

God's Law On Marriage

The Law



- Marriage is **permanent**
- Divorce is **sinful**
- Remarriage is **adultery**

The “Mental Divorce” Position

Ken Cheatham: “Suppose a woman innocent of any wrong doing is divorced by her ruthless husband. We know that **God does not recognize such a divorce**. Even though a ‘civil divorce’ has been obtained it is unscriptural and **does not dissolve the marriage in God’s sight**. Then suppose that **the husband marries another, and thus commits adultery** (Matt. 19:9). What action may be taken by the innocent wife?....Jesus in Matthew 19:9 gives every married person the right to put away their adulterous mate....”

The “Mental Divorce” Position

“...When an innocent woman is divorced, this divorce is, in the sight of God ‘no divorce.’ He does not recognize it! The innocent woman is still married in God’s sight and the husband who ‘divorced’ her is still married to her in God’s sight. Their marriage has not been dissolved and as far as *God* is concerned she *is not* ‘put away’ (*apoluo*). When her husband remarried he committed adultery. I contend that **the innocent may then ‘put away’ her husband.** Reason? That is exactly what Christ said she could do!” (“Barnett--Cheatham Discussion on Divorce and Remarriage,” *The Gospel Anchor*, June 1979, Vol. 5, p. 301)



“Putting Away”

Civil Divorce



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The General Rule

Lk. 16:18

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

The Exception

Mt. 19:9

“And I say to you, whoever divorces his wife, **except for sexual immorality**, and marries another, commits adultery; and whoever marries her who is divorced commits adultery.”

Applying The Exception

Mt. 19:9

“And I say to you, whoever divorces his wife...**for sexual immorality**, and marries another [**does not commit**] adultery; and whoever marries her who is divorced commits adultery.”

The Law Concerning Remarriage

Divorcer

Adultery

Except
For
Fornication

Divorced

Adultery

(Mt. 5:31-32)

Third Party

Adultery

(Lk. 16:18b;
Mt. 5:32b;
19:9b)

Remarriage Of A Divorced Person

- **Mt. 5:32:** ³² “But I say to you that whoever divorces his wife...causes her to **commit adultery**; and whoever marries a woman who is divorced **commits adultery**.
- **Mt. 19:9:** ⁹ “...and whoever marries her who is divorced **commits adultery**.”
- **Lk. 16:18:** ¹⁸ “...and whoever marries her who is divorced from her husband **commits adultery**.

Remarriage Of A Divorced Person

- **Rom. 7:2-3:** ² For the woman who has a husband is bound by the law to her husband as long as he lives. But if the husband dies, she is released from the law of her husband. ³ So then if, while her husband lives, she marries another man, she will be **called an adulteress**; but if her husband dies, she is free from that law, so that she is no adulteress, though she has married another man.

No Mitigating Circumstances

- The divorced person **did not consent to the divorce**
- The divorced person **still considered himself/herself married**
- The divorced person was **innocent**
- The divorced person's **mate later remarries**

The Fundamental Argument

- The innocent “divorced” person is not really a (biblically) “put-away-person”
- When his/her mate “remarries,” he/she commits adultery (Mt. 19:9)
- Therefore, the innocent “divorced” person may (biblically) “put away” his/her mate for fornication and remarry (Mt. 19:9)

The Fundamental Presupposition

Ken Cheatham: “As far as God is concerned **one is ‘not divorced’ except it be for fornication.**” (“Barnett--Cheatham Discussion on Divorce and Remarriage,” *The Gospel Anchor*, June 1979, Vol. 5, p. 299)

The Fundamental Presupposition

Marshall Patton: “Remember, to deny this divine right to such a person on the grounds of her being a put away person overlooks the fact that **such putting away is futile** and dethrones divine authority and enthrones human authority.” (“Patton--Phillips Debate,” *Searching The Scriptures*, March 1987, Vol. 28 pp. 342-343)

