whom I betrothed to myself for a hundred foreskins of the Philistines." And Ishbosheth sent and took her from her husband, from Paltiel the son of Laish. Then her husband went along with her to Bahurim, weeping behind her. So Abner said to him "Go, return!" And he returned.

In 1st Samuel 18:27 King Saul had given Michal to David for a wife. But later, when Saul had caused David to flee and become an outlaw, Saul gave Michal his daughter, David's wife, to Palti. (1st Samuel 25:44).

Perhaps Saul justified giving Michal away due to David's disappearance, or because Saul considered David a felon and one deserving the death penalty according to the government. Thus Michal was "legally" remarried. However, David took her back from her second husband. The divorce granted by an unjust government, did not override David's right as her husband. He never gave her a certificate of divorce. Her new marriage was not valid and was only adultery, albeit perhaps in ignorance, especially on the part of her new husband. Thus it was annulled. Her new husband may have been liable to death, but found mercy, probably because he married her with a pure heart, not knowing her husband still existed.

In this passage we see a few principles found in other biblical passages. The first is that father's have the sole right to marry off their daughters. Second, only husbands are allowed to divorce. Even though Michal had been given by her father to a new husband, that marriage was not legitimate for David had never divorced her. The government has no right to override God's word, nor does anyone but the husband have the right to give a certificate of divorce.

Isaiah 50:1

Thus says the LORD: "Where *is* the certificate of your mother's divorce, Whom I have put away? Or which of My creditors *is it* to whom I have sold you? For your iniquities you have sold yourselves, And for your transgressions your mother has been put away.

Here the point that only a husband has the right to divorce is reinforced. The LORD is saying that he did not issue a certificate of divorce, that Israel is still his bride, even though she left on her own accord.

Jeremiah 3:8,14

Then I saw that for all the causes for which backsliding Israel had committed adultery, I had put her away and given her a certificate of divorce; yet her treacherous sister Judah did not fear, but went and played the harlot also...
..."Return, O backsliding children," says the LORD; "for I am married to you..."

Here we see adultery by the wife as grounds for her husband to divorce her. But we also see the LORD calling Israel back even though he had given her a certificate of divorce.

Hosea

The book of Hosea is an important example of a husband forgiving and adulterous wife and taking her back.

Malachi 2:13-16

And this is the second thing you do: You cover the altar of the LORD with tears, With weeping and crying; So He does not regard the offering anymore, Nor receive it with goodwill from your hands. Yet you say, "For what reason?" Because the LORD has been witness between you and the wife of your youth, With whom you have dealt treacherously; Yet she is your companion And your wife by covenant. But did He not make them one, having a remnant of the Spirit? And why one? He seeks godly offspring. Therefore take heed to your spirit, And let none deal treacherously with the wife of his youth. "For the LORD God of Israel says That He hates divorce, For it covers one's garment with violence," Says the LORD of hosts. "Therefore take heed to your spirit, that you do not deal treacherously."

God hates divorce. Divorce goes against God's will.

Matthew 5:31-32

"Furthermore it has been said, 'Whoever divorces his wife, let him give her a certificate of divorce.' But I say to you that whoever divorces his wife for any reason except sexual immorality causes her to commit adultery; and whoever marries a woman who is divorced commits adultery."

Jesus gives only one reason for a husband to divorce his wife – sexual immorality. He gives no reason here or elsewhere for a wife to divorce her husband. Many teachers in the modern era have expanded Jesus words to also allow wives to divorce their husbands for having sex with other women. However no where does the bible allow this. This is easily proved, since the bible allows husbands to have multiple wives, and even concubines, it is illogical to claim that a woman can divorce her husband for having sex with women besides her.

Notice also that Jesus does not say that a husband can divorce his wife for 'adultery' but rather for 'sexual immorality'. Sexual immorality is a broader term that can include prostitution. However Jesus may be saying that a husband can only divorce his wife if he discovers that she is not a virgin on their wedding night:

"But if the thing is true, [and evidences of] virginity are not found for the young woman, then they shall bring out the young woman to the door of her father's house, and the men of her city shall stone her to death with stones, because she has done a disgraceful thing

in Israel, to play the harlot in her father's house. So you shall put away the evil from among you.” (Deut. 22:20-21)

Jesus is here being more merciful than the Law of Moses, for under the law, the un-virtuous bride was to be stoned to death. Jesus allows the husband to simply put her away. Interestingly Jesus’ step-father, Joseph, was declared righteous when he planned to divorce Mary privately when he thought she was not a virgin.

