

# Study 17-A

*Mini - Booklet Series*

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## The Bible: Is Divorce & Re-marriage Sinful?



Knowledge is the great enemy of blindness, partial and absolute, physical or spiritual. Knowledge fights against superstition and irrationality and wins every battle.

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**DIVORCE IN THE USA** is big business. But mostly, it seems, only the divorce lawyers get away without pain and suffering. As might be expected, divorce is a cancerous blight upon society. Maybe that is one reason that this nation seems to nod and wink at simply living together as man and woman, not man and wife; people just living together have no need for divorce courts. But, the burning question is: *Respecting Christianity, does God permit (within the pages of the Bible) a Christian couple to divorce and subsequently marry other persons?* Or put another way: *Is it OK within the Bible for believers to be divorced and re-married?* Before you answer, read on. You will find that this issue is not as simple or straight-forward as it appears at first blush. It is not a black and white issue. Note, however, that this paper does *not* represent *legal* advice (see footnote on page 5).

During my many years as a serious believer, the issue of divorce within the church has surfaced time and again, along with its inevitable counterpart, remarriage. Opinions and counter-opinions, as whether a believer can be divorced and remarried, range widely from absolutely "NO!" to absolutely "Of course!" and a few shades in between. An axiom: when an *absolute* or *unconditional* biblical answer is given to an issue, one needs to present *conclusive* biblical evidence or *conclusive* supporting testimony to prevent the response from being considered an extremist position. For instance, "**You shall not kill**" (Ex.20:13, RSV) sounds like sufficient conclusive support for not killing *anything*, not even a sheep for food, a rat, bugs, or a vicious animal like a bear in self-defense, not to mention other human beings (some who do indeed act worse than vicious animals and may even deserve the ultimate punishment). If we say that the "do not kill" command *only* refers to human beings, I would argue that

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you have added something to the passage that just is not there, however reasonable the statement may actually be. But we need not argue this point, since the “do not kill” command is not convincing due to a translational error.

You see, after a bit of research, we can quickly discover that the English word translated from the underlying Hebrew in Exodus should be “murder,” not “kill,” and further, that a number of examples and situations crop up in the Bible that contradict the narrow “kill” concept. “Murder” refers to the unlawful and malicious or premeditated killing of a human being by another human being. Animals, therefore, cannot be “murdered.” *And it has to be adjudicated.*

To *not* be allowed to kill (any human) would mean that you must never defend yourself, your wife, or your children say, when a murderer or other predator climbs through your window at midnight with a gun or a knife pointed in your direction, and you have the means and the ability of defending your loved ones. *Shame on you if you are unwilling to defend your loved ones.* This is not to endorse “situation ethics” wholesale, but to merely suggest that one should be aware of all the factors of the issue and not allow doctrinal blinders to get in the way of reasonable exegetical interpretation. Alas, I have found over the years that many within my church experience have indeed used doctrinal filters and blinders when evaluating almost any given biblical issue. I hasten to add, of course, that it is often difficult not to evaluate according to one’s organizational view or one’s present understanding of an issue.

Bottom line: if divorce is a sin, i.e., an act of actual lawbreaking, then it should be outlawed. But is it a sin? Is it an act of lawbreaking?

**1: Is divorce a sin?** Some folks say yes, but what does *the Bible* say? It says sin is the transgression of the law. **“Every one who commits sin is guilty of lawlessness; sin is lawlessness” (1Jn.3:4, RSV).** **“Sin is the transgression of the law” (KJV).** **“Everyone who keeps living in sin also practices disobedience. In fact, sin is disobedience” (1Jn.3:4, ISV, International Standard Version).** Some would say that marrying a divorced person is an act of living in sin. Can this conclusion be justified by the Bible? It does appear that “disobedience” is a sin. But is divorce an act of disobedience? I think not.