The Fundamental Presupposition

Ron Halbrook: “And so, in conclusion from this, we learn that **an unscriptural divorce releases neither party from marriage. When you have an unscriptural divorce, as men count it, it’s not so with God. That bond is still in tact.** And that little piece of paper is nothing in the sight of God. Just as well use it as Kleenex and blow your nose and drop it in the toilet. It doesn’t mean a thing to God. **God’s law rules over the laws of men.**” (MDR sermon preached in Wilkesville, OH, June 14, 1990)

The Fundamental Presupposition

- If it's not **lawful**, it's not **legitimate**
- If it's not **approved**, it's not **actual**
- If it's not **permissible**, it's not **possible**
- If it's not **right**, it's not **real**

Mark 10:11-12

¹¹So He said to them, “Whoever divorces his wife and marries another **commits adultery** against her. ¹²“And if a woman divorces her husband and marries another, she **commits adultery.**”

Luke 16:18

¹⁸“Whoever divorces his wife and marries another **commits adultery**; and whoever marries her who is divorced from *her* husband **commits adultery**.”

Mt. 19:6

“So then, they are no longer two but one flesh. Therefore what God has joined together, let not man separate.”

Matthew 19:6

- Did Jesus mean that man **cannot** put asunder or that man **should not** put asunder what God has joined together?
- Why **would** Jesus have said that man **should not** put asunder what God has joined together if he **could not** do it in the first place?
- The very fact that Jesus commands us not to do this implies that we have the **power** but not the **permission** to do it

“Let Not....”

- **Mt. 6:3:** But when thou doest alms, **let not** thy left hand know what thy right hand doeth: (ASV)
- **Lk. 21:21:** Then let them that are in Judaea flee unto the mountains; and let them that are in the midst of her depart out; and **let not** them that are in the country enter therein. (ASV)

Cannot

Should Not

“Let Not....”

- **Jn. 14:1:** **Let not** your heart be troubled: believe in God, believe also in me. (ASV)
- **Jn. 14:27:** Peace I leave with you; my peace I give unto you: not as the world giveth, give I unto you. **Let not** your heart be troubled, neither let it be fearful. (ASV)

Cannot

Should Not

“Let Not....”

- **Rom. 6:12:** **Let not** sin therefore reign in your mortal body, that ye should obey the lusts thereof: (ASV)
- **Rom. 14:3:** **Let not** him that eateth set at nought him that eateth not; and **let not** him that eateth not judge him that eateth: for God hath received him. (ASV)

Cannot

Should Not

“Let Not....”

- Rom. 14:16: **Let not** then your good be evil spoken of: (ASV)
- Eph. 4:26: Be ye angry, and sin not: **let not** the sun go down upon your wrath: (ASV)

☐ **Cannot**

☐ **Should Not**

“Let Not....”

- **1 Tim. 5:16:** If any woman that believeth hath widows, let her relieve them, and **let not** the church be burdened; that it may relieve them that are widows indeed.
(ASV)

- **Jas. 1:7:** For **let not** that man think that he shall receive anything of the Lord;
(ASV)

Cannot

Should Not

“Let Not....”

- **Mt. 19:6:** So that they are no more two, but one flesh. What therefore God hath joined together, **let not** man put asunder. (ASV)
- **Mk. 10:9:** What therefore God hath joined together, **let not** man put asunder. (ASV)

Cannot

Should Not

Marriages In The Bible

This

- **Right** or **Wrong**
- **Approved** or **Unapproved**
- **Lawful** or **Unlawful**
- **Permissible** or **Prohibited**

Not This

- **Real** or **Unreal**
- **Actual** or **Apparent**
- **“In the eyes of God”** or **“In the eyes of man”**

Herod & Herodias

- **Mk. 6:17-18:** “¹⁷ For Herod himself had sent and laid hold of John, and bound him in prison for the sake of Herodias, his
1. Herodias, the Philistine, wife of Herod Antipas.”