Matthew 19:3-9

The Pharisees also came to Him, testing Him, and saying to Him, “Is it lawful for a man to divorce his wife for *just* any reason?” And He answered and said to them, “Have you not read that He who made *them* at the beginning ‘made them male and female,’ and said ‘For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh’? So then, they are no longer two but one flesh. Therefore what God has joined together, let no man separate.” They said to Him, “Why then did Moses command to give a certificate of divorce, and to put her away?” He said to them, “Moses, because of the hardness of your hearts, permitted you to divorce your wives, but from the beginning it was not so. And I say to you, whoever divorces his wife, except for sexual immorality, and marries another, commits adultery; and whoever marries her who is divorced commits adultery.”

His disciples said to Him, “If such is the case of the man with *his* wife, it is better not to marry.” But He said to them, “All cannot accept this saying, but only *those* to whom it has been given: For there are eunuchs who were born thus from *their* mother’s womb, and there are eunuchs who were made eunuchs by men, and there are eunuchs who have made themselves eunuchs for the kingdom of heaven’s sake. He who is able to accept *it*, let him accept *it*.”

Then little children were brought to Him that He might put *His* hands on them and pray, but the disciples rebuked them. But Jesus said, “Let the little children come to Me, and do not forbid them; for of such is the kingdom of heaven.” And He laid *His* hands on them and departed from there.

Even though modern preachers don’t like to say it, Jesus is here being very plain about marriage: The man to whom a virgin gives her virginity is her husband. The husband may not divorce her. However if the husband does divorce her, she is still an adulterous if she remarries. Again, if a woman marries another man while her first husband is still living, she is living in adultery. If her first husband divorced her for a frivolous reason (not sexual immorality), then he is to blame for ‘causing her to commit adultery’ (Matt. 5:31-32 – above)

Mark 10:2-13

The Pharisees came and asked Him, “Is it lawful for a man to divorce *his* wife?” testing Him.

And He answered and said to them, "What did Moses command you?" They said, "Moses permitted a *man* to write a certificate of divorce, and to dismiss *her*."

And Jesus answered and said to them, "Because of the hardness of your heart he wrote you this precept. But from the beginning of the creation, God 'made them male and female.' 'For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh'; so then they are no longer two, but one flesh. Therefore what God has joined together, let no man separate."

In the house His disciples also asked Him again about the same *matter*. So He said to them, "Whoever divorces his wife and marries another commits adultery against her. And if a woman divorces her husband and marries another, she commits adultery."

Then they brought little children to Him...

Mark's account is parallel to what we find in Matthew, with the addition of the case where a woman divorces her husband. The Law of Moses did not allow women to divorce. However governments of other countries had different rules. The gospel according to Mark is said to be the gospel to the gentiles. So logically Mark includes words of Jesus that would have bearing on gentile women whose pagan cultures allowed them to divorce. Jesus words to such women is simple: If a woman divorce her husband and remarries, she is living in adultery.

Notice also that Jesus here gives an additional definition for 'adultery' on the part of a husband – leaving his first wife to take a second. While polygamy was allowed, serial polygamy was not allowed in the bible. In fact the law of Moses protected the rights of a wife in a polygamous marriage (Exodus 21:10) and the children of the unloved wife in a polygamous marriage (Deut. 21:15).

The passage surrounding Exodus 21:10 is especially interesting, because it is talking about a concubine. The Law of Moses required the concubine to be set free if the master no longer was willing to give her the appropriate marital provisions. However here in the Gospel according to Mark, Jesus is saying that a husband who leaves his first wife to take a second is an adulterer. Jesus' teaching is self consistent – Earlier Jesus showed the provision in the Law of Moses is overridden by God's higher law and divorce is not allowed. Here he again shows that another divorce provision in the law of Moses is overridden by God's higher law. That law being that when a man takes a girl's virginity, he is married to her. No excuses. In fact in the Law of Moses, a man was even required to marry the girl whose virginity he took, whether she gave it under compulsion or willingly:

"If a man entices a virgin who is not betrothed, and lies with her, he shall surely pay the bride-price for her [to be] his wife. If her father utterly refuses to give her to him, he shall pay money according to the bride-price of virgins." (Exodus 22:16,17)

"If a man finds a young woman [who is] a virgin, who is not betrothed, and he seizes her and lies with her, and they are found out, then the man who lay with her shall give to the young woman's father fifty [shekels] of silver, and she shall be his wife because he has humbled her; he shall not be permitted to divorce her all his

days.” (Deut. 22:28-29)

These passages deal with an un-betrothed woman, since according to the law of Moses, marriage started at betrothal. This is evidenced by Jacob considering divorce in the case of pregnant Mary. They were only betrothed, but this had the same weight as marriage.

