

Vineland Park Baptist Church
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Deut 24 Divorce permitted by Moses

What does the Bible teach about divorce?

ONE OF THE MOST DIFFICULT things for people to do is to objectively read the Bible. Some people are so prejudiced by their preconceived notions that they won't heed God's word. Of course, a believer will ultimately be constrained by God's word, or else he should question whether or not his interest in Christ is genuine.

Someone who hears what God says about a certain subject and then dismisses it as not relevant to him/her may be presuming on their relationship with Christ. Have you ever heard anyone say, "Well, I don't care what the Bible says, I think....?" Even if they don't say it, do they practice that attitude?

The standards set by Jesus for His followers are not difficult: they are impossible! None of us can measure up apart from God's help. Jesus set standard for marriage and divorce.

After failing earlier to ensnare Jesus with questions about the Sabbath and signs, the Pharisees now try a more controversial issue: Divorce.

Matt 19:1-15

Now it came to pass, when Jesus had finished these sayings, *that* He departed from Galilee and came to the region of Judea beyond the Jordan. ² And great multitudes followed Him, and He healed them there.

³ The Pharisees also came to Him, testing Him, and saying to Him, "Is it lawful for a man to divorce his wife for *just* any reason?"

⁴ And He answered and said to them, "Have you not read that He who made *them* at the beginning '*made them male and female,*' ⁵ and said, '*For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh?*' ⁶ So then, they are no longer two but one flesh. Therefore what God has joined together, let not man separate."

⁷ They said to Him, "Why then did Moses command to give a certificate of divorce, and to put her away?"

⁸ He said to them, "Moses, because of the hardness of your hearts, permitted you to divorce your wives, but from the beginning it was not so. 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."

¹⁰ His disciples said to Him, "If such is the case of the man with *his* wife, it is better not to marry."

¹¹ But He said to them, "All cannot accept this saying, but only *those* to whom it has been given: ¹² For there are eunuchs who were born thus from *their* mother's womb, and there are eunuchs who were made eunuchs by men, and there are eunuchs who have made themselves eunuchs for the kingdom of heaven's sake. He who is able to accept *it*, let him accept *it*."

¹³ Then little children were brought to Him that He might put *His* hands on them and pray, but the disciples rebuked them. ¹⁴ But Jesus said, "Let the little children come to Me, and do not forbid them; for of such is the kingdom of heaven." ¹⁵ And He laid *His* hands on them and departed from there.

Jesus taught four lessons relating to marriage and divorce.

1) The Original Creation Law

Marriage was the very first institution given by God to man. Adam needed a "helper fit for him" and God made one for him.

Marriage was intended to last for life. [Matt 19:4-6]

Regardless of what our culture accepts as "normal," the Bible is clear that sex is only permitted in marriage. Can you imagine Adam and Eve "shacking up" in a "trial marriage" to see if it was going to work?

God doesn't approve of such nonsense today either.

2) The Seventh Commandment

Although Jesus does not refer to the seventh commandment in Matthew 19, He did quote it in the Sermon on the Mount (Matthew 5:27-30). The New Testament affirms that adultery is sin! Jesus taught that adultery begins in the heart.

Matt 5:27-30

²⁷ "You have heard that it was said to those of old, **You shall not commit adultery.*' ²⁸ But I say to you that whoever looks at a woman to lust for her has already committed adultery with her in his heart. ²⁹ If your right eye causes you to sin, pluck it out and cast *it* from you; for it is more profitable for you that one of your members perish, than for your whole body to be cast into hell. ³⁰ And if your right hand causes you to sin, cut it off and cast *it* from you; for it is more profitable for you that one of your members perish, than for your whole body to be cast into hell.

3) The Mosaic Law of Divorce

Deut 24:1-4

"When a man takes a wife and marries her, and it happens that she finds no favor in his eyes because he has found some uncleanness in her, and he writes her a certificate of divorce, puts *it* in her hand, and sends her out of his house, ² when she has departed from his house, and goes and becomes another man's *wife*, ³ if the latter husband detests her and writes her a certificate of divorce, puts *it* in her hand, and sends her out of his house, or if the latter husband dies who took her as his wife, ⁴ *then* her former husband who divorced her must not take her back to be his wife after she has been defiled; for that *is* an abomination before the LORD, and you shall not bring sin on the land which the LORD your God is giving you *as* an inheritance.

Be sure to compare what the Mosaic Law {Deut 24:1-4} actually said and what the Pharisees were trying to defend as tradition. If there was cause, such as impurity, then divorce was permitted, but not commanded.

The "impurity" could not have been adultery; the Law called for stoning the adulterer. Matthew Henry:

Deut 24:1-4

The Law Concerning Divorce. (B.C. 1451.)