**“You know that Christ appeared in order to take away sins [including disobedience to God’s law!], and that there is no sin [lawlessness] in him. So everyone who lives in union with Christ does not continue to sin; but whoever continues to sin [an ongoing progression] has never seen him or known him (1Jn.3:5-6, GNB).** The upshot of these two passages seems to be that (a) if you are in Christ and Christ is in you, you do not continue to sin in any fashion, you are not a disobedient person, (b), but if you do *continue* to sin (or continue in sin) or are disobedient, you are without Christ, being a stranger to him. One is either a “slave” to sin or not. **“Do you not know that to whom you present yourselves slaves to obey, you are that one’s slaves whom you obey, whether of sin *leading* to death, or of obedience *leading* to righteousness? ... But now having been set free from sin, and having become slaves of God, you have your fruit to holiness, and the end,**

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everlasting life. For the wages of sin *is* death, but the gift of God *is* eternal life in Christ Jesus our Lord” (Rom.6:16, 22-23).

Regarding being in “bondage” and the “truth” making you free (Jn.8:32)... **“Jesus answered them, Truly, truly, I say to you, every one who commits sin is a slave to sin” (Jn.8:34).** That is real bondage. This particular argument came down to a question of who was of God and who was not (v.47). Sinners (in this case) were not (and are not) of God. Can this mean that if you sin even once (after having repented), you have immediately regressed to becoming a slave to sin once more? But if that sin is forgiven, you revert back to being in Christ? If a person becomes a sinner by divorcing or being remarried, how can that person ever become a non-sinner? Some have said by separating immediately. That sounds a bit harsh, especially if children are involved. Does divorce harm children? Yes. Then, before one can retort “Divorce!” or “Separate!” or “Stay together, regardless!” one should examine the case at hand. Offering absolute answers without reviewing the situation is a fool’s errand. They only tend to accentuate one’s doctrinal position.

- *Where divorce is permitted in any sense*, even if only upon one basis, it cannot be considered a sin! For example, I consider smoking to be a filthy habit and sinful, but according to secular law, it is not an act of lawlessness. In the eyes of the law, smoking is legal. In the eyes of biblical law and secular law, divorce is legal. We must remember this.

The legal or forensic view of a sin devolves to lawlessness. Yet sin can be more than just breaking God’s written law, although that is usually how it is viewed. Can one break the “spirit” of the law and be considered a sinner? I think so. However, should we then suggest that one who “misses the mark” (one definition of sin) is a sinner, a lawless person worthy of the ultimate punishment by God (death) and exclusion from his grace and his kingdom? Not necessarily. *Should a person who gives “offense” be considered a rotten sinner worthy of the ultimate punishment, death?* Consider the next question.

**2. Should sinners be punished with everlasting destruction in a “Hell” fire?** Don’t answer this one too quickly. Gentiles (non-Jews) were considered sinners in the first century, at least by Paul and others. They were also called “Greeks.” As a result of their “sinner” status, should they be consigned to total destruction and annihilation in a hell-fire? Paul: **“We ourselves, who are Jews by birth and not Gentile sinners...” (Gal.2:15).**

New Testament “Sin” = G266 *hamartia*. (abstract) *offense, sinful*, from base G264, *to miss the mark, offend, or trespass*. “Transgression” = G458, *anomia*, from G459, *anomos, violation of law, wickedness, unrighteousness, or iniquity*. One can certainly sin without breaking a specific written law, although for every sin, one might be able to find a broken law or principle somewhere. **“Whoever knows what is right to do and fails to do it, for him it is sin” (Jas.4:17).** According to the Lord’s brother, if a person understands what is the correct action in any given situation and he fails to do it (all things being equal), then that person has sinned. This has to be considered on a case by case basis. Divorce can only be a sin if it represents a state of lawlessness. While we are considering cases, observe this next passage.

