

Does God Condone

Marital Bliss

***After
Divorce?***

This paper attempts to answer the following questions:

- **What was God's original plan for marriage?**
- **What constitutes a “scriptural” marriage?**
- **What constitutes a “scriptural” divorce?**
- **What is a “non-Scriptural” divorce?**
- **Does God permit and sanction remarriage after a “non-scriptural divorce?”**

The Original Plan for Marriage

Genesis 2:21-24

“And the LORD God caused a deep sleep to fall upon Adam, and he slept: and he took one of his ribs, and closed up the flesh instead thereof; (22) And the rib, which the LORD God had taken from man, made he a woman, and brought her unto the man. (23) 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. (24) Therefore shall a man leave his father and his mother, and shall cleave unto his wife: and they shall be one flesh.”

There is no doubt that the original plan for humanity was for one man to remain married to one woman for life (and perhaps eternity if sin had not entered the world).

However, because after sin entered the world, humanity to inherit carnal flesh – a selfish mind – and the plan for the perfect marriage was ignored. Practices involving sexual relationships and marriage, became corrupt. God foresaw that drastic remedial action was required and He outlined again the perfect plan for marriage in the 10 commandments.

Exodus 20:14

"Thou shalt not commit adultery."

Despite receiving the 10 commandments, with the 7th commandment forbidding adultery, the Israelites required further clarification of the divine law of God.

Just as the "man of sin" tries today to change the law which identifies what constitutes a valid marriage, so anciently Satan engineered strategies to make marriage dishonorable and illicit unions 'legal', in the Israelites experience.

Moses was required to relay further instructions to the Israelites, regarding marriage, “for the hardness of their hearts.” Still, because of their association with pagan nations, their desire to imitate their practices, and the hardness of their hearts, the Israelites encountered difficulties remaining within the confines of the seventh commandment.

Deuteronomy 24:1-4

“When a man hath taken a wife, and married her, and it come to pass that she find no favour in his eyes, because he hath found some uncleanness in her: then let him write her a bill of divorcement, and give it in her hand, and send her out of his house. (2) And when she is departed out of his house, she may go and be another man's wife. (3) And if the latter husband hate her, and write her a bill of divorcement, and giveth it in her hand, and sendeth her out of his house; or if the latter husband die, which took her to be his wife; (4) Her former husband, which sent her away, may not take her again to be his wife, after that she is defiled; for that is abomination before the LORD: and thou shalt not cause the land to sin, which the LORD thy God giveth thee for an inheritance.”

Divorce was not the original plan for marriage, however it was in keeping with godly principles. It was absolutely necessary that the many discarded Israelite wives be provided opportunity for support through remarriage. The Mosaic law directed that a divorce certificate to be given to such women. Many Israelite men did not wish to conform to the perfect will of God and so God provided for the welfare of the discarded women – as He did for Hagar when she was sent out of Abraham's camp (Genesis 21).

In New Testament times Paul noted that marriage was still in the line of enemy fire.

1 Timothy 4:3 (Paul commenting on the man of sin)

“Forbidding to marry, and commanding to abstain from meats, which God hath created to be received with thanksgiving of them which believe and know the truth.”

The Roman Catholic Church was not the first institution to recognise annulments of marriage. The Jewish culture had legalised annulments also. Under Jewish traditional laws, if a woman was “barren” (produced no children) after 10 years of married life, she could also be “sent away” or annulled – not recognised as being legal.

Regarding lawful marriage, we read that only marriage to believers in the Israelite race were considered legal and sanctioned by God. Every marriage outside of God's guidelines were illicit and/or adulterous.

Did the Israelites believe that breaking God's 7th commandment was legal (not sinful) in some instances?

Exodus 23:32

“**Thou shalt make no covenant with them**, nor with their gods. (33) They shall not dwell in thy land, lest they make thee sin against me: for if thou serve their gods, it will surely be a snare unto thee.”

Exodus 34:12-16

“Take heed to thyself, lest thou make a covenant with the inhabitants of the land whither thou goest, lest it be for a snare in the midst of thee: (13) But ye shall destroy their altars, break their images, and cut down their groves: (14) For thou shalt worship no other god: for the LORD, whose name is Jealous, is a jealous God: (15) **Lest thou make a covenant with the inhabitants of the land**, and they go a whoring after their gods, and do sacrifice unto their gods, and one call thee, and thou eat of his sacrifice; (16) **And thou take of their daughters unto thy sons, and their daughters go a whoring after their gods**, and make thy sons go a whoring after their gods.”

