

119

MINISTRIES

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One Flesh: Biblical Chastity, Marriage, and Divorce

Part 3: Divorce and Remarriage

This teaching is the third in a four-part series that discusses the scriptural instructions concerning sexual immorality, adultery, marriage, and divorce. This teaching addresses topics and uses terminology that parents may not want their children to be familiar with yet, so viewer discretion is advised. Also, you may have questions that this teaching leaves unresolved; if so, we encourage you to watch part 4 of this series, where we will address some of the frequently asked questions on these topics.

In part 1 of this series we described a Biblical marriage, which was established by a betrothal agreement between a man, a woman, and the woman’s family. We also discussed how sex inside of a marriage was permitted and encouraged, but sex outside of marriage was considered sexual immorality. In part 2, we discussed adultery, the sexual violation of the marriage agreement, and how that could lead to divorce. In this teaching, we’re going to examine the topic of Biblical divorce. What is a Biblical divorce? Under what circumstances can it be obtained? And, do the Scriptures prohibit a person who is divorced from getting married again?

Before we begin, let’s quickly review some of the features of a Biblical marriage. In a Biblical marriage, both husband and wife are committed to a sexually exclusive relationship, and the husband is obligated to provide for his wife’s material needs. Marriage is also a lifelong commitment, as we can see in Romans chapter 7:

Romans 7:2

[For a married woman is bound by law to her husband while he lives, but if her husband dies she is released from the law of marriage.](#)

A divorce, then, is a cancellation of the lifelong marriage agreement. After a divorce, the man is no longer obligated to provide for the woman’s needs. And, since the marriage contract has been nullified, the divorce would also cancel the sexual obligations of both parties toward each other; after getting divorced, both husband and wife would be free to remarry. There are Scriptures that appear to speak

against this freedom to remarry, which we will address in detail in just a bit. First, though, let's read the only Scripture that describes the process of obtaining a divorce:

Deuteronomy 24:1-2

When a man takes a wife and marries her, if then she finds no favor in his eyes because he has found some indecency in her, and he writes her a certificate of divorce and puts it in her hand and sends her out of his house, and she departs out of his house, and if she goes and becomes another man's wife...

This verse describes what we might expect a divorce to look like. A man signs an official paper stating that the marriage contract is null and void, and the woman departs from the man's house. The man is no longer obligated to provide for her, and the woman is free to become another man's wife.

It's important to note that this verse is not a prescription for divorce, but a description of it. In other words, this verse is not necessarily telling us how divorce is supposed to be done, but it is describing a scenario in which a divorce has occurred. We can use this Scripture to infer some things about how divorces were carried out, but we don't really have much Scriptural instruction for the procedure itself.

Another thing to note is that the divorce described here is not a mutual decision between husband and wife. The husband is "sending her out of his house." The wife has no say in this matter, although, as we will see, this divorce is only supposed to happen after she has broken the marriage covenant.

So, now that we have a description of what a divorce is, let's look at the verses that seem to say that divorced people cannot get married again. Here are a few of them:

Mark 10:11-12

And he said to them, "Whoever divorces his wife and marries another commits adultery against her, and if she divorces her husband and marries another, she commits adultery."

Luke 16:18

Everyone who divorces his wife and marries another commits adultery, and he who marries a woman divorced from her husband commits adultery.

Matthew 5:31-32

It was also said, 'Whoever divorces his wife, let him give her a certificate of divorce.' But I say to you that everyone who divorces his wife, except on the ground of sexual immorality, makes her commit adultery, and whoever marries a divorced woman commits adultery.

Matthew 19:9

And I say to you: whoever divorces his wife, except for sexual immorality, and marries another, commits adultery.

These verses seem to be pretty clear; Yeshua is teaching that divorce itself is wrong, and that if you get divorced and then marry another person, you're committing adultery. However, we encounter some serious logical and scriptural problems if we accept this interpretation of his words.