It was not **right**, but it was still **real**

“Wife”

- **A concubine** (Gen. 16:3; 25:1, 5-6 & 1 Chr. 1:32; Jud. 19:1-5, 7, 9; 20:4)
- **A betrothed person** (Dt. 20:7; 22:23-24; Mt. 1:18-20, 24; Rev. 19:7)
- **A bride** (Jud. 14:15-16, 20)
- **A widow** (Ruth 4:10; 1 Sam. 27:3; 30:5; 2 Sam. 2:2; 3:3; 11:26; 12:9-10, 15)
- **One who is “married” to another** (Jud. 15:1-2; 1 Sam. 25:44; 2 Sam. 3:14-16; Mt. 14:3-4; Mk. 6:17-18; Lk. 3:19; 1 Cor. 5:1)

1 Cor. 7:10-11

¹⁰Now to the married I command, *yet not I but the Lord*: A wife is not to **depart** [*chorizo*] from *her* husband. ¹¹But even if she does depart, let her remain **unmarried** or be reconciled to *her* husband. And a husband is not to **divorce** [*aphiemi*] *his* wife.

When a wife “**departs**” from her husband, no matter what the reason, she is “**unmarried**”

Did Jesus Mean What He Said?

- Mt. 19:9: “And I say to you, whoever **divorces** [really not really] his wife, except for sexual immorality, and **marries** [really not really] another, commits adultery; and whoever **marries** [really not really] her who is divorced commits adultery.”

Maurice Lusk

“It is the contention of this writer that it is a flagrant violation of language and reasoning to argue that **a person is divorced and yet married to the person from whom he/she is divorced. A person may be divorced unscripturally, but he/she is yet divorced; and a person divorced from another person is not married to that person.** This business of insisting that one may be divorced ‘in the eyes of men’ and not divorced ‘in the eyes of God’ is nonsense. God may not approve of a given action (divorce or whatever), but that does not mean that the action does not occur because God does not approve of it.”

Maurice Lusk

“A divorce without scriptural grounds is yet a divorce and renders the person divorced ‘unmarried.’ The argument being advanced here is that: **‘All actions not approved of by God become non-actions or actions which do not occur.’** If this is the case, then is it legitimate in any sense to speak of an action as having occurred when in actuality it did not occur? It is far better to take the language of a given text as meaning what it says (i.e. **married means married, divorced means divorced**), than to play this game of semantical gymnastics wherein words do not mean what they mean.” (*Marriage, Divorce, And Remarriage In The Teachings Of Jesus And Paul*, pp. 44-45)

Commits Adultery Against Her

(Mk. 10:11-12)

- **Alexander Balmain Bruce:** “The *ep auten* at the end of ver. 11 may mean either **against**, to the prejudice of, her (the first wife), or **with** her (the second). The former view is taken by the leading modern exegetes, the latter by Victor Ant., Euthy., Theophy., and, among moderns, Ewald and Bleek.” (Marcus Dods, “The Synoptic Gospels,” *The Expositor's Greek Testament*, p. 409)

Romans 7:1-3

¹Or do you not know, brethren (for I speak to those who know the law), that **the law has dominion over a man as long as he lives**? ²For the woman who has a husband is **bound by the law** to *her* husband **as long as he lives**. But if the husband dies, she is released from the law of *her* husband. ³So then if, while *her* husband lives, she **marries another man**, she will be **called an adulteress**; but if her husband dies, she is free from that law, so that she is no adulteress, though she has married another man.