Deuteronomy 7:2-4

“And when the LORD thy God shall deliver them before thee; thou shalt smite them, and utterly destroy them; thou shalt make no covenant with them, nor show mercy unto them:(3) Neither shalt thou make marriages with them; thy daughter thou shalt not give unto his son, nor his daughter shalt thou take unto thy son. (4) For they will turn away thy son from following me, that they may serve other gods: so will the anger of the LORD be kindled against you, and destroy thee suddenly.”

Regarding divorce and remarriage, Moses, in Deut 24, said that divorce involved 2 steps.

- the man was to cause a physical separation by sending the woman away (#07971 שלח shalach); and
- the man had to give the woman a divorce certificate in the presence of witnesses to indicate that the separation was with his consent and that it was legal and permanent – i.e. divorce.

If only the first step was taken, then the partners were not divorced. If only the first step was taken the result for the “sent away” woman, was disastrous.

The “first step only” – the “sent away” woman had to leave the family home without any financial support (except her wedding dowry); and without her children. Some husbands even refused to give the woman back her dowry, so she was completely without support. Commonly, a man would send the woman away, but would also refuse to give the woman a certificate of divorce.

This is a similar situation to that which Michal found herself in after she criticised King David for “dancing before the Lord.” David declared that from that point onward, she would bear no children for the rest of her life. While David did not divorce Michal, certainly he prevented her from having a normal married relationship with him. David was not punished in this new arrangement with Michal, for he had many other wives with which to continue a sexual relationship and to produce children. The punishment for Michal was intense. Childlessness was seen as a “curse” and carried with it the threat of an annulled marriage. It was the custom that after 10 years of a childless marriage, a husband could legally annul his marriage with his “barren” wife. Michal was made to be as a “barren” wife. Because of her enforced celibacy and corresponding childlessness, Michal decided to raise another woman's children – 5 sons - as her own. But David's declaration that Michal would be “childless” was not an empty promise. The king punished Michal dreadfully, when he agreed that her adopted sons should be handed over to the Gibeonites to be murdered for political purposes. All five of Michal's adopted sons were murdered as political scapegoats for Saul's prior crimes against the Gibeonites at David's decree (2 Samuel 21:8).

Such was the power of the king, but also great was the power of the husband in Israel.

There is an old saying that “power corrupts.” But God is powerful and He is incorruptible. Power that is not under the restraint of the spirit of God, is the power that corrupts. This is the unsanctified power that was demonstrated by the Israelite men toward their wives.

The hardness of their hearts - “male meanness,” prevented the woman from remarrying and being supported by another man who could legally become her husband. If there was no divorce paper to prove the legal dissolution of the marriage, then anyone who married the “sent away” woman would become an adulterer for the woman was still legally married to her estranged husband. If another marriage were contracted it would not be legal, for the original marriage was not legally dissolved. If the woman remarried, she would become an adulteress, just as Jesus said. The original husband however, COULD remarry, for it was not against the law of Moses for a man to have multiple wives (Deut 21:15), but the **woman** could not remarry another man without a certificate of divorce – which provision was controlled by her estranged husband.

It is recorded by Bible Commentator Adam Clark or Lightfoot that some men even wrote into the divorce certificate that the woman was not permitted to remarry! This abusive man's "law" was upheld, which then robbed a "pure" but perhaps "ugly" or older woman of the opportunity to remarry and gain financial support. No wonder Jesus spoke out against the practice.

Under the "altered" laws of Moses found in Deut 21:10-14, such abusive treatment was "legal" for pagan, slave girls, virgins, who were "conquered" victims - trophies of war. Pagan virgins ("women" aged approximately 12-15 years) who were "desirable to look upon," were taken captive, given a month to grieve over the murder of their families, then "married" to the men who had murdered their family and relatives. The record is given that God through Moses, instructed the warrior-husband that he has the legal right to "send away" (the new "wife" if he no longer found "delight" in her. **One is hard pressed to think that in the beginning of their "marriage, the "delight" this man found in the pagan pubescent girl was anything more than than her physical appearance (e.g. her sex appeal).** The warrior certainly was **not** delighting in the fact that the young virgin was a true worshipper of Yahweh.

Despite God's law stating that marriage to pagan women was expressly forbidden in God's law, the Biblical record reveals that contradictory "law" was later found in a Mosaic book.

