

## Two Kinds of Mental Divorce

<p><b>Type 1</b></p> <ol style="list-style-type: none"> <li>1. Fred commits <sup>1</sup> fornication</li> <li>2. Fred then "puts <sup>2</sup> away" his original wife, Jane (although she is innocent of fornication)</li> <li>3. Jane then "mentally" divorces Fred</li> <li>4. Jane then remarries</li> </ol>	<p><b>Type 2</b></p> <ol style="list-style-type: none"> <li>1. Fred "puts away" his original wife, Jane (no fornication has occurred)</li> <li>2. Fred <u>later</u> commits <sup>2</sup> fornication</li> <li>3. Jane then "mentally" divorces Fred</li> <li>4. Jane then remarries</li> </ol>
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This is the type of "mental divorce" that we are debating, and this is what many are is defending

## to the second part of Matthew

*"Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery: and whoso marrieth her which is put away doth commit adultery."*

⇒ Some argue that the exception clause modifies both the first & second phrase of this verse. Thus, they would have the verse read:

*"Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery: and whoso marrieth her which is put away (for fornication) doth commit adultery."*

⇒ **Scholars say this is not true**

## to the second part of Matthew

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"Does the exception clause modify the phrase 'and whoso marrieth her which is put away doth commit adultery?'" "No, it qualifies the preceding clause."  
*Bruce M. Metzger, Professor of New Testament, Princeton University*

"In Matthew 19:9 the original Greek text translated 'except it be for fornication' modifies the 'putting away' on the part of the man and does not modify the person who is put away."  
*Leonard Latkovski, Professor of Classic Languages, Bellarmine College*

"The phrase 'except it be for fornication,' applies to the first clause but not to the last."  
*Dr. Harry Sturz, Greek Department, Biola College*

"The modifying clause (except it be for fornication) applies only to the first person mentioned, in the first half of the sentence. It does not apply, grammatically or syntactically, to the person in the second half of the sentence."  
*Donald A. Drury, M.A., English Department, Long Beach City College*

## "Committeth adultery against her"

"And he saith unto them, Whosoever shall put away his wife, and marry another, committeth adultery against her."  
*Mark 10:11*

☞ *Some are saying that this proves they are really still married.*

☞ *They are wrong! What it proves is that they are still bound.*

## Some are claiming that Mark 10:11,12 proves that "put away" does not involve a civil process

"And he saith unto them, Whosoever shall put away his wife, and marry another, committeth adultery against her. And if a woman shall put away her husband, and be married to another, she committeth adultery."

□ They argue that women of the 1<sup>st</sup> century did not have the right of civil divorce. Thus, Jesus' statement proves that "putting away" never involved any civil process.

□ This argument is flawed, because numerous authorities can be cited which prove that women of that era DID have the right to "put away"/divorce their husbands using a civil process.

- Evidence that women brought petitions for divorce in the first century is found in the Mishnah and in a recently discovered divorce document. The Mishnah records the results of detailed discussions which appear to originate from demands for divorce brought by women to the courts. . . . A recently published divorce certificate or *get* dating from the early 2nd century appears to have been written by or for a woman to her husband. This was discovered in the Judean Desert in 1951 but it was not published till 1995. . . . Even before the announcement . . . there was a consensus that women could, under many circumstances, gain a divorce from their husbands within first century Palestinian Judaism . . . it was perfectly proper for a woman to bring a divorce case to a Jewish court.  
<http://www.lyndale.cam.ac.uk/Brewer/Academic/Intro.htm>
- . . . rules designed to compel the husband to deliver a (divorce certificate) in specified cases. In M. Git. 9:8 the court will force the delivery of a (divorce certificate) when it sees fit, even enlisting the aid of gentile authorities to coerce a reluctant husband. According to law, the husband must deliver the (divorce certificate) of his own free will. But in the case of a husband who resists the court's order, the sages expressly declared that "we twist his arm until he says, 'I will!'"  
*Chattel or Person? The Status of Women in the Mishnah. By: Judith Romney Wegner, Oxford University Press, 1988, p.136*
- In rabbinic times the contractual obligations of the husband were expanded and elaborated. Many of the grounds that entitled the wife to divorce reflected great sensitivity to women's needs.  
*On Women & Judaism. By: Blu Greenberg, The Jewish Publication Society of America, 1981, p.131*
- . . . the Mishnah lists a wife's grounds for divorce .  
*Rereading the Rabbis. By: Judith Hauptman, p.105*

### Does 1 Cor. 7:10,11 Teach A "Second Putting Away?"

"And unto the married I command, yet not I, but the Lord, Let not the wife depart from her husband: but and if she depart, let her remain unmarried, or be reconciled to her husband: **and** let not the husband **put away** his wife."