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**“If anyone sees his brother sinning a sin *which does not lead to death*, he will ask, and he will give him life for those who commit sin not leading to death. There is sin leading to death. I do not say that he should pray about that. All unrighteousness is sin, and there is sin not leading to death” (1Jn.5:16-17, NKJV; RSV has “mortal sin”).** Did you see that? There is sin that if committed, leads right to the “second” death (life being the gift of God and the wages of sin being death, **Rom.6:23**). And notice carefully that there is a type of sin that does NOT lead to death. Then we can only conclude that the “wages of sin” is NOT death after all, *but may or may not be death*. One may sin in such a manner that it does not lead to death. Instead, the person “sinning a sin” that does not lead to death may be given eternal life! Then there are these passages: **Lk.15:7**, the writer juxtaposes a sinner over against 99 just persons; **Isa.65:20**, the writer says a 100 year-old sinner shall be accursed; **Lk.7:27ff** mentions a woman who was a sinner that anointed Jesus’ feet; about Jesus some wondered how a sinner could do such signs (**Jn.9:16**). So clearly, there are different levels of sin, some being worse than others. We cannot shoehorn all acts that we consider contrary to “the law” or *our idea* of the law, into the “mortal” sin category (RSV) or the notion that sin is sin and all sinners are going to hell in a hand-basket. Besides, what about God’s mercy? **“For he says to Moses, ‘I will have mercy on whomever I will have mercy, and I will have compassion on whomever I will have compassion.’ So then *it is not of him who wills, nor of him who runs, but of God who shows mercy*” (Rom.9:15-16).** So, at the end of the day, we find some sins that are awful and that lead to death, and some that do not. Finally, we find that God’s mercy may be working in places where we, as humans, might have none. Certainly, if divorce is a sin, then at least ½ of all married couples are living in sin (according to divorce rates), and are thereby lost. This includes pastors, preachers, and Christian leaders.

**3. Is divorce offensive?** Indeed, it can be and often is. Does divorce offend God in any way? Indeed, I am certain it does. But no verse can be found that states: *Thou shalt not divorce*, or words to that effect, and there is no direct command that states once a marriage has taken place, there can be no turning back. (The words of Jesus about divorce will be considered below in **Point 6**.) A divorced person is not a sinner because of the divorce, since no direct law prohibits divorce, in spite of what Jesus has been quoted as saying. So, I conclude that divorce is not a sin such that no direct laws or commandments of God are being broken by the parties.



**4: Is marriage offensive?** Indeed, it can be very offensive, both to God and to man, and I think it often is. Marriage for the wrong reasons might be offensive to God. Unfaithful marriage partners are an offense to God. Marriages to brutes and marriages wherein brutality is the norm are offensive to God. They certainly are to me. Marriages of mismatched couples might be offensive to God. Arranged marriages might be offensive to God. Marriages, based on lies and deceit, are no doubt offensive to God. Why would God force a couple to continue together when the union itself has a false and deceitful basis?

Marriages wherein the woman is considered chattel or at best a second-hand citizen, might be offensive to God. They are to me. And here we come

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upon the marriages of the first century in Palestine and in Rome. Women had no rights. In early Roman times, men could not be charged with adultery.

One question we must entertain is this: *Which is worse? —A marriage that has become physically dangerous to one party or the other, or, —A separation and divorce of the struggling couple?* Take your pick. What this amounts to, perhaps, is a choice between the lesser of two difficult positions. Divorce is difficult at best, as is a marriage filled with violence. Which would you choose? Make your choice and then seriously consider the next question:

Do you have a right to injure a spouse within the chains of marriage? You do not have such a right before God (or man) in most *civilized* nations. There is no room for unbridled aggression within any marriage before God. Hostile, abusive, and godless activity within a marriage is decidedly against God's wishes as well as the spirit of the marriage. Any marriage exhibiting these components ought to be annulled immediately. Certainly, as imperfect people, we sometimes lose control and criticize one another, sometimes severely and often without warrant. But these acts can be forgiven and the breach repaired. There can be almost no repair to a marriage that has experienced infidelity, however. When one or the other is attracted to a third party and physically acts upon it, all bets are off for that marriage. Should the secret escape, the union is doomed. At the very least, all trust has been severed.

What is the "spirit of the marriage"? The spirit of marriage is reflected, generally, within the individual and collective marriage vows. Love, honor, and cherish until death divides the blending are often sentiments mentioned at the altar. Some couple opt for specific and personal vows, but, nevertheless, they are still vows not to be taken lightly. A "vow" is a solemn promise or pledge, especially one made to (or before) God or a god. To break a vow is to break a promise and to destroy a bond of trust between the two parties. Trust is the firm belief or confidence in the honesty, integrity, and reliability, justice, etc., of another person. Trust has to do with faith and reliance. These attributes are necessary to a sound marriage.

The spirit of marriage is one of mutual respect and concern. When mutual respect disappears, the spirit of marriage suffers irreparable damage. To revive such a marriage is to revive the spirit of the marriage that was ostensibly there in the first place. Lacking this revival, the marriage is doomed—it is dead. What purpose does a dead marriage serve in God's plan? What purpose does an abusive marriage serve in God's plan for mankind? I say no purpose.