Deuteronomy 21:10-14

"When thou goest forth to war against thine enemies, and the LORD thy God hath delivered them into thine hands, and thou hast taken them captive, (11) And seest among the captives a beautiful woman, and hast a desire unto her, that thou wouldest have her to thy wife; (12) Then thou shalt bring her home to thine house; and she shall shave her head, and pare her nails; (13) And she shall put the raiment of her captivity from off her, and shall remain in thine house, and bewail her father and her mother a full month: and after that **thou shalt go in unto her, and be her husband, and she shall be thy wife.** (14) And it shall be, if thou have no delight in her, then thou shalt let her go (send her away #07971 שלח shalach) whither she will; but thou shalt not sell her at all for money, thou shalt not make merchandise of her, **because thou hast humbled (#6031 – forced, profaned, polluted) her.**"

It appears that this supposedly "divine" arrangement describes legalised rape. Forced "marriage" is not a marriage fashioned after God's pattern given to Adam and Eve. It even appears that there was no permanency enjoined on the Israelite men in regards to the sexual union that they forced onto their "child bride." The Israelite men had just murdered the young girls' families! Now they were forced to "marry" their families' murderers! Happy marriage? Not likely. Under the Mosaic instructions, the Israelite men could legally "send away" the pagan girls (wives) after they had lost sexual interest in them. These teenage girls -rape victims - were then considered "profaned" or "pierced."

"Profaned, polluted humbled and pierced" are words used to describe the pagan virgins who were "married" but then cast aside if the man so chose. But these terms also applied to Hebrew women who experienced similar experiences; for example Tamar, King David's beautiful daughter. Amnon, her half brother lusted after Tamar. He concocted a scheme whereby he could be alone with her and then he raped her. Tamar was **"Profaned, polluted humbled and pierced"** after Amnon raped her. Amnon had forced (#6031) himself sexually (#7971) on Tamar. Tamar (not Amnon), was then a "social reject" (#2491 – defiled, profane, pierced) despite being a royal princess and daughter of King David.

Illicit marriages did not require a divorce certificate. These illegal relationships were simply annulled. Ezra engineered a “mass deportation” of foreign “wives” (captive women) from Israel because he realised how dreadfully wrong the Israelites had been to unite with these pagan women (Ezra 9 &10). No divorce certificates are recorded as being issued to these women. Their illicit marriages were simply annulled because they had been illegal unions. But clearly, as seen in Ezra's prayer, it was the breaking of God's law that made these separations necessary in these unequally-yoked, illegal inter-religion marriages.

Ezra 9:1, 2, 10-14

“Now when these things were done, the princes came to me, saying, The people of Israel, and the priests, and the Levites, have not separated themselves from the people of the lands, doing according to their abominations, even of the Canaanites, the Hittites, the Perizzites, the Jebusites, the Ammonites, the Moabites, the Egyptians, and the Amorites. (2) For they have taken of their daughters for themselves, and for their sons: so that the holy seed have mingled themselves with the people of those lands: yea, the hand of the princes and rulers hath been chief in this trespass. (10) And now, O our God, what shall we say after this? for we have forsaken thy commandments, (11) Which thou hast commanded by thy servants the prophets, saying, The land, unto which ye go to possess it, is an unclean land with the filthiness of the people of the lands, with their abominations, which have filled it from one end to another with their uncleanness. (12) Now therefore give not your daughters unto their sons, neither take their daughters unto your sons, nor seek their peace or their wealth for ever: that ye may be strong, and eat the good of the land, and leave it for an inheritance to your children for ever. (13) And after all that is come upon us for our evil deeds, and for our great trespass, seeing that thou our God hast punished us less than our iniquities deserve, and hast given us such deliverance as this; (14) Should we again break thy commandments, and join in affinity with the people of these abominations? wouldest not thou be angry with us till thou hadst consumed us, so that there should be no remnant nor escaping?”

Without the certificate of divorce, the couple was not legally divorced. The woman could not remarry because the marriage was still legally binding despite the fact that she had been “sent away.” The divorce certificate was necessary because of the hardship that Israelite men, through “the hardness of their hearts” caused the women. A husband could send his wife away (#07971 שלח shalach) without a divorce paper “for any reason” according to Rabbi Akiba. Rabbi Hillel said a man could send his wife #07971 שלח shalach) away for adultery only. The Pharisees tried to trick Jesus into answering in support of one of these rabbis and so speak against the law of Moses.

Jesus did not go against the compassionate divorce law of Moses; but neither did he side with either Rabbi Hillel or Akiba.