Luke 16:18

“Whoever divorces his wife and marries another commits adultery; and whoever marries her who is divorced from *her* husband commits adultery.”

Remarriage after divorce is called adultery here.

Romans 7:1-3

Or do you not know, brethren (for I speak to those who know the law), that the law has dominion over a man as long as he lives? For the woman who has a husband is bound by the law to *her* husband as long as he lives. But if the husband dies, she is released from the law of *her* husband. So then if, while *her* husband lives, she marries another man, she will be called an adulteress; but if her husband dies, she is free from that law, so that she is no adulteress, though she has married another man.

1st Corinthians 7:10ff

Now to the married I command, *yet* not I but the Lord: A wife is not to depart from *her* husband. But even if she does depart, let her remain unmarried or be reconciled to *her* husband. And a husband is not to divorce *his* wife.

But to the rest I, not the Lord, say: If any brother has a wife who does not believe, and she is willing to live with him, let him not divorce her. And a woman who has a husband who does not believe, if he is willing to live with her, let her not divorce him. For the unbelieving husband is sanctified by the wife, and the unbelieving wife is sanctified by the husband; otherwise your children would be unclean, but now they are holy. But if the unbeliever departs, let him depart; a brother or a sister is not under bondage in such cases. But God has called us to peace. For how do you know, O wife, whether you will save *your* husband? Or how do you know, O husband, whether you will save *your* wife?...

...(v39) A wife is bound by law as long as her husband lives; but if her husband dies, she is at liberty to be married to whom she wishes, only in the Lord.

Paul, in giving his personal opinion, seems to say that if the unbelieving spouse divorces because he or she doesn't want to live with a believer, then the believer is free to remarry. Although Paul never actually says they are free to remarry, he says they are not bound,

which implies free to remarry. Notice the use of the word 'bound' in v39 and in Romans 7. It is also important to point out that if the unbeliever is willing to stay, the believer is not to divorce. The unbeliever will act like an unbeliever, and the believer must not complain or use the unbeliever's behavior as an excuse for divorce. Paul gives no right of divorce to the believer here!

Paul is also answering an important question arising from the books of Ezra and Nehemiah, where the Jews were ordered to put away their foreign, pagan wives. Paul is here saying that the situation in those books is not to be applied in the church. In Ezra and Nehemiah, the Jews had intermarried with pagan people that God had told them to completely wipe out. Since the Jews at that period in history were not in a position to start wiping out the Canaanites again, the least they could do was to separate themselves from the Canaanites. The Corinthians are logically asking Paul if they are in the same situation and Paul says 'NO'.

In fact Israelites were allowed to marry foreigners but only from nations farther away from them and not from the Canaanites (Deut 20:14-18, and Deut. 21:10-14). The original passage about being unequally yoked falls right in the midst of the Deuteronomic passages about marriage, therefore the passage in 2nd Corinthians 6:14 that references Deuteronomy 22:10, cannot be used as a universal law against all marriages of believers to unbelievers. Deuteronomy allowed at the very minimum, the taking of concubines from foreign nations. However it might be argued that it only allows for concubines and not foreign wives. Support for such a view could come from Ezra prohibiting marriages to Egyptians (which were not forbidden in the Law) and also Solomon's marriage to the daughter of Pharaoh.

Conclusion

According to the scriptures, we can make the following conclusions:

1. Sex and marriage are meant to be synonymous.
2. Wedding vows and ceremonies are extras, but the essence of marriage is sex.
3. A woman is bound in scripture to the man to whom she gives her virginity.
4. Divorce is not allowed except that a husband may divorce his wife if he discovers sexual immorality. In the strictest sense this means that he can only divorce her if he discovers she is not a virgin on their wedding night. In a more liberal sense, this means that he can also divorce her if she later commits adultery.
5. Women were not allowed to divorce.
6. The man who divorces his wife for any other reason other than adultery and marries another commits adultery.
7. The woman who remarries after divorce commits adultery.

Implications for believers:

1. Stay married to your first spouse.
2. If a husband left his first wife for any reason besides sexual immorality, he should seek reconciliation.
3. It seems that if a woman has left her first husband, she should return to him, even if she has remarried. The second marriage is adultery and the first marriage is the only legitimate one. (see David and Michal above).

4. A woman who has never married but gave her virginity away should seek to marry the man to whom she gave it, unless her father forbids it. (For an example of the importance of virginity, see the story of Tamar and Amnon – 2nd Samuel 13. Also consider the story of Dinah and Shechem in Gen 34)

Frequently Asked Questions:

What if? (Excuses for Divorce):

A woman's husband has sex with another woman who is unmarried ("Cheats on his wife")?