### 5. Marriage is a performance contract between consenting adults.<sup>1</sup>

Marriage is as much a contract as is any other written document that spells out activities and obligations for both parties in addition to implications. Performance contracts define obligatory performance, duties, and obligations of the parties. (Repeat: This section (especially) does not presume to offer legal opinion.) If a

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<sup>1</sup> NOTE: This section (especially) does NOT presume to offer *any* legal opinion whatsoever, since I am not a lawyer. It represents only what I think I understand. If you need legal advice regarding marriage, divorce, or contract law (all very complex issues), I suggest you see a competent attorney. The advice I give here is based on a pastoral or Christian minister's view and belief, not as an attorney in *any* sense. Indeed, none of my advice in this writing respecting marriage, divorce, or contract law is intended as legal advice but only as explanatory notes of interest. *This writing is not legal advice.*

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person contracts to perform a certain way or as in music, to give a certain performance, not so performing breaks the contract and makes the party breaking the contract liable for damages. Breaking such contracts can cause serious financial damage. The marriage contract is between the man and the wife. *This is important!* No outside party has a right to interfere with a legal performance contract that has been properly executed and has had the “earnest” (or consideration) established and implemented. The only persons that have rights to change the contract terms are the contracting parties and they must put any additional stipulations as agreements in writing. And it would seem that contracts are to be made in “good faith.” What follows are general conditions.

If one party to any contract breaks the contract (breach of contract), no outside person has the right to enforce binding stipulations upon the two parties apart from an additional agreement of the two parties in writing, as in arbitration, or upon a court decision. Of course, the courts have remedies when the parties appeal to that august system. A broken contract may have repercussions in the form of damages before the law.

The contract sets out the defining terms, mutual agreements, and the consideration. The parties must be competent to contract and the contract must be for a lawful purpose. Both parties must have an equal right to remedy upon breach of the terms by the other party and both parties must have some obligation to fulfill to the other. The *consideration* idea is that both parties are to bring something to the table. Civil law systems take the approach that an exchange of promises, or a concurrence of wills alone, rather than an exchange of something of value is the correct basis, so that a promise can be the consideration, especially if one person has given such an assurance and the other relied upon that assurance to their loss. In my view, a contract may be sealed by the mutual exchanging of something of value that cause each party to expect full compliance with the terms of the contract by the other party. Contracts may stipulate agreements according to time, or a date specific when the contract might expire. Marriage contracts are thought to be for life, generally. In contract law, a misrepresentation of substantial detail may invalidate the contract and allow a right of rescision (annulment) and sometimes damages depending on the type of misrepresentation.

Finally, *the “doctrine of privity of contract” means that only those involved in striking a bargain would have standing to enforce it. In general this is still the case, only parties to a contract may sue for the breach of a contract, although in recent years the rule of privity has eroded somewhat and third party beneficiaries have been allowed to recover damages for breaches of contracts they were not party to. A recent example is in England, where the Contract (Rights of Third Parties) Act 1999 was introduced. (see Contracts, Wikipedia)*

**6. What about Jesus’ commands regarding divorce?** First, we have to determine if Jesus actually gave any “commands” about divorce and then evaluate his words in context. We cannot assume, without close analysis, that what he said comprises “commands” for all time and for all purposes. What we have is basically one example wherein Jesus commented upon divorce and remarriage. We also have an example of Paul implying that an unbelieving wife

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may be divorced. One point is the fact that no one mentions the wife divorcing the husband until we get to the NT. I found no biblical evidence that the husband could be divorced by the wife except in one line by Jesus in **Mk.10:12**.