Interlinear: Mt 5:32 (KJV text)

But <de> I <ego> say <lego> unto you <humin>, That <hoti> whosoever <hos> <an> shall **put away <apoluo>** his <autos> wife <gune>, saving <parektos> for the cause <logos> of fornication <porneia>, causeth <poieo> her <autos> to commit adultery <moichao> and <kai> whosoever <hos> <ean> shall marry <gameo> her that is **divorced <apoluo>** committeth adultery <moichao>.

Jesus said: "If you 'put away' your wife and marry another, unless it be for fornication, you commit adultery and anyone who marries the one who was **put away** commits adultery." (Matt 19:9).

"**Put away**" and "**divorce**" are **NOT** terms which define the same concept.

Thayer says **apoluo** means, "to dismiss from the house, to repudiate."

"**Apostasion**" is properly translated "divorce" or "divorcement". [Grk. 647]

This situation was still happening in 1980 when it was brought to the attention of the world in an article called "**Jewish Women in Chains**" by **Norma Baumel Joseph**, published by **Mike Willis Dayton** in **Ohio Truth Magazine XXIV: 14, pp. 227-230 3 April, 1980**.

If the woman was a fornicator, the husband **could** send her away - without a certificate of divorce to cover up her sin – to put her away privately as Joseph planned to do to Mary when he suspected her of fornication when she was pregnant by the spirit of God (Matthew 1:19). The husband **could** have organised to have the woman stoned if he chose to do so. Adulteresses were traditionally stoned, not (re)married. The certificate of divorce given by a man to his "sent away" wife was to prove that she was NOT an adulteress. It was **to facilitate** her re-marriage. To give a certificate of divorce to an adulteress was pointless. Husbands or wives who fornicate have broken their marriage contract and had already proved that they are not faithful marriage partners.

Ken Crispin explains further.

Deuteronomy 24:1 says that a man might divorce his wife for some uncleanness - "*ervath dabhar.*" *This Hebrew term refers to a range of misconduct. It has definite sexual connotations and would include not only adultery, but other kinds of lewd or immoral or indecent behaviour. It is interesting to note that in that part of the passage quoted from Matthew 5 in which Jesus is normally assumed to be correcting the OT, the word which is translated as "adultery" or "unchastity" is actually poerneia. In other words, Jesus did not impose a new and more restrictive commandment but corrected the lax view of Rabbi Akiba (a man could divorce his wife for any reason) and restated and confirmed the original commandment. In fact, he had just finished saying, "Think not that I have come to abolish the law and the prophets; I have come not to abolish them but to fulfil them." The concept has become confused because of the lack of any English equivalent and translators have opted to use "adultery" or "unchastity" probably because those words have been thought to be the closest in meaning. Porneia nonetheless, had a wider meaning than adultery and the normal English translation are expressed too narrowly. There was a Greek word which meant simply adultery and that word moichea was used only three sentences earlier when Jesus said, "But I say to you that everyone who looks at a woman lustfully already has committed adultery with her in his heart." If Jesus intended to permit divorce only in cases of adultery, why did he change to the more general word only three sentences later? The only possible answer to that question is that he did so because he wanted to express a wider concept, namely the concept of shameful or indecent conduct already contained in the law that had been given to Moses."....It seems to me however, that the concept should not be looked at in the abstract but in the context of a marriage, which is of course, an essentially sexual relationship. In that context it seems to me that the word may be taken to include any kind of misconduct or immorality which is so serious that it pollutes or perverts the marital relationship. If that construction is correct, it would mean that a Christian should not contemplate divorce unless there was*

misconduct so serious that it virtually undermined the whole marriage. On the other hand, it would mean that a wife need not feel locked into a marital relationship with a man who was repeatedly guilty of gross violence towards her and or their children merely because he had not committed adultery. That is more the kind of principle we would expect from a wise and loving father to impose upon his children. I must confess I have always had the greatest difficulty in persuading myself that God intended that women would be free to withdraw from a marital relationship if their husbands committed adultery, but not if their husbands tried to kill them. "Ken Crispin, Divorce, the Forgivable Sin?, 1988, p 28,29 (out of print).

Consider the case where a wife has committed adultery and is about to be stoned for her sin. Traditional theology maintains that Jesus must say, "You can divorce your wife only when you don't need to – such as right now - because you are about to be widowed." What good would a certificate of divorce be for the wife at this time? The divorce certificate facilitated a woman's remarriage. She was going to be stoned to death. What good would the certificate have been to the husband? He could remarry after his adulterous wife's death anyway, without giving his wife a divorce certificate.