¹ When a man hath taken a wife, and married her, and it come to pass that she find no favour in his eyes, because he hath found some uncleanness in her: then let him write her a bill of divorcement, and give *it* in her hand, and send her out of his house. ² And when she is departed out of his house, she may go and be another man's *wife*. ³ And *if* the latter husband hate her, and write her a bill of divorcement, and giveth *it* in her hand, and sendeth her out of his house; or if the latter husband die, which took her *to be* his wife; ⁴ Her former husband, which sent her away, may not take her again to be his wife, after that she is defiled; for that *is* abomination before the LORD : and thou shalt not cause the land to sin, which the LORD thy God giveth thee *for* an inheritance.

This is that permission which the Pharisees erroneously referred to as a precept, Matt 19:7, *Moses commanded to give a writing of divorcement*. It was not so; our Saviour told them that he only suffered it because of the hardness of their hearts, lest, if they had not had liberty to divorce their wives, they should have ruled them with rigour, and it may be, have been the death of them. It is probable that divorces were in use before (they are taken for granted, Lev 21:14), and Moses thought it needful here to give some rules concerning them. 1. That a man might not divorce his wife unless he *found some uncleanness in her*, v. 1. It was not sufficient to say that he did not like her, or that he liked another better, but he must show cause for his dislike; something that made her disagreeable and unpleasant to him, though it might not make her so to another. This uncleanness must mean something less than adultery; for, for that, she was to die; and less than the suspicion of it, for in that case he might give her the waters of jealousy; but it

means either a light carriage, or a cross froward disposition, or some loathsome sore or disease; nay, some of the Jewish writers suppose that an offensive breath might be a just ground for divorce. Whatever is meant by it, doubtless it was something considerable; so that their modern doctors erred who allowed divorce for every cause, though ever so trivial, Matt 19:3. 2. That it must be done, not by word of mouth, for that might be spoken hastily, but by writing, and that put in due form, and solemnly declared, before witnesses, to be his own act and deed, which was a work of time, and left room for consideration, that it might not be done rashly. 3. That the husband must give it into the hand of his wife, and send her away, which some think obliged him to endow her and make provision for her, according to her quality and such as might help to marry her again; and good reason he should do this, since the cause of quarrel was not her fault, but her infelicity. 4. That being divorced it was lawful for her to marry another husband, v. 2. The divorce had dissolved the bond of marriage as effectually as death could dissolve it; so that she was as free to marry again as if her first husband had been naturally dead. 5. That if her second husband died, or divorced her, then still she might marry a third, but her first husband should never take her again (v. 3,4), which he might have done if she had not married another; for by that act of her own she had perfectly renounced him for ever, and, as to him was looked upon as defiled, though not as to another person. The Jewish writers say that this was to prevent a most vile and wicked practice which the Egyptians had of changing wives; or perhaps it was intended to prevent men's rashness in putting away their wives; for the wife that was divorced would be apt, in revenge, to marry another immediately, and perhaps the husband that divorced her, how much soever he thought to better himself by another choice, would find the next worse, and something in her more disagreeable, so that he would wish for his first wife again. "No" (says this law) "you shall not have her, you should have kept her when you had her." Note, It is best to be content with such things as we have, since changes made by discontent often prove for the worse. The uneasiness we know is commonly better, though we are apt to think it worse, than that which we do not know. By the strictness of this law God illustrates the riches of his grace in his willingness to be reconciled to his people that had gone a whoring from him. Jer 3:1, *Thou hast played the harlot with many lovers, yet return again to me.* For his thoughts and ways are above ours.

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Joseph considered divorce of Mary before the angel told him about Mary's Holy Child. was minded to put her away secretly

Matt 1:18-25

¹⁸ Now the birth of Jesus Christ was as follows: After His mother Mary was betrothed to Joseph, before they came together, she was found with child of the Holy Spirit. ¹⁹ Then Joseph her husband, being a just *man*, and not wanting to make her a public example, was minded to put her away secretly. ²⁰ But while he thought about these things, behold, an angel of the Lord appeared to him in a dream, saying, "Joseph, son of David, do not be afraid to take to you Mary your wife, for that which is conceived in her is of the Holy Spirit. ²¹ And she will bring forth a Son, and you shall call His name JESUS, for He will save His people from their sins."

²² So all this was done that it might be fulfilled which was spoken by the Lord through the prophet, saying: ²³ "*Behold, the virgin shall be with child, and bear a Son, and they shall call His name Immanuel,*" which is translated, "God with us."

²⁴ Then Joseph, being aroused from sleep, did as the angel of the Lord commanded him and took to him his wife, ²⁵ and did not know her till she had brought forth her firstborn Son. And he called His name JESUS.

Stoning would be the "public example" and divorce would be "putting her away privately" [Matthew 1:19].

While God permitted divorce due to the hardness of their hearts, God said, "I hate divorce." {Malachi 2:16}

4) Jesus taught what the Mosaic Law Meant

Divorce is not an "escape hatch" if it "doesn't work out." How committed are people to making a marriage work if there is a way out? Notice one of the disciples said, "If there's no way out, you are better off staying single."