Quick Survey: In **Deut.22:19, 29**, bringing a bad name upon a virgin (or *humblinger*) meant that the guy had to marry her and never give her a divorce. In **Deut.24:1-3**, if a man found *uncleanness* or *detests* a wife, he could divorce her. In **Isa.50:1** (a very abstract passage), God (Yahweh) seems to have put away or divorced his wife, Israel. In **Jer.3:8**, God says he divorced Israel, in **v.14** says he is married to Israel and Judah, and **Mal.2:16** states that God hates divorce. Jesus is quoted as saying: “**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**” (**Matt.5:31-32, NKJV**). This passage appears to be absolute and seems to become the biblical law of divorce and remarriage. Also: “**Everyone who divorces his wife and marries another commits adultery, and he who marries a woman divorced from her husband commits adultery**” (**Lk.16:18, ESV**). (Notice how this passage contradicts Matthew 5.) Is adultery an act or an ongoing process? I think it is an act. (I reject the “living in sin” concept for married persons.) Can the act be forgiven? Yes. Does this passage represent a LAW? Or is it a broad general principle? It is a broad principle that makes judgment necessary on a case by case basis. Who was the intended audience? The disciples and possibly “tax collectors” and “sinners”; possibly given at the “sermon on the mount.” Jesus also said, “**You must be perfect as your father in heaven is perfect**” (**Matt. 5:48**). Are there any perfect among us? Then this saying cannot be a “law.”

What about the *husband*? According to Barnes’ Notes:

• **Matt.5:31-32—It hath been said ... - That is, by Moses, Deu.24:1-2.** *The husband was directed, if he put his wife away, to give her a bill of divorce, that is, a certificate of the fact she had been his wife, and that he had dissolved the marriage. There was considerable difference of opinion among the Jews for what causes the husband was permitted to do this. One of their famous schools maintained that it might be done for any cause, however trivial. The other maintained that adultery only could justify it. The truth was, however, that the husband exercised this right at pleasure; that he was judge in the case, and dismissed his wife when and for what cause he chose. This seems to be agreeable to the law in Deuteronomy. Jesus in Mk.10:1-12, says that this was permitted on account of the hardness of their hearts, but that in the beginning it was not so. God made a single pair and ordained marriage for life.<sup>2</sup> But Moses found the people so much hardened; so long accustomed to the practice, and so rebellious, that, as a matter of civil appointment, he thought it best not to attempt any change. Jesus brought marriage back to its original intention, and declared that **\*\*whosoever put away his wife henceforward, except for one offence, should be guilty of adultery. This is now the law of God. This was the original institution. This is the only law that is productive of peace and good morals, and that secures the respect due to a wife, and the good of children. Nor has any man or set of men—any legislature or any court, civil or ecclesiastical—a right to interfere, and declare that divorces may be granted for any other cause. They, therefore,***

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<sup>2</sup> This statement, “God made a single pair and ordained marriage for life” cannot be supported from the Bible, neither in the Old Testament nor in the New Testament.

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*whoever they may be, who are divorced for any cause except the single one of adultery, if they marry again, are, according to the Scriptures, living in adultery. No earthly laws can trample down the laws of God, or make that right which he has solemnly pronounced wrong.*<sup>3</sup>

Interestingly, the last line above by Albert Barnes (“No earthly laws can trample down the laws of God”) was strangely ignored when the seventh-day Sabbath was replaced by the ponderous trampling feet of man in the early centuries of institutionalizing Sunday (forcing Sunday as a day of worship) in place of the biblical and lawful Sabbath.

### **“What God has joined together, let no man separate” (Mk.10:9).**

Contrary to Albert Barnes in the above citation, nowhere could I find a passage that implied or stated that God “ordained marriage for life,” as nice as the phrase sounds and as laudable as the idea may be. The only exception to this would be Jesus in **Mk.10:9** (cited) where Jesus says, “What God has joined together, let no man separate.” But this can hardly be declared as a “God ordained” LAW defining marriage as an institution for life. (Marriage ought to be for life, but the question before us is not what any of us think, but what the Bible states.) Even with Jesus’ quotation, we need not accept this passage as a commandment of Jesus, but more of an ideal or a principle by which one should strive to live.

\*\*Later in the quote, Barnes writes that “except for one offense,” putting away (divorcing) a wife would be committing “adultery.” Barnes mistakenly tells us that *Jesus* declared, “Whosoever put away his wife henceforward, except for one offense, should be guilty of adultery.” Barnes is quite wrong on two counts. Divorcing a wife is NOT adultery. Further, there is no *specific* biblical law that the act of divorce breaks. Barnes did not cite the quotation properly; he left something out. Jesus never said what Barnes claims in Mark or anywhere else. The authentic quote (**Matt.5:32**), which is obvious when one really *reads* the passage, is thus: “Whoever divorces his wife and marries another commits adultery against her.” A divorced person, in this passage, cannot be an adulterer by divorcing a wife. (At this point, nothing is said about the wife divorcing the husband.) Barnes states the correct phrase later in the quote. So, beware. When quoting scholars in order to support this or that point be attentive that scholars can be just as wrong (or blind) as anyone else.