With that logic (that adultery is the only Biblical reason for getting a divorce), Jesus would be made to add, "You can **not** divorce your wife if she is about to kill you (that's not the sin of adultery, it's murder) but you can divorce her for the sin of adultery, but she won't have long to use the certificate because she'll be stoned soon." What is the point of the wife getting a divorce certificate for a few hours before the stoning? The divorce certificate was to facilitate remarriage. The traditional "adultery only" view, is clearly illogical.

A legal marriage requires three conditions:

- recognised by God (not yoked with unbelievers)
- living together physically
- the written marriage certificate/record or form of public acknowledgement.

A legal divorce requires three conditions:

- extremely serious, recurring, unrepentant offences by a partner;
- physical separation from the partner;
- a written certificate of divorce or form of public acknowledgement.

It appears and makes more sense that Jesus is saying, Matt.5.32, "But I say unto you, Whoever puts away his wife (except for fornication) **to** marry another woman commits adultery and whosoever shall marry the one put away, commits adultery." The person marrying the "put away" woman would be guilty of committing adultery, because the woman was not properly divorced. Her husband was an adulterer and certificates of divorce were not given in cases of adultery.

Mark 10: 11 "And he saith unto them, Whosoever shall put away his wife, **and** marry another, committeth adultery against her (12) And if a woman shall put away her husband, **and** be married to another, she committeth adultery."

These texts do not seem to harmonise with the Moses' law, however when the intention is highlighted, Jesus' statement harmonises perfectly:

"Whoever puts away his wife **to** marry another, commits adultery. And if a woman puts away her husband **to** marry another man, she commits adultery" (Phil Ward, Divorce and Remarriage, unpublished article).

Compare different versions of the Levitical texts.

Leviticus 21:7, 13-15

“They (priests) shall not take a wife that is a whore, or profane (has had sexual intercourse); neither shall they take a woman put away from her husband: for he is holy unto his God..... And he (a high priest) shall take a wife in her virginity. (14) A widow, or a divorced woman, or profane (one who has had sexual intercourse), or an harlot, these shall he not take: but he shall take a virgin ***of his own people to wife***. (15) Neither shall he profane his seed among his people: for I the LORD do sanctify him.”

⁷They shall not take<03947>(8799) a wife<0802> *that is* a whore<02181>(8802), or profane<02491>; neither shall they take<03947>(8799) a woman<0802> put away<01644>(8803) from her husband<0376>: for he *is* holy<06918> unto his God<0430>.

¹⁴A widow<0490>, or a divorced woman<01644> (*Lit put away woman*) (8803), or profane<02491>, or an harlot<02181>(8802), these shall he not take<03947>(8799): but he shall take<03947>(8799) a virgin<01330> of his own people<05971> to wife<0802>. ¹⁵Neither shall he profane<02490>(8762) his seed<02233> among his people<05971>: for I the LORD<03068> do sanctify<06942>(8764) him.

Young's Literal Translation

¹⁴widow, or cast out, or polluted one--a harlot--these he doth not take, but a virgin of his own people he doth take *for* a wife,

Green's Literal Translation

¹⁴He shall not take a widow, or one put away, or a polluted one, a harlot, but he shall take a virgin of his own people *for* a wife;

The Apostles' Bible

¹⁴But a widow, or one that is put away, or profaned, or a harlot, these he shall not take; but he shall take *for* a wife a virgin of his own people.

Strong's Concordance and Lexicon Definitions

02181:

02181 זָנָה zānah *zaw-naw'*

a primitive root [highly-fed and therefore wanton]; ; v

AV- ... harlot 36, go a whoring 19, ... whoredom 15, whore 11, commit fornication 3, whorish 3, harlot + <0802> 2, commit 1, continually 1, great 1, whore's + <0802> 1; 93

1) to commit fornication, be a harlot, play the harlot
1a) (Qal)
1a1) to be a harlot, act as a harlot, commit fornication
1a2) to commit adultery
1a3) to be a cult prostitute
1a4) to be unfaithful (to God) (fig.)
1b) (Pual) to play the harlot
1c) (Hiphil)
1c1) to cause to commit adultery
1c2) to force into prostitution
1c3) to commit fornication

Brown-Driver-Briggs' Hebrew Lexicon

02491: *chahal khaw-lawl'* from <02490>;
AV-slay 78, wounded 10, profane 3, kill 2, slain man 1; 94
n m
1) slain, fatally wounded, pierced
1a) pierced, fatally wounded
1b) slain
adj
2) (CLBL) profaned
2a) defiled, profaned (by divorce)