First, there is the logical problem concerning what a divorce actually is—divorce is a cancellation of the marriage contract. One of the terms of that marriage contract is to be sexually faithful to your spouse. But if that marriage contract is truly cancelled, then why would the divorced person be prohibited from

marrying someone else? Why would that person still be bound by the marriage contract that had been nullified by the divorce? Doesn't that defeat the entire purpose of a divorce?

Second, there is the problem that this interpretation of Yeshua's words seems to contradict the Torah. There is no command in the Torah that prohibits a man or woman from remarrying after a divorce, or that calls getting remarried "adultery." In fact, the Torah seems to imply that remarriage is permitted for a divorced person. Here are several Scriptures that illustrate this point:

Deuteronomy 24:1-4

When a man takes a wife and marries her, if then she finds no favor in his eyes because he has found some indecency in her, and he writes her a certificate of divorce and puts it in her hand and sends her out of his house, and she departs out of his house, and if she goes and becomes another man's wife, and the latter man hates her and writes her a certificate of divorce and puts it in her hand and sends her out of his house, or if the latter man dies, who took her to be his wife, then her former husband, who sent her away, may not take her again to be his wife, after she has been defiled, for that is an abomination before the LORD [YHWH]. And you shall not bring sin upon the land that the LORD [YHWH] your God is giving you for an inheritance.

This is the complete context of the Scripture we quoted earlier. This passage forbids a man to take back his divorced wife if she ended up marrying someone else. In essence, this command forbids men to take advantage of a potential legal loophole that would allow them to be sexually immoral, to pass a woman back and forth between them. However, this passage does not prohibit the woman from marrying the second man after her first divorce. It also doesn't prohibit her from marrying a third man after her second divorce. If God wanted divorced people to not remarry at all, why doesn't he just say so here in Deuteronomy 24?

Here is another example:

Leviticus 21:7

They [the priests] shall not marry a prostitute or a woman who has been defiled, neither shall they marry a woman divorced from her husband, for the priest is holy to his God.

Leviticus 21:13-14

And he [the High Priest] shall take a wife in her virginity. A widow, or a divorced woman, or a woman who has been defiled, or a prostitute, these he shall not marry. But he shall take as his wife a virgin of his own people.

So, we see here that the priests were not allowed to marry divorced women. But, if divorced women couldn't marry anybody, then why would it be necessary to specify that they could not marry priests? As we discussed in the first teaching in this series, Leviticus 18 lists the marriages that are prohibited, and prostitutes, widows, and divorced women are not on that list. This command in Leviticus 21 is adding extra restrictions to the priests, but not to the general population. Also, we know from other Scriptures that both prostitutes and widows could and did get married: the prophet Hosea married a prostitute (Hosea 1:2-3), and Paul recommends that young widows get married (1 Timothy 5:14). Since prostitutes and widows could get married, as long as they weren't marrying a priest, it stands to reason that divorced women could get married also.

As we've seen, the idea that divorced people cannot remarry presents us with a number of logical and scriptural contradictions. So, maybe Yeshua's teachings about divorce and remarriage aren't as cut-and-

dried as they appear at first. It turns out, when we look into the culture of first-century Israel, we find a solution to these apparent contradictions. There is a specific reason that Yeshua was addressing the topic of divorce at all, and when we understand that reason, it brings a lot of clarity to his teachings. So, let's take a closer look at what was happening in Israel at the time Yeshua was giving these teachings on divorce and remarriage.

In the first century, the Pharisees were divided into two schools: the school of Shammai (a.k.a. Beit Shammai), and the school of Hillel (a.k.a. Beit Hillel). These two schools had a debate about when divorce was justified. The Mishna describes their debate like this:

“Beit Shammai say: A man may not divorce his wife unless he finds out about her having engaged in a matter of forbidden sexual intercourse [devar erva], i.e., she committed adultery or is suspected of doing so, as it is stated: “Because he has found some unseemly matter [ervat davar] in her, and he writes her a scroll of severance” (Deuteronomy 24:1). And Beit Hillel say: He may divorce her even due to a minor issue, e.g., because she burned or over-salted his dish, as it is stated: “Because he has found some unseemly matter in her,” meaning that he found any type of shortcoming in her.”