- Some have said this is the 1<sup>st</sup> "putting away"
- And they claim this is a 2<sup>nd</sup> action of "putting away"
- They are wrong -- the word "and" ('kai') is the key. Here it means "likewise"
- The text is simply imposing the same law on the husband that is placed upon the wife.

### "kai" means 'Likewise'

**1 Corinthians 7:10-11**

"And unto the married I command, yet not I, but the Lord, Let not the wife depart from her husband: But and if she depart, let her remain unmarried, or be reconciled to her husband: **and** let not the husband put away his wife."

**Mark 10:11-12**

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

"LIKEWISE"

**In both passages, the Lord is simply imposing the same law upon both the husband & the wife**

### What We KNOW From 1 Cor. 7:10,11

*"And unto the married I command, yet not I, but the Lord, Let not the wife depart from her husband: but and if she depart, let her remain unmarried, or be reconciled to her husband: and let not the husband put away his wife."*

1. The "departing"/"putting away" in this text was NOT for fornication
2. The "departing"/"putting away" resulted in the two people being "unmarried"
3. In such cases reconciliation is a proper thing
4. There is NO authority here for either spouse to marry another person EVER!
5. This text does NOTHING to support the position being defended by bro. Reeves

### Our Proposition & 1 Cor. 7:10,11

"The Bible teaches that if a man puts away his scriptural wife for a reason other than fornication and then commits fornication, the original wife may not remarry."

Our debate is about the original ("put away") wife and her ability to remarry (another man)

*"And unto the married I command, yet not I, but the Lord, Let not the wife depart from her husband: but and if she depart, let her remain unmarried, or be reconciled to her husband: and let not the husband put away his wife."*

- This text mentions "remain unmarried"
- It mentions "be reconciled"
- Where does this text even mention the remarriage (to another person) of the "put away" spouse?
- This text provides NO authority for a "put away" mate to ever marry another person?

### Define "apoloio" Any Way You Want!

Luke 16:18 throws a pie at  
 "Whosoever repudiates putteth away his wife, and marrieth another, committeth adultery . . ."

Regardless of the definition,

The Outcome Is The Same!

" . . . and whosoever marrieth her that is repudiated is put away from her husband committeth adultery. has a pie thrown at her"

### No Race To The Courthouse!



- In the type of "mental divorce" scenario we are debating, a so-called "race to the courthouse" is not an issue
- Remember:
  - Fred put away Jane when neither of them had committed fornication
  - The fornication occurred AFTER the divorce had been obtained by Fred
  - Therefore, Jane had no "cause" to put away Fred at the time he was unjustly filing for a divorce against her
  - She had no reason to even go to the courthouse, much less race to the courthouse

## “Countersuits” Are Not An Issue



- In the type of “mental divorce” scenario we are debating, a “countersuit” is not an issue
- Remember:
  1. Fred put away Jane when neither of them had committed fornication
  2. The fornication occurred AFTER the divorce had been obtained by Fred
  3. Therefore, Jane had no “cause” to put away Fred at the time he was unjustly filing for a divorce against her -- she had no scriptural grounds to file a “countersuit”
- The argument that a “countersuit” constitutes a “second putting away” simply does NOT apply to the scenario we are debating

## Commonwealth of Kentucky Divorce Laws

- The spouse filing for dissolution of marriage must have been a resident for 180 days prior to filing  
*Kentucky Revised Statutes; Title 35, Chapters 403.140 and 452.470*
- A final dissolution of marriage will not be granted until the spouses have lived apart for 60 days  
*Kentucky Revised Statutes; Title 35, Chapters 403.140*
- If one spouse disagrees that the marriage is irretrievably broken, the court may delay the dissolution of marriage proceedings for 60 days  
*Kentucky Revised Statutes; Title 35, Chapters 403.170*

## State of Nevada Divorce Laws

- One of the spouses must have been a resident of Nevada for at least 6 weeks prior to filing for divorce  
*Nevada Revised Statutes; Chapter 125; Section 020*
- A summary divorce may be granted if the following conditions are met: 1) either spouse has been a resident of the state for at least 6 weeks . . . 4) the spouses have signed an agreement regarding the division of property . . . 5) both spouses waive their rights to spousal support or the spouses have signed an agreement specifying the amount of spousal support; 6) both spouses waive . . . their rights to appeal the divorce . . . 7) both spouses want the court to enter the decree of divorce.  
*Nevada Revised Statutes; Chapter 123; Sections 020 & 090; Chapter 125; Sections 181-184*

## What if you lived in a place where no civil divorce was possible?

- 1 - Does our brother even know of such a place?
- 2 - In any given place there is an established method of dissolving a marriage.
- 3 - Using such hypothetical cases is exactly what the Baptists do in regard to baptism:

“What if a man is struck by lightning on his way to the river to be baptized?”