Barnes claims in no uncertain terms: *Nor has any man or set of men—any legislature or any court, civil or ecclesiastical—a right to interfere, and declare that divorces may be granted for any other cause.* I strongly disagree.

Should his assertion prove true, it would indeed visit an ongoing travesty upon married women especially. The foolishness of such an absolute law becomes obvious respecting abuse. Instituting a no-divorce policy enables abusers to continue their ungodly abuse of a spouse. Such a harsh law, if enforced strictly, as many in Christian churches thoughtlessly insist, would force an abused wife to remain with a wife-beating husband. Perhaps that was normal and ok in those early days; you could treat your “less-than-human” wife as you please—she had no rights as a person or a citizen. *I insist that this point is a major flaw in the D&R issue for today.* (And there are others!) I insist that to

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<sup>3</sup> Albert Barnes’ Notes on the Bible.

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force a woman to stay in unbearable conditions is ungodly and not biblical in any sense of the word. It is a serious and grave mistake to suggest otherwise.

By now, the careful reader should realize that it is virtually impossible to formulate a written code for every possible facet of human conduct or interaction. This is the very reason we have judges today, and the reason ancient Israel had judges during those early years. Back then, they were to judge matters between parties, and to render a satisfactory answer. They were to give a judgment (a decision) according to the particulars of the case. If the laws of God that were set in place were able to address every issue, Moses would not have had to establish a “lower” court system. Moses’ father-in-law (Jethro) had a problem with Moses. Moses judged the people from morning till night, day in and day out (**Ex.18:13**). Jethro said, **“What *is* this thing which you do to the people? Why do you sit alone by yourself, and all the people stand by you from morning to evening?” (v.14, MKJV).**

The people were lining up presenting their grievances before Moses and Moses was supposed to make a ruling on each one. These rulings, at least in the case of law today, may become law themselves or precedents for further exposition of the particular problem. The Bible contains laws, statutes, ordinances, and judgments. Ordinances are sometimes created based on judgments. Moses and the judges of Israel offered judgments and opinions. Jesus offered judgments and opinions. These judgments would be called “oral law” or delivered opinions about the written law, particular decisions or opinions concerning a particular case. We have “oral law” today. As soon as the oral law is submitted by the judge, it is recorded somewhere and becomes a generally narrowly-defined precedent, but these precedents are not written in stone; they may be overturned by another judge offering a differing opinion, which may then affect a similar case in the future. Jethro: **“And Moses’ father-in-law said to him, ‘The thing that you do *is* not good’ ” (v.17).** Moses was wearing away.

So what did Moses do? He accepted the wise advice of his father-in-law. He set rulers over the people in a hierarchy of judges beginning from low level justices (we might call one a Justice of the Peace) to judges of more difficult cases. Finally, the most difficult cases went before Moses (**vv.21-22**).

**The point is that all written law is not cut and dried.** A principle that states one position, as the principle Jesus offered in **Mk.10:9** or **Matt.5:32**, cannot be assumed an inflexible rule that should never be broken. On the contrary, there is a Greater Law that trumps *a*ll written codes, and that is the **Law of Mercy**. Maybe you are unaware of this law. Some refuse to see it.

One special Sabbath day, Jesus and his disciples were out in the countryside, when lo and behold, they became hungry. What were they to do? Open a sack lunch of cheese sandwiches and an apple they prepared the day before? They had no sack lunches. So, they walked into a grain field and began to pluck grain and eat it (**Lk.6:1**). But this was the Sabbath and a High Sabbath at that! Well, the Pharisees raised themselves up and declared that Jesus and his band of followers were breaking the Sabbath. Maybe he was, in one sense. Jesus (Yahshua) disagreed. He told of David and the showbread and how it was unlawful for them to eat it. Jesus simply states that he is the Lord of the Sabbath

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as his reason to “break the Sabbath” but that answer is insufficient (he only “broke” stringent Jewish regulations) so we look for another law that trumps the written code. We find it in what I call **The Law of Mercy**. *When it is merciful to do something and to perhaps even save a life, then by all means do it in spite of any written law prohibiting any certain activity; God will not condemn you, although man might.* David therefore was not condemned. Rahab told a lie to the king and his men about the two Israelite spies being on the premises (**Josh.2:1ff**). They were hiding on her rooftop and were able to escape (**v.6**). She was not condemned but saved (**Josh.6:25**). The same law came into play when Jesus healed people and cast out demons on the Sabbath, even in one case, making a paste (work!) to restore a man’s vision (**Jn.9:6, 14**).