Women were not allowed to divorce in Biblical culture and men in the Old Testament were allowed to have multiple wives at once. The believing wife should not leave her husband.

A husband has sex with another man's wife?

According to the Law (the books of Moses), such a man would be put to death and thus the woman would then be free to remarry. However David did this with Bathsheba, and was allowed by God to live upon his repentance. None of David's other wives were given the option to divorce him.

In 1st Corinthians 7:8-9 Paul advises the younger widows and unmarried to marry because of lack of self-control. This lack of self-control would logically exist also in divorced women.

These very desires are what should compel a woman to return to her husband. This is were God's ways, when firmly enforced, can result in desires driving someone to do good and be reconciled rather than to become an adulterer.

A woman's husband becomes a homosexual?

Under the Law, such a man would be put to death and thus the woman would have been free to remarry, just like any other widow. A wife in such a situation should remember that reconciliation is the goal, while taking steps to protect herself from HIV, etc...

A spouse commits a felony?

If the crime was worthy of death under the Law, then the spouse would be free to remarry once the offender was dead, just like any other widow. Other felonies, such as theft, assault, etc... are today punished by prison in America. Prison sentences, not only punish the offender, but also the innocent family members. This is an extremely difficult situation. But this is similar to a spouse who is persecuted for

being godly and is imprisoned for their faith. The believing spouse on the outside should not divorce the believer in prison.

A husband is verbally or emotionally abusive?

Divorce was never permitted for this reason. Such a spouse needs to be dealt with by the elders of the community.

A spouse is physically abusive – hitting their mate?

Divorce was not allowed for this reason either, but such a spouse was to be dealt with by the elders of the community. In such a case, a temporary separation may be necessary if the offender is a serious danger. However the goal should be repentance and reconciliation.

A spouse becomes seriously mentally ill?

No allowance is given in the scripture for divorce in this case.

A spouse becomes an alcoholic or drug user?

At some point a temporary separation may become necessary if this type of behavior becomes dangerous to the spouse or children, but this is still not an excuse for divorce, and especially not for remarriage.

Other Tough Questions for discussion:

Why should a woman who has slept around or even lived with a man sexually, be allowed to get married, yet a woman who marries as a virgin and then divorces, not be allowed to marry?

Actually the woman who has slept around is no more allowed to marry than the divorce woman. The man who took the virginity is the husband in both cases.

What should a woman do who wrongfully left her husband and then her first husband remarries? This woman may still have the desire for sexual relations and companionship, yet under today's laws she cannot return to her husband and according to the bible she cannot marry someone new.

Such a spouse should make her desire for reconciliation known to her first husband.

Similar to the above question – What should a woman do who either left her husband and then slept with another man or was divorced by her husband for committing adultery? If her husband will not take her back and the bible does not allow her to remarry?

She should continue to hope and strive for reconciliation to her first husband. A person who continues to strive for reconciliation will usually find it.

A woman divorces her husband against his will, marries another man and has children in this second marriage. Should she still have this second marriage annulled and try to return to her first husband? Under the law she would never have been allowed to divorce in the first place. Romans chapter 7 calls the second marriage adulterous and therefore the children are children of adultery. What should the repentant believer do? Obviously the law would call for the death penalty. Thank God we are not under the law! But neither are we lawless – grace is not an excuse to keep sinning, but motivation and ability to turn from it.

Here the story of Hosea sounds very similar. He was ordered to take back his wife who had been living as a prostitute.

Conclusion

Wives were never allowed to divorce in the bible. Husbands were only allowed to divorce if a wife commits adultery or is found to not be a virgin on their honeymoon night, and then only if she claimed to be a virgin by statement or by allowing her husband to think she was a virgin.

To marry a divorced woman is, according to Jesus' words in the gospels, adultery. To divorce a woman for reasons other than sexual immorality is to cause her to become an adulteress. If a woman divorces her husband and marries another man, she is living in adultery.

Those who have been divorced should seek reconciliation with their spouses. Those who have had 'cheating' spouses should give serious consideration to forgiving their spouses. Wives in particular may have to live with cheating husbands, since it is not biblical for a wife to divorce.

In cases of financial abuse, it may be sensible to file an official separation or even divorce the spouse, while at the same time being committed to them. (For example a spouse on drugs may drain the bank accounts to pay for the addiction). It must be remembered that civil marriage is basically a government arrangement for financial issues and child custody issues. I personally know a woman who had to divorce her husband in order to provide financial protection for her and her children (so his behavior wouldn't ruin them financially). She refused to remarry, since that was her husband, but used a legal divorce to break the government bond that could endanger her livelihood and her ability to support her children.

Bibliography

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