## Some Accuse Us Of Putting Man’s Law Above God’s Law

NOT SO!

- Man’s Law says
  - ✓ “no fault”
  - ✓ “marry again as many times as you like”
  - ✓ absolutely no restrictions
- It was the Lord Jesus himself who said
  - ✓ “whoso marrieth her which is put away doth commit adultery.”

## Are We “Literalists/Absolutists?”

- Some accuse us of being literalists and absolutists because we say that “whosoever” is an all inclusive term
- “. . . and whosoever marrieth her that is put away from her husband committeth adultery.”  
Literal? Absolute? (Luke 16:18)
- (Whosoever) believeth in him should not perish, but have eternal life.” (John 3:16)

The word “whosoever” should be interpreted as all inclusive unless some other biblical information modifies or mitigates it

## Man's Law vs. God's Law

<ol style="list-style-type: none"> <li>1 Man's Law says "No Fault" Divorce</li> <li>2 God's Law says "what therefore God hath joined together, let not man put asunder" (Matthew 19:6)</li> <li>3 A man chooses to get a "no fault" divorce</li> <li>4 Some are saying that man is actually still married</li> </ol>	<ol style="list-style-type: none"> <li>1 Man's Law says Abortion is legal</li> <li>2 God's Law say "thou shalt not kill" (Romans 13:9)</li> <li>3 A woman chooses to get an abortion</li> <li>4 Is the baby actually still alive?!?</li> </ol>
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## "Biblical Putting Away" Is More Than Just Mental Process

"Then Joseph her husband, being a just man, and not willing to make her a public example, was minded to put her away privily." (Matthew 1:19)

apoluo →

- Observe that Joseph had already "minded to put her away" – he had already done the 'mental' part
- But, something more was required to actually accomplish what he had decided to do in his mind

## Not A Fellowship Issue?

- Some are saying that this should not be a fellowship issue.
  - "...the position I hold does not draw lines of fellowship. I am perfectly willing for you to hold your scruple against the innocent's repudiating and remarrying..." (email correspondence from Bill Reeves, 2/25/03)
- However, if people follow the teaching of these brethren on this subject, they will be guilty of the sin of adultery – and they will be lost if they do not repent.
- Can we continue in fellowship with those who teach a false doctrine that will cause men to be lost in hell? (2 John 9-11)

## 2 Separate Actions?

**Isaiah 50:1**  
 "Thus saith the Lord, Where is the bill of your mother's divorcement, whom I have put away?" (KJV)

**2 Separate actions? NO!**  
 "Thus says the Lord, "Where is the certificate of divorce, by which I have sent your mother away?" (NASV)

**Jeremiah 3:8**  
 "... for all the causes whereby backsliding Israel committed adultery I had put her away, and given her a bill of divorcement..." (KJV)

**2 Separate actions? NO!**  
 "... for all the adulteries of that faithless one, Israel, I sent her away with a decree of divorce..." (RSV)

## Rights & Conditions

Many proclaim that an innocent spouse has God-given **RIGHTS**. What they fail to acknowledge is that rights sometimes have associated **CONDITIONS**.

<p>"But as many as received Him, to them <b>He gave the right</b> to become children of God, even to those who believe in His name" (John 1:12)</p> <p>"That if thou shalt confess with thy mouth the Lord Jesus, and shalt believe in thine heart that God hath raised him from the dead, thou shalt be saved." (Romans 10:9)</p>	<p>"Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery: <del>and whoso marrieth her which is put away doth commit adultery.</del>" (Matthew 19:9)</p>
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## Do they teach a "doctrine of devils?"

"Now the Spirit speaketh expressly, that in the latter times some shall depart from the faith, giving heed to seducing spirits, and **doctrines of devils**; speaking lies in hypocrisy; having their conscience seared with a hot iron; **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." (1 Timothy 4:1-3)

- ✓ Do our "mental divorce" brethren teach that certain persons (i.e. put away fornicators) cannot remarry?
- ✓ When they teach this – thus forbidding certain persons to remarry – are they teaching a "doctrine of devils?"
- ✓ Although we disagree about the right of an innocent put away person to remarry, is it fair and honorable for such brethren to use this "doctrine of devils" label against us when, in fact, they also forbid certain persons to remarry?
- ✓ Does this do anything to prove their position, or is it simply an attempt to prejudice the minds of others?

## Wrong Definition Of "Adultery"

"Voluntary sexual intercourse between a married man and a woman not his wife, or between a woman a man not her husband"  
 - Webster's New World College Dictionary

Notice how the Scriptures use the word differently . . .