Then there is the more familiar “**Ox in a Ditch**” principle. If your ox or your neighbor’s sheep falls into a ditch on the Sabbath day, what do you do? The merciful thing to do would be to pull it out, to save its life, and ignore any Sabbath law. How much more important is a human being than an ox or a sheep? Then Jesus rails against some folks he called “hypocrites” who led their oxen and animals from their stalls and give them a drink on the Sabbath day, yet, who insisted that a man ought not be healed on the Sabbath (**Lk.13:15**). *Jesus was demonstrating the Law of Mercy at work—but they were too much into their legalistic intolerant stance to see his point.* I have met (and know!) religious people like that, and perhaps so have you.

Jesus: “**Then he said, ‘Is there anyone here who, if a child or animal fell down a well, wouldn’t rush to pull him out immediately, not asking whether or not it was the Sabbath?’**” (**Lk.14:5, The Message**). Here, it is the “child in a well” principle.

What I am trying to say here is that when a law is formulated, there are virtually always exceptions to that law or rule.

• **Some Bible commentators** work from their organization’s doctrinal positions and include the words of Jesus (often erroneously) as support. For example, in the **Questions & Answers** section of *The Bible Advocate Magazine* (January-February 2007, p.7), I found this:

**QUESTION:** *I want to know if you accept divorce and remarriage even if the person’s wife or husband is still living.* [The question, of course, refers to the idea that one cannot remarry as long as the spouse is living, and this presumes that a divorce for some reason has taken place. Elder Calvin Burrell, in attempting to understand the question, turns it around a bit.]

**ANSWER:** *If you mean, does the Church [Church of God (Seventh Day)] accept divorce and remarriage as a reflection of the righteous will of God for His people, the answer is no. The Church teaches the permanence of marriage according to Gen.2:18-25 and the words of Jesus: “What therefore God hath joined together, let no man put asunder” (Matt. 19:6, KJV). ... The ease with which professing Christians divorce and remarry is an admission of personal failure and an embarrassment to God’s church. [I agree with this last statement.] Not every divorce, however, means equal fault for both partners. If the divorce was caused by the immorality of one marriage partner, Jesus offers freedom for*

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*the other to remarry (Matt.5:31, 32; 19:9). Some Bible students find a similar freedom for those who are deserted by an unbelieving spouse (1Cor.7:15).*

*On the other hand, if you're asking whether the Church accepts divorced and remarried persons as a reflection of God's desire to forgive and redeem us from all our failures and brokenness, then the answer is yes. Though it is sin, divorce is not unforgivable. Those who have divorced and remarried come to a Christian fellowship in the same way as all other sinners: through repentance, confession, and grace (Mk.3:28; 1Jn.1:9). Christians, we believe, should be no less forgiving than Jesus.*

*The question of remarried persons serving as Church deacon or elder may be less clear, but the question of forgiveness in Christ for all penitent hearts that turn toward Him should not be in doubt. # [Underscoring mine]*

• **My Analysis:** In reading the Church's answer carefully, we discover that the Church of God (Seventh Day) does not seem to practice the same forgiveness mentioned in the above response. Mr. Burrell implies that divorced/remarried persons are apparently not quite as free from the stain of sin as are others who have not been divorced and remarried. These divorced/remarried persons are no doubt unable to serve this Church and the congregation simply because they have this awful D&R stain upon them from which they can never be free. There seems to be a certain amount of inconsistency and contradiction here when it comes to visible service to the congregation. They are forgiven by God (or Jesus, as the case may be) but not by the Church organization. I find this kind of position a bit on the hypocritical side; God offers grace, but the organization does not, at least, not completely, according to Mr. Burrell. Divorce, writes Mr. Burrell, is a sin, albeit not an unforgivable one! However, contrary to this written Church organization opinion, nowhere in the Bible does it suggest that divorce, per se, is a sin. *Although marriage is indeed a divine institution, that is, divinely conceived, divorce is not a sin.*