Commits Adultery Against Her



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Rom. 7:2-3



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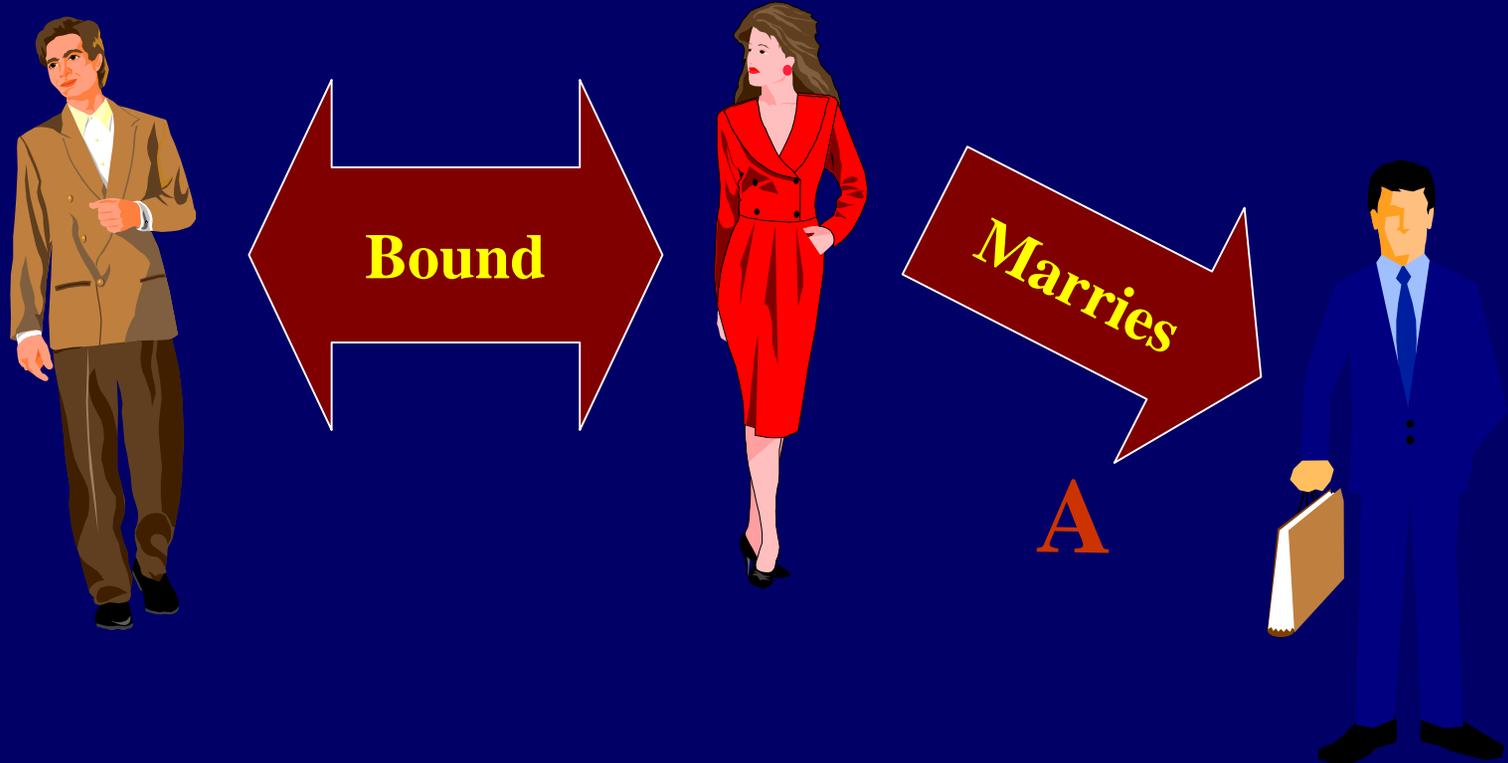


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Why Remarriage Is Adultery

(Rom. 7:2-3)



Bound For As Long As...

(Rom. 7:2)

- ❑ They continue to love each other
- ❑ There are no irreconcilable differences
- ❑ They remain married to each other
- ❑ He does not marry somebody else
- ❑ He lives

A Woman Who Has A Husband...

(Rom. 7:2a)

- Is **bound**
- Is bound **by law**
- Is bound by law **to her husband**
- Is bound by law to her husband **“for as long as he lives”**

If...