02490:

02490 ללח *chahal khaw-lal'*
a primitive root [compare <02470>]; ; v
AV-begin 52, profane 36, pollute 23, defile 9, break 4, wounded 3, eat 2, slay 2, first
1, gather grapes 1, inheritance 1, began men 1, piped 1, players 1, prostitute 1,
sorrow 1, stain 1, eat as common things 1; 141
1) to profane, defile, pollute, desecrate, begin
1a) (Niphal)
1a1) to profane oneself, defile oneself, pollute oneself
1a1a) ritually
1a1b) sexually
1a2) to be polluted, be defiled
1b) (Piel)
1b1) to profane, make common, defile, pollute
1b2) to violate the honour of, dishonour
1b3) to violate (a covenant)
1b4) to treat as common
1c) (Pual) to profane (name of God)
1d) (Hiphil)
1d1) to let be profaned
1d2) to begin
1e) (Hophal) to be begun
2) to wound (fatally), bore through, pierce, bore
2a) (Qal) to pierce

- 2b) (Pual) to be slain
- 2c) (Poel) to wound, pierce
- 2d) (Poal) to be wounded
- 3) (Piel) to play the flute or pipe

Strong's Hebrew Concordance

02491:

2491 chalal khaw-lawl' from 2490; **pierced** (especially to death); figuratively, polluted:--kill, profane, slain (man), X slew, (deadly) wounded. see HEBREW for 02490

01644:

01644 גרש garash *gaw-rash'*

a primitive root; ; v

AV-drive out 20, cast out 8, thrust out 6, drive away 2, put away 2, divorced 2, driven 1, expel 1, drive forth 1, surely 1, troubled 1, cast up 1, divorced woman 1; 47

1) to drive out, expel, cast out, drive away, , divorced*, put away, thrust away, trouble, cast up

1a) (Qal) to thrust out, cast out

1b) (Niphal) to be driven away, be tossed

1c) (Piel) to drive out, drive away

1d) (Pual) to be thrust out

*(*Note: sent away = separation, not a legal divorce which required a certificate of divorcement)*

Mosaic law permitted common priests to marry widows, but prohibited a high priest to marry a woman who had experienced sexual intercourse in any way. A High Priest was not to marry a:

1. whore;
2. widow;
3. a profane (pierced) woman (a non-virgin including divorced or raped woman);
4. sent away (separated, but without divorce certificate);

Comparing Other Religions

Dr Samuele Bacchiocchi (Retired Professor of Theology, Andrews University) comments on this text from the Koran - Sura 33:50:

*“One of the benefits of fighting for the cause of Islam is the permission to take captured women as concubines, in addition to several legitimate wives.... **The notion that God would assign captured women as concubines to Muslim believers who fight for His cause, hardly reflect high moral standards of the Islam faith. Polygamy and servile concubinage have destroyed the dignity of women and the beauty of the home. In this areas the infinite superiority of Christianity is clearly evident.**”*
<http://www.keithhunt.com/Islam.html>)

Note: The Old Testament Israelites must not have *practised* “Christian principles” as Dr Bacchiocchi outlines above, because the Israelite warriors were authorised supposedly by God to take many thousands of concubines as captives after being victorious against the pagan nations in war. These women were not necessarily kept permanently, but could be sent away and their marriages annulled (Deut 21:10-14; Judges 21:12; Numbers 31:18; Ezra 9, 10). Under Jewish traditional laws, if a woman was “barren” (produced no children) after 10 years of married life, she could also be “sent away” - her marriage being annulled – not recognised as being legal.

In another view, it might seem that Jesus, in accordance with Moses' law, is making the allowance that the wife can receive a certificate of divorce except in cases where she has committed fornication.

Perhaps the husband mercifully, might not report his wife's adultery so she escapes stoning. He might "put her away" without a divorce certificate. If so, the "put away" woman could not remarry without a divorce certificate, and would likely be assumed to be an adulteress anyway – why else wouldn't her husband give her the divorce papers?

Ezra 9 and 10 details a mass "sending away" of pagan "wives." Ezra does not specify if these women were legally married wives, however the Hebrew supports the idea that these women were captives who were forcefully taken from conquered pagan lands to become concubines to the Israelites.

God forbade marriages with the idolatrous pagans. When these captured women and their children were “sent away” there was no mention of divorce papers being necessary **as these marriages were not legally contracted**. God had forbidden them, just as He forbade Herod's marriage to his brother's wife. Just as Jesus said to the woman of Samaria, “the man you are living with now, is not your husband.” They were in fact, “living in sin” an arrangement whereby the legal requirements of marriage were not met.