-Mishna Gittin 90a (William Davidson Edition, www.sefaria.org)

So, one group of Pharisees—Beit Shammai—allowed divorce only when the woman committed adultery, but the other group of Pharisees—Beit Hillel—allowed divorce when the man found “any type of shortcoming in her.” The Talmud describes some of these “shortcomings”: in addition to over-salting his meal, as mentioned above, a man could divorce his wife for barrenness (Yevamot 64a), a bad reputation (Yevamot 25a), excessive sweating, skin blemishes, bad breath, and abnormally large breasts (Ketubot 75a), among other things. Basically, Beit Hillel allowed any imperfection one can imagine to be used as justification for a man to divorce his wife. With that in mind, let's examine Yeshua's explanation for his doctrine on divorce and remarriage, and see if this debate adds any context to his words.

Matthew 19:3-9

And Pharisees came up to him and tested him by asking, “Is it lawful to divorce one's wife for any cause?” He answered, “Have you not read that he who created them from the beginning made them male and female, and said, ‘Therefore a man shall leave his father and his mother and hold fast to his wife, and the two shall become one flesh’? So they are no longer two but one flesh. What therefore God has joined together, let not man separate.” They said to him, “Why then did Moses command one to give a certificate of divorce and to send her away?” He said to them, “Because of your hardness of heart Moses allowed 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.”

Verse 3 tells us very clearly what the Pharisees are asking about. They ask: “Is it lawful to divorce one's wife for any cause?” The phrase, “for any cause,” is a reference to Beit Hillel's position on divorce—that a man can divorce his wife if he finds “any type of shortcoming in her.” So, the Pharisees are asking what Yeshua thinks about this particular doctrine. They want to know whether Yeshua agrees with Beit Hillel on this issue. Here is Yeshua's response:

Matthew 19:4-6

He answered, “Have you not read that he who created them from the beginning made them male and female, and said, ‘Therefore a man shall leave his father and his mother and hold fast to his wife, and the two shall become one flesh’? So they are no longer two but one flesh. What therefore God has joined together, let not man separate.”

So, in response to the question of whether a man can divorce his wife for any cause, Yeshua says, basically, that marriage is intended to be a life-long commitment, and that married people should not be getting divorced at all. In response to that, the Pharisees ask this:

Matthew 19:7

They said to him, “Why then did Moses command one to give a certificate of divorce and to send her away?”

In other words, if divorces are not supposed to happen at all, then why are they permitted by the Torah? Yeshua responds:

Matthew 19:8-9

He said to them, “Because of your hardness of heart Moses allowed 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.”

So, Yeshua explains that even though divorces are allowed, they are not ideal, and that they should not happen except in cases of sexual immorality. This is the same position that was taken by Beit Shammai:

Beit Shammai say: A man may not divorce his wife unless he finds out about her having engaged in a matter of forbidden sexual intercourse...

-Mishna Gittin 90a (William Davidson Edition, www.sefaria.org)

So, this is Yeshua’s answer to the question of whether he agrees with Beit Hillel: he does not. In fact, Yeshua agrees with Beit Shammai on this issue. He rejects the doctrine of Beit Hillel, the doctrine that states that a man can divorce his wife “for any cause.” So, when Yeshua says that “whoever divorces his wife...and marries another, commits adultery,” he is referring to divorces that were made for the petty reasons, like burnt food, that were upheld by Beit Hillel. Yeshua is saying that these petty divorces are not legitimate in the eyes of God. God still considers these people to be married. Therefore, to marry again after getting an illegitimate divorce would be tantamount to committing adultery; the original marriage contract between the woman and her first husband should still be in effect. This also explains why Yeshua says, in Matthew 5:32, that “[whoever marries a divorced woman commits adultery](#).” He is not saying that marrying *any* divorced woman is adultery. He is saying that a woman who is divorced for illegitimate reasons—the reasons that he is arguing against in Matthew 19—is still married to her husband in the eyes of God, so it would be adultery for another man to marry her.