(Rom. 7:2b-3)

- The husband **dies**, she is **released** from the law of *her* husband
- While *her* husband **lives**, she **marries** another man, she will be called **an adulteress**
- Her husband **dies**, she is **free** from that law, so that she is **no adulteress**, though she **has married** another man.

“Joined”

(Ginomai)

- **Major Premise:** Whatever the phrase “**she be joined to another man**” means while the first husband is still living, it means after the first husband is dead (Rom. 7:3)
- **Minor Premise:** After the first husband is dead, the phrase “**she be joined to another man**” must refer to marriage to another man, since the woman is not an adulteress (Rom. 7:3b)
- **Conclusion:** Therefore, the phrase “**she be joined to another man**” must refer to **marriage** to another man while the first husband is still living (Rom. 7:3a)

“Joined”

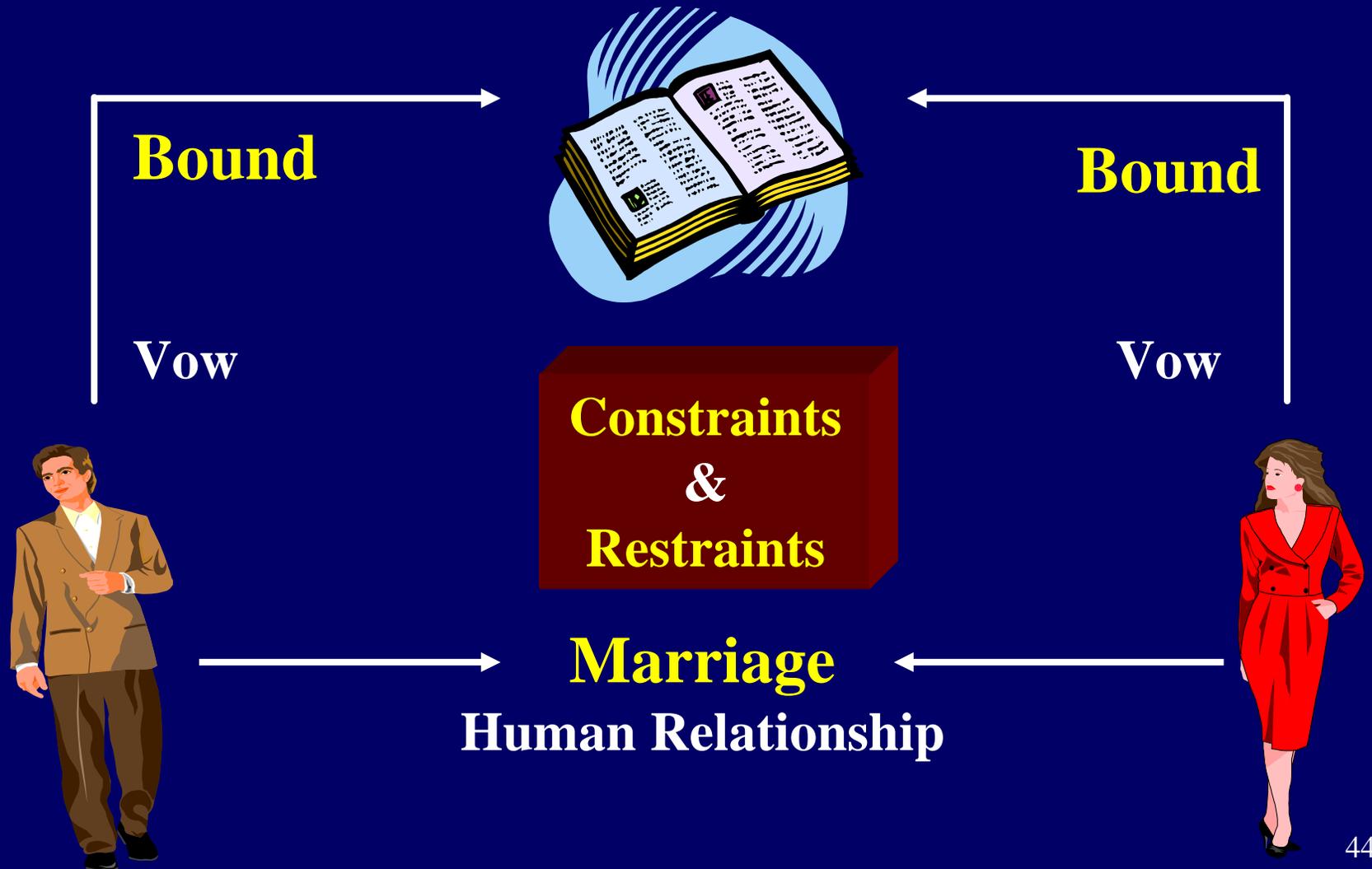
(Ginomai)