### **7. What about the Apostle Paul's commands?**

In the first place, I'm not so sure that the Apostle Paul "commanded" anything about marriage, at the very least not for the modern world. His sayings do not carry the weight of law. They are not as though they were "the word of God." They are not *The Words of God*, they are Paul's opinions and judgments sent to certain groups, such as the Corinthians or the Galatians, for that time and place. We should always evaluate biblical writings in an historical light and in CONTEXT. Sadly, much of what passes for Christian "law" is nothing more than Church doctrine and positions established by individuals within organizations. Many who espouse these narrow views are looking through church filters, not through objective lenses. Remember, mercy triumphs over law every time.

Remember also that Paul was writing to a particular group about these issues; he was not establishing laws for all people and for all times. Paul is not the Great Lawgiver; that would be Yahweh. Jesus (Yahshua) was the anointed agent of Yahweh. Paul gave his opinions and his judgments for certain groups in certain times and places. Keep this in mind. Sometimes he claims to speak for Jesus but I am not totally convinced of his authority in a number of matters. In **Eph.5:33**, Paul states a principle of marriage: *mutual love and respect*. I agree

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with this principle as worthy to be insisted upon. Paul differentiates between believers and unbelievers. He suggests that married *believers should not divorce (1Cor.7:10-11)*. I agree. But a believer married to an unbeliever may divorce the unbelieving spouse (v.14); there is no *bondage (v.15)*. Paul says if the unbeliever is willing to live as man and wife, let them not divorce, and this writing leaves an implication open for divorce. Like all others before him, Paul does not discuss marital abuse, which today, is rampant.

• *This is one of my strongest points. An abuser within marriage (or without!) is not a believer. A marital abuser should be divorced as soon as possible. Escape from such a relationship is mandatory and the action must not be indecisive.* • Marital abuse, in my view, tells me that the abuser is not deserving of a wife. Abuse is a red flag. That's why it is advisable for a couple to have a long engagement, at least for two solid years. In that time, it should become evident whether one or the other party is an abuser, or worse.

**2Cor.6:14—Do not be unequally yoked with unbelievers...** One writer, Herbert Armstrong, in his *Divorce and Remarriage* booklet, states with much passion: *It is a COMMAND of God that Christians shall not marry unbelievers.* Armstrong then writes about a physical union as opposed to a spiritual union as an excuse to separate, but NOT to divorce. The truth of the matter is that Paul did not have the authority to create such rigorous laws and institute them for anyone, let alone mankind forever. The Corinthian passage by Paul is no "command." Paul merely gave an opinion and sent it to the Corinthians for that time and that place. This was not a law from God; it is a good principle or standard of conduct for believers. It is nauseating sometimes, when you realize how much Church Law is predicated upon notions and misconceptions of men. How difficult it is for some believers to separate true biblical laws and commands of God from the opinions of men, even the disciples.

Marriage is a covenant. One of the couple breaks the covenant. Does breaking a covenant allow a divorce? Adultery breaks the covenant. Abuse breaks the covenant and bond. "For better or worse" does not include abuse or other illegal activities. This was not anticipated in the vow. Seriously broken vows are broken covenants which should make the marriage contract null and void immediately. "For richer or poorer" does not include sloth on one part or the other. It does not include refusing to work and living on welfare. "In sickness and in health" does not include deliberate abuse of one's body as in smoking or dipping snuff. In all these vows, neither person is considering the worst case scenario of deliberate abuse of the other as an acceptable endeavor or pastime. Physical or mental abuse *immediately* cancels all wedding vows and contracts of marriage. Both of these conditions should be evaluated by an outside party.

Finally, divorce is an event; it is not sinful and it does not identify you as a person. Divorce, if it is an unforgivable sin as some suggest and others imply, is more powerful than the blood of Jesus. It is more powerful than the forgiveness of Almighty God, who then becomes much less than all mighty; he becomes weak and unable to function. Of course, there is much more to this issue that cannot be addressed here. -F. Paul Haney