Also, notice the last thing Yeshua says in Matthew 19:9 “[whoever divorces his wife...and marries another, commits adultery](#).” It appears that the real reason that men were getting these divorces was because they wanted to marry someone else. So Yeshua is not only addressing the problem of bad doctrine concerning divorce, but also bad motivation. The teachings of Hillel were enabling an immoral practice where men could abandon their wives in order to marry other women. This is clearly not God’s ideal for a marriage; if a wife can be discarded at any time because her husband has found a woman he likes better, then the marriage covenant is basically meaningless. And this is not only a theoretical

problem with Hillel's teachings, but in Yeshua's day, there were men in Israel who were actually treating their marriages this way. Herod Antipas—the ruler of Galilee, where Yeshua lived—divorced his first wife and then married his sister-in-law, who had just gotten divorced from his brother. The historian Josephus recorded the entire incident:

“About this time Aretas (the king of Arabia Petres) and Herod had a quarrel on the account following: Herod the tetrarch had, married the daughter of Aretas, and had lived with her a great while; but when he was once at Rome, he lodged with Herod, who was his brother indeed, but not by the same mother; for this Herod was the son of the high priest Sireoh's daughter. However, he fell in love with Herodias, this last Herod's wife, who was the daughter of Aristobulus their brother, and the sister of Agrippa the Great. This man ventured to talk to her about a marriage between them; which address, when she admitted, an agreement was made for her to change her habitation, and come to him as soon as he should return from Rome: one article of this marriage also was this, that he should divorce Aretas's daughter.”

- Josephus, *Antiquities of the Jews* 18.5.1 (Translation from William Whiston, *Josephus: The Complete Works* [Grand Rapids: Christian Classics Ethereal Library], p. 972)

So, by declaring that divorcing a woman for the purpose of marrying another woman was wrong, Yeshua was not only addressing a major theological debate that was going on at the time, but was also condemning the actions of a prominent political figure. (NOTE: John the Baptist also condemned these same actions in Mark 6:17-18)

So, to summarize, Yeshua was not adding an additional restriction to the Torah and declaring that divorced people could no longer get remarried; rather, he was discouraging people from getting divorced in the first place, and addressing the abuse of the marriage and divorce system that was occurring because of the teachings of Beit Hillel. Yeshua's teachings agreed with the Torah: believers should honor their marriage covenants and remain married; however, a believer who was divorced for legitimate reasons was not bound by his or her old marriage contract, and was free to marry again. Yeshua was condemning divorces that were made for illegitimate reasons, and he was calling the remarriages that followed those kinds of divorces “adultery.”

This presents the obvious question: what is a legitimate reason to get a divorce? Yeshua cited the reason of “sexual immorality,” meaning that the wife has been unfaithful. This is a violation of the marriage covenant, so it makes sense that this would be a legitimate reason to nullify that covenant by getting a divorce. Do the Scriptures provide any other legitimate reasons for divorce?

As we approach this question, we should remember Yeshua's teachings: “[What therefore God has joined together, let not man separate.](#)” (Matthew 19:6) Divorce was not a matter to be taken lightly. A marriage was a lifelong commitment, a system established by God in the beginning, and a commitment that he expected his people to keep. Only in the most irreconcilable of situations was a divorce to be considered by a believer.

With that in mind, Paul does provide an additional situation where a divorce appears to be allowed:

1 Corinthians 7:15

[But if the unbelieving partner separates, let it be so. In such cases the brother or sister is not enslaved.](#)

This seems to be saying that a believer can divorce an unbeliever, but Paul's words here need to be put in context to understand exactly what he is saying. First, Paul instructs believers not to get married to unbelievers:

2 Corinthians 6:14-15

Do not be unequally yoked with unbelievers. For what partnership has righteousness with lawlessness? Or what fellowship has light with darkness? What accord has Christ with Belial? Or what portion does a believer share with an unbeliever?