"For the woman which hath an husband is bound by the law to her husband so long as he liveth . . . So then if, while her husband liveth, she be married to another man, she shall be called an adulteress . . ." (Romans 7:2-3)

"And I say unto you, Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery, and whoso marrieth her which is put away doth commit adultery." (Matthew 19:9)

One of the New Testament definitions of adultery is being married to one while bound to another

## Still Married "In The Eyes Of God?"

"And he saith unto them, Whosoever shall put away his wife, and marry another, committeth adultery against her."  
 (Mark 10:11)

It is argued that since the man "committeth adultery" when he remarries it proves that he is really still married to his first wife "in the eyes of God"

If this is true, then consider this . . .

"And I say unto you, Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery; and whoso marrieth her which is put away doth commit adultery." (Matthew 19:9)

It would also necessarily be truth that the woman put away FOR fornication is really still married to her first husband "in the eyes of God" since she commits adultery when she remarries.

THAT WHICH PROVES TOO MUCH PROVES NOTHING AT ALL!

## Remember that hypothetical cases DO NOT prove a point

- In MDR discussions, some will present a number of hypothetical cases in an effort to prove their point
- Such cases provide no proof at all
- Baptists do the same with baptism:
  - "What about a man who dies on the way to be baptized . . ."
  - "What about a person in the desert . . ."
  - Etc., Etc., Etc.

## Really "Married" or Not?

Romans 7:2-3

"For the woman which hath an husband is bound by the law to her husband so long as he liveth; but if the husband be dead, she is loosed from the law of her husband. So then if, while her husband liveth, she be married to another man, she shall be called an adulteress; but if her husband be dead, she is free from that law: so that she is no adulteress, though she be married to another man."

Some say this means:

- not really married
- only "accommodatively"
- "in the eyes of men"
- not "in the eyes of God"

They say this means:

- really married
- "in the eyes of God"

They want the same word to have two different meanings in the same text!

## Fornication Does NOT Automatically Break The Bond

- ✓ When one's spouse commits fornication, the Scriptures authorize him/her to "put away" the guilty fornicator.
- ✓ When he/she takes this action, the marriage is dissolved, and God releases him/her from the bond.
- ✓ The innocent one who has "put away" the fornicating spouse may now remarry without sin.

- ☑ However, the innocent spouse may choose not to exercise this authorized option – choosing not to put away his/her mate who has committed fornication.
- ☑ In such a case, the bond remains intact and both parties are still obligated by the law of God
- ☑ If this is not true – if the bond is automatically broken when fornication occurs – what would an innocent person do who wanted to forgive and remain married?
- ☑ How would the bond be re-established?

## Before & After "Apoluo"

BEFORE	AFTER	BEFORE	AFTER
The Release of a Prisoner (Mt. 27:15, 17, 21, 26; Mk. 15:6, 9, 11, 15; Lk. 23:18, 25)	WAS DETAINED	The Sending Away of an Individual (Mt. 15:23; Lk. 8:38; 14:4; 22:68, 16, 17, 20, 22; et. al)	WAS PRESENT
	THEN SET FREE		THEN DEPARTED
The Release of a Debt (Mt. 18:27)	WAS OBLIGATED	The Sending Away of a Multitude (Mt. 14:14, 15, 22, 23; 15:32, 39; Mk. 6:36, 45; 8:3, 9; Lk. 9:12; Ac. 19:41)	WAS PRESENT
	THEN SET FREE		THEN DEPARTED
The Forgiveness of Sin (Lk. 6:37)	WAS RED LIKE CRIMSON	The Sundering of a Marriage (Mt. 1:19; 5:31-32; 19:3, 7, 8, 9; Mk. 10:2, 4, 11, 12; Lk. 16:18)	WAS TOGETHER
	THEN WAS WHITE AS SNOW		THEN SEPARATED
The Release from Infirmary (Lk. 13:12)	WAS SICK		
	THEN HEALED		

Whatever "Was So" BEFORE Apoluo is Not So AFTER Apoluo!



## "Mental Divorce" & 'The Waiting Game'

- ☞ If Fred puts away Jane, but not for fornication, all brethren agree that neither Fred nor Jane can remarry.
- ☞ But if Jane **WAITS** until Fred commits fornication, some are saying that Jane can then remarry without sinning.
- ☞ Jesus says: "Whosoever putteth away his wife, and marrieth another, committeth adultery: and whosoever marrieth her that is put away from her husband committeth adultery." (Luke 16:18)

- The Baptists say that salvation is by "faith only", and that acts of obedience are not essential
- Jesus said it takes **both**: "He that believeth **and** is baptized shall be saved" (Mark 16:16)

• The "mental divorce" position teaches that the motive or cause for divorce is critical, but that the method of divorce is not important

- Jesus said it takes **both**: "Whosoever shall put away his wife, except it be **for fornication**, and shall marry another, committeth adultery: and whoso marrieth her which is put away doth commit adultery." (Matthew 19:9)

cause

action