- **Major Premise:** The phrase “**be joined to another man**” is used by the apostle Paul to refer to the Christian’s relationship with Christ (Rom. 7:4)
- **Minor Premise:** The Christian’s relationship with Christ can only be described as **a marriage** (Eph. 5:22-33)
- **Conclusion:** Therefore, the phrase “**be joined to another**” refers to **marriage**

Maurice Barnett

“**Marriage** refers to a **particular kind of relationship** between a man and a woman, which may or may not be acceptable to God. It might be an adulterous marriage, but it is still ‘marriage.’ **Bond** refers to **a particular responsibility** God holds a man to in regard to a certain woman, and a woman to a certain man. The relationship (marriage) may end but God still holds them accountable in regard to the other person.” (“Unbelievers And God’s Law On Marriage: 1 Corinthians 7:15,” *The Gospel Anchor*, Nov., 1983, Vol. 10, p. 89)

THE MARRIAGE & THE BOND



The Constraints Of The Bond

Husbands

- **Love wife**
(Eph. 5:25-33)
- **Know and honor**
(1 Pet. 3:7)
- **Provide for**
(1 Tim. 5:8)
- **Satisfy sexual needs**
(1 Cor. 7:1-5)
- **Etc.**

Wives

- **Love husband**
(Tit. 2:4)
- **Submit to**
(Eph. 5:22-24)
- **Rule household**
(1 Tim. 5:14)
- **Satisfy sexual needs**
(1 Cor. 7:1-5)
- **Etc.**

The Restraints Of The Bond

1 Cor. 7:39: “A wife is **bound** by law as long as her husband lives; but if her husband dies, she is **at liberty** to be married to whom she wishes, only in the Lord.

- **Major Premise:** While the husband is alive, a wife is **bound**
- **Minor Premise:** When the husband dies, the wife is **at liberty** to be married to whom she will, only in the Lord
- **Conclusion:** Therefore, as long as a wife is **bound**, she is not **at liberty** to be married to whom she will. In other words, she is **restrained**

Five Possible Conditions

- **Unmarried and Unbound**
- **Married and Bound**
- **Unmarried and Bound**
- **Married to One and Bound to Another**
- **Married and Unbound**

Secondary Assumptions

- There can be **more than one “putting away”**: one “in the eyes of man” and the other “in the eyes of God”
- The innocent “put-away-person” has **something to “put away”**

Changing The Lord's Order

(Mt. 19:9)

- **The Lord's Order**

- Marriage → Fornication → Divorce → Remarriage

- **Proponent's Order**

- Marriage → Divorce → Remarriage → Fornication

Fornication must be the **cause** for divorce, not the **consequence** of divorce

Changing The Lord's Order

(Mk. 16:16)

- **The Lord's Order**
 - Belief → Baptism → Salvation
- **Man's Order**
 - Belief → Salvation → Baptism

“It’s Not Fair”

God would never require an innocent person to live in celibacy

- Physical Disease
- Mental Illness
- Accident
- MIA
- POW
- Convict

If The Innocent Person Is “Put Away”...