These relationships were not dissolved because of adultery. The objection was idolatry. - the "*ervath dabhar*" -the “uncleanness” which was referred to in Deut 24:1. **“*Ervath dabhar*” must include idolatry or else the Israelites would not have been prevented from conducting proper marriages with these women.**

Traditional logic tends to verge on the ridiculous. It is clear that the traditional view of divorce preventing remarriage is a gross error and not what Jesus was saying at all. The “man of sin” has clearly attempted to change the 7th commandment law. Likewise, the Israelites, in their misunderstanding of God's character and because of the “hardness of their hearts,” they too made the law of God of none effect because of their traditions; polygamy, “marrying” beautiful pagan slave girls; sending away their wives without properly divorcing them.

The traditions of men concerning divorce and remarriage in Jesus' time, also endeavoured to alter God's law and make “serial marriages” legal (i.e. not sinful).

Another passage of the Bible deals with remarriage.

1 Corinthians 7:7-11

“For I would that all men were even as I myself. But every man hath his proper gift of God, one after this manner, and another after that. (8) I say therefore to the unmarried and widows, It is good for them if they abide even as I. (9) But if they cannot contain, let them marry: for it is better to marry than to burn. (10) And unto the married I command, yet not I, but the Lord, Let not the wife depart from her husband: (11) But and if she depart, let her remain unmarried, or be reconciled to her husband: and let not the husband put away his wife.

Ken Crispin, in “Divorce, the Unforgiveable Sin?” (1988:44-47), comments on these often misinterpreted pauline verses.

“Another significant new Testament passage concerning marriage appears in 1 Corinthians 7. In that chapter, verse 10 is one which, if not kept in its context, can also be seen to be prohibiting marriage after divorce, “To the married I give charge, no I but he Lord, that the wife should not separate from her husband (but if she does let her remain single or else be reconciled to her husband) and that the husband should not divorce his wife.” For a proper understanding of that verse, however, it is crucial to remember that it immediately follows verses 8 and 9 which state, ‘To the unmarried and the widow I say that it is well for them to remain single as I do. But if they cannot exercise self-control, they should marry. For it is better to marry than to be aflame with passion.’ there are two Greek words, both of which are translated in the Revised Standard Version by the word ‘unmarried’. Those words are parthenos and agamos. The word parthenos means a person who has never had sexual intercourse, a virgin. The other word, agamos, refers to a person who is no longer married but who may have been married in the past. Later in 1 Corinthians 7 – in verse 25 – Paul commences a lengthy narrative of advice to the single person. That narrative commences with the phrase “the unmarried” and the word there translated as “unmarried” is parthenos. The advice which Paul gives in verses 25 to 40 is accordingly confined to those who have never married, the virgins. On the other hand, in 1 Corinthians 7:8, the word agamos has been used. Now it is important to note that Paul has referred to the widows quite separately and, consequently, did not have to use the word agamos in order to include them. If he had used the parthenos he would have made it plain that he was referring to those who were widowed and to those who had never married and could have excluded the divorced from consideration. Yet he did not do so. The word used is agamos. Not only was Paul a Pharisee, but he was an outstanding student; one who had the rare distinction of being permitted to sit at the feet of Gamaliel. It is scarcely likely that his use of the word agamos in preference to parthenos can have been explained by mere clumsiness of expression, especially since he used the word parthenos only a sentence later. It must be assumed that he chose the word deliberately and that he did so conscious of its wider meaning. Accordingly, verses 8 and 9 might be expressed more clearly in the following terms, ‘To those who have never married, those who are divorced and to the widows I say to them that it is as well for them to remain single as I do. But if they cannot exercise self-control, they should marry.’ Paul had already made it plain that he really wished that all people would remain single as he was, but he recognises that whilst some are called to celibacy, others are not.”