So, Paul says that believers should not marry unbelievers, but he also says that if a believer is married to an unbeliever, then they should not get divorced:

1 Corinthians 7:12-14

To the rest I say (I, not the Lord) that if any brother has a wife who is an unbeliever, and she consents to live with him, he should not divorce her. If any woman has a husband who is an unbeliever, and he consents to live with her, she should not divorce him. For the unbelieving husband is made holy because of his wife, and the unbelieving wife is made holy because of her husband. Otherwise your children would be unclean, but as it is, they are holy.

According to Paul, the marriage covenant should still be honored even if one of the people in it is an unbeliever. However, Paul goes on to say that if the unbelieving spouse decides to leave of themselves, then the believer is no longer bound to them:

1 Corinthians 7:15-16

But if the unbelieving partner separates, let it be so. In such cases the brother or sister is not enslaved. God has called you to peace. For how do you know, wife, whether you will save your husband? Or how do you know, husband, whether you will save your wife?

So, while Paul encourages believers not to divorce their unbelieving spouses, he says that if the unbelieving spouse chooses to leave of themselves, that the believing brother or sister "is not enslaved." By "not enslaved," he means that they are free from their marriage commitment to the unbelieving spouse, and therefore free to remarry. Of course, since he also states that believers should not enter into marriages with unbelievers, a believer cannot use this teaching to justify marrying and divorcing an endless stream of unbelievers. Even with an unbeliever, marriage covenants still need to be honored, and still need to be considered as lifelong agreements. But, if an unbeliever decides to divorce a believer, then the believer can consider that to be a legitimate divorce, and can feel free to remarry.

There is at least one other situation in which divorce would certainly have been tolerable according to the Scriptures, and that was when someone's life was in imminent danger. The Scriptures do not explicitly state that a divorce can occur for this reason, but saving a life was justification to work on the Sabbath (Luke 14:5), to steal (Proverbs 6:30), and even to kill (Exodus 22:2), so surely it would have been sufficient justification to get a divorce. Situations where divorce would literally save someone's life were probably rare, but in such cases, a divorce would no doubt have been justified. There may have been other circumstances, perhaps not quite as extreme as one's life being in imminent danger, that would have made a divorce the lesser of two evils, but the Scriptures do not mention what those situations may have been. For a deeper look at how to approach Scriptural dilemmas like this, see our teaching, [Weightier Matters](#).

Today, if you think you have legitimate reason to get a divorce, it's best to get input from wise and Godly people who personally know all the details of your situation before making such a decision. If you are considering getting a divorce for any reason, we urge you to seek Godly counselors. They can evaluate your particular situation, and help direct you toward the right course of action. As the Scriptures teach:

Proverbs 11:14

Where there is no guidance, a people falls, but in an abundance of counselors there is safety.

While there are situations in which a divorce is Biblically permissible, God's ideal is that married people stay married. God takes marriage agreements very seriously, so we should take them seriously too. Married life isn't always pleasant, but we cannot break a sacred covenant just because we don't feel happy. Again, wise counselors who can help us navigate through difficult times in our marriages are a very valuable resource, and when we're struggling, they are something worth pursuing.

Conclusion

Here's what we learned in this teaching:

- Biblical divorce is a complete termination of the marriage contract.
- God intends for marriages to last for a lifetime, so the Scriptures only allow divorce in extreme circumstances, like adultery, or being abandoned by an unbeliever.
- Yeshua condemned the practice of getting divorces for illegitimate reasons, especially the reason of simply wanting to marry another person. He called this practice "adultery."
- Believers who have gotten divorces for legitimate reasons are Biblically free to remarry.
- Divorce is a last resort, and not a decision to be made lightly.

In part four, the conclusion of this series, we will be answering many of the commonly asked questions concerning the topics of sexual immorality, adultery, marriage, and divorce. We'll see you there.

We pray you have been blessed by this teaching. Remember, continue to test everything. Shalom! For more on this and other teachings, please visit us at www.testeverything.net

Shalom, and may Yahweh bless you in walking in the whole Word of God.

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