- He/she may not **remarry** because:
 - The divorce was not **“for fornication”**
 - A “put-away-person” is not given the **right to remarry**

Emotional Arguments

- **The JW:** “Are you saying that, even though a man would not torture a mad dog, a loving God will torture human souls for ever?”
- **The Baptist:** “Are you saying that a believer who is accidentally killed while on the way to be baptized will

Emotion Is Not Scripture

The Differences Between Us

Mental Divorce Advocates	The Bible
If it's not right , it's not real	If it's not right , it's still real
Civil divorce is not biblical putting away	Civil divorce is biblical putting away (Mt. 19:6)
Divorce possible for fornication while bond is intact	Divorce possible for fornication while marriage is intact (Mt. 19:6, 9)
Marriage = Bond	Marriage ¹ Bond (Rom. 7:2-3)

The Differences Between Us

Mental Divorce Advocates	The Bible
“Biblical putting away” is putting away for fornication	“Biblical putting away” is putting away for any reason (Lk. 16:18)
Man has the ability to “put away” only for fornication	Man has the authority to “put away” only for fornication (Mt. 19:6)

The Differences Between Us

Mental Divorce Advocates	The Bible
A sinful divorce does not dissolve a marriage	A sinful divorce does not dissolve the bond (Rom. 7:2-3)
A sinful divorce <u>does not</u> dissolve a marriage	A sinful divorce <u>does</u> dissolve a marriage (1 Cor. 7:10-11)

Extra Slides

The “Mental Divorce” Position

**(The Post-Civil-Divorce
“Putting Away” Position)**

The “Mental Divorce” Position

Kenneth Chumbley: “The only reason why this remarriage can be regarded as adulterous is that **the first marriage is still in God’s sight regarded as inviolate. Illegitimate divorce does not dissolve the marriage bond** and consequently the fact of such divorce does not relieve the parties concerned from any of the obligations incident to marriage. They are still in reality bound to one another in the bonds of matrimony and a marital relation or any exercise of the privileges and rights of the marital relation with any other is adultery’ (Murray, 25). God, not a civil court or the couple involved, has the final say about marriage and divorce. **A marriage is not over until He says it’s over....**” *(The Gospel Of Matthew, 105)*

Ron Halbrook

“The passage [Mt. 19:9] explains which divorces and remarriages God will accept as valid under the terms of his law and which He will not accept. If a person sinfully and wrongfully rejects or puts away his mate, **his action is a farce** so far as changing the obligations he has to that mate under God's law. In terms of God's law, **the man is still bound to his mate so long as he lives**. If he has unlawful sexual relations with another (whether before or after he wrongfully puts away his true mate), **his true mate has scriptural grounds to reject or put him away**. ...if he commits adultery (before or after his action in the courts of man), there is something else to be said by divine law...” (“Notes and Thoughts For Further Study,” 1986)

Ron Halbrook

“Next, a man may have enough regard for social convention that he will not go to bed with the ‘cute little thing’ he wants rather than his wife; therefore, he may divorce his wife, then marry the ‘cute little thing,’ thus going to the bed of adultery. Once again, **the original marriage bond stays intact** under divine law until he commits adultery against his wife; **his legal steps do not dissolve the bond** put in place when God joined them together (Matt. 19:9). Since his true wife remains faithful to the marriage bond, **she & she alone has the right to repudiate the marriage under divine law. She may scripturally do so even when she is not able to do so legally because of legal steps taken by the treacherous husband.**” (*E-mail Letter*, Feb. 1998)

1 Corinthians 7:39

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

What Is Paul Describing?

Rom. 7:2-3: ²For the woman that hath a husband is bound by law to the husband while he liveth; but if the husband die, she is discharged from the law of the husband. ³So then if, while the husband liveth, she **be joined** to another man, she shall be called an adulteress: but if the husband die, she is free from the law, so that she is no adulteress, though she **be joined** to another man. (ASV)

Extra-marital affair

Bigamy

Divorce & remarriage

Something else

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