(Ken Crispin continued)

*“His summation in verses 8 and 9 indicates with the greatest possible clarity that those who cannot exercise self-control, that is those whom the Lord has not called to celibacy, should marry whether they are single, divorced or widowed. Following that clear indication that so far as remarriage is concerned the divorced are to adopt the same principle as single people and widows, Paul turns to deal with the married. In verse 10, Paul clearly uses the term “the married” in contradistinction to those referred to in the previous verses. He has dealt with the unmarried, including the divorced, and now he is passing on to deal with married people. It is to those people that he conveys Jesus' charge that the wife should not separate from her husband and that the husband should not remove or abandon his wife. Here again, the traditional English translation is confusion. The word used in verse 11 is not *apoluo* which means divorce¹, but *aphiemi* which means remove or abandon. There is no reason to suppose that this passage was written in an attempt to lay down an inflexible rule concerning divorce. Such a construction would be quite inconsistent with what he says in verse 25. In laying down an instruction for married Christians, Paul was clearly concerned to remind them that Jesus had charged them to try to sort out their differences and remain in a proper marital relationship. In that context Paul said that if the wife did leave she should remain single or be reconciled to her husband. Clearly what Paul has in mind was a short-term situation immediately following separation. There may have been some estrangement and one party may have stormed out but the marriage has not been irretrievably destroyed. Whilst there is still hope it is the wife's duty to seek a reconciliation with her husband. Equally, it is the husband's duty to seek a reconciliation and not to abandon his wife. No doubt that is the advice which any modern Christian counsellor would offer a woman or a man for that matter, in similar circumstances. But it is important to remember that the commandment was given as advice to the married. Clearly then Paul was contemplating a period immediately following separation when the prospect of a reconciliation existed and it had not become clear that the marital relationship had terminated. If, despite the wife's efforts, the relationship was finally extinguished then without any further step being taken both the husband and the wife would be regarded as *agamos*, that is unmarried. They would then be subject, not to the commandments in verses 10 and 11, but to those in verse 8 and 9. In other words, once it was clear that the marital relationship had been terminated, then each would be free to marry. As in Deuteronomy 24, there is no suggestion in any portion of 1 Corinthians 7 that the right to remarry is limited to the person who was the innocent party in the original divorce. It is clear from Matthew 5:31 that a person who divorces a husband or wife without justification of the kind recognised in the concept of *porneia* commits a serious sin. His conduct is tantamount to adultery. If a Christian has been guilty of such a sin in terminating his marriage then he should confess it and obtain forgiveness. Having done so he must treat it in the same manner as he would treat any other sin that he has had to confess; that is, he should accept God's forgiveness and put his sin behind him, secure in the knowledge of Christ's atonement” (end quote Ken Crispin).*

1 see previous notes on *apoluo* – meaning 'send away' - not divorce

Malachi 2:16

“For I hate divorce....”

God hates divorce. This has been misinterpreted to imply that God hates fact that a process of divorce was in practice, when in reality it means that **God hates the sin and selfishness that causes the marriage to irretrievably break down.** Divorce was the band-aid that was divinely applied to those who had been injured by their “hard hearted” partners. It was God's compassionate response to humanity's selfishness.

Conclusion

Moses, Jesus and Paul's view on marriage, divorce and re-marriage are harmonious and reveal the compassion of our Heavenly Father toward those who suffer the consequences of sin through a broken marriage. Those who would try to deny the divorced persons the opportunity to remarry, are committing a dreadful crime against their brothers and sisters in Christ and distorting the true, compassionate character of God.

For those who might argue against this opinion, the following questions would require answering:

1. Would God design a system that rewarded commandment breakers and penalised commandment keepers? Consider – a woman marries a violent, drunken man who bashes her and their children. She divorces him, but it is thought she cannot remarry another man to help raise her children. This belief seems illogical and appears based on faulty perceptions of the character of God and a misinterpretation of Scripture. Consider the reverse situation: – a woman lives with a violent drunken man without marrying him and they have children together. She leaves the man. Later she is converted and confesses her previous “living in sin.” She is forgiven and permitted to marry other man. The first woman obeyed her conscience initially, and married a man (who later abused her), while the second woman initially “lived in sin.” Which woman's behaviour was righteous? Which woman was penalised the most? The woman who tried to live righteously. Would God be the author of such an unfair system?
2. Would God design that the only way that a righteous woman could be free from her bondage in a violent, abusive marriage is for her husband to commit adultery – by performing a sexual sin? If so, God is using sin to reward a righteous woman.
3. Does God sanction sin? Should the woman “arrange” for her husband to commit adultery so she can be free from the bondage of her marriage? Should she pray that her husband commit adultery?
4. Should persons who have remarried divorce their current marriage partners and return to their first spouses, since it is assumed that Scripture teaches that any other marriage is paramount to adultery.
5. Should a woman be able to divorce a man if he “looks after a woman to lust after her?” Jesus said that he has committed adultery with her already in his heart and adultery is all that is required to legalise divorce and remarriage.

These concepts verge on the ridiculous and contort the character of Jesus Christ and His loving Father.