At least this disciple understood the gravity of divorce.

The discussion about eunuchs is teaching that if you are a disciple and you divorce that you can forget about sex. To divorce except for adultery and then to continue to have sex makes you an adulterer.

Then Jesus blesses the children {Matthew 19:13-15}, I believe to show the purpose of commitment.

* * * * *

The custom that the Pharisees defended from old was that that when a wife was to be dismissed a certificate of divorce had to be properly drawn up and given to her as if a piece of parchment could dissolve a marriage. The opposing position expressed by Jesus is, as it were, "Why divorce at all?" He states that the violation of the marriage covenant through divorce except for adultery is nothing less than infidelity and adultery.

As in the other illustrations, Jesus goes beyond the rabbinical teaching to the original intention of the law.

Old Testament references:

{Gen 2:24; 24:67; Ex 20:14; Deut 5:18; Deut 24:1-4; Mal 2:14-16}

Gen 2:23-25

²³ And Adam said:

"This *is* now bone of my bones
And flesh of my flesh;
She shall be called Woman,
Because she was taken out of Man."

²⁴ Therefore a man shall leave his father and mother and be joined to his wife, and they shall become one flesh.

²⁵ And they were both naked, the man and his wife, and were not ashamed.

Ex 20:14

You shall not commit adultery.

Deut 5:18

You shall not commit adultery.

Deut 24:1-4

"When a man takes a wife and marries her, and it happens that she finds no favor in his eyes because he has found some uncleanness in her, and he writes her a certificate of divorce, puts *it* in her hand, and sends her out of his house, ² when she has departed from his house, and goes and becomes another man's *wife*, ³ *if* the latter husband detests her and writes her a certificate of divorce, puts *it* in her hand, and sends her out of his house, or if the latter husband dies who took her as his wife, ⁴ *then* her former husband who divorced her must not take her back to be his wife after she has been defiled; for that *is* an abomination before the LORD, and you shall not bring sin on the land which the LORD your God is giving you *as* an inheritance.

Mal 2:14-16

¹⁴ Yet you say, "For what reason?"
Because the LORD has been witness
Between you and the wife of your youth,
With whom you have dealt treacherously;
Yet she is your companion
And your wife by covenant.
¹⁵ But did He not make *them* one,
Having a remnant of the Spirit?
And why one?
He seeks godly offspring.
Therefore take heed to your spirit,
And let none deal treacherously with the wife of his youth.
¹⁶ "For the LORD God of Israel says
That He hates divorce,
For it covers one's garment with violence,"
Says the LORD of hosts.
"Therefore take heed to your spirit,
That you do not deal treacherously."

New Testament references: Cf. Eph 5:25-33; and Heb 13:4.

Eph 5:25-33

²⁵ Husbands, love your wives, just as Christ also loved the church and gave Himself for her, ²⁶ that He might sanctify and cleanse her with the washing of water by the word, ²⁷ that He might present her to Himself a glorious church, not having spot or wrinkle or any such thing, but that she should be holy and without blemish. ²⁸ So husbands ought to love their own wives as their own bodies; he who loves his wife loves himself. ²⁹ For no one ever hated his own flesh, but nourishes and cherishes it, just as the Lord *does* the church. ³⁰ For we are members of His body, * of His flesh and of His bones. ³¹ "*For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh.*" ³² This is a great mystery, but I speak concerning Christ and the church. ³³ Nevertheless let each one of you in particular so love his own wife as himself, and let the wife *see* that she respects *her* husband.

Heb 13:4

Marriage *is* honorable among all, and the bed undefiled; but fornicators and adulterers God will judge.

Then compare Matt 5:32 & 19:3-9.

Matt 5:31-32

³¹ "Furthermore it has been said, 'Whoever divorces his wife, let him give her a certificate of divorce.' ³² 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 19:3-9

³ The Pharisees also came to Him, testing Him, and saying to Him, "Is it lawful for a man to divorce his wife for *just* any reason?"

⁴ And He answered and said to them, "Have you not read that He who made *them* at the beginning '*made them male and female,*' ⁵ and said, '*For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh?*' ⁶ So then, they are no longer two but one flesh. Therefore what God has joined together, let not man separate."

⁷ They said to Him, "Why then did Moses command to give a certificate of divorce, and to put her away?"

⁸ He said to them, "Moses, because of the hardness of your hearts, permitted you to divorce your wives, but from the beginning it was not so. 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."

The intent of the law was that *one* man is joined to *one* woman until death alone parts them.

Cf. Rom 7:2; 1 Cor 7:39

Rom 7:1-6

Or 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? 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. ⁴ Therefore, my brethren, you also have become dead to the law through the body of Christ, that you may be married to another – to Him who was raised from the dead, that we should bear fruit to God. ⁵ For when we were in the flesh, the sinful passions which were aroused by the law were at work in our members to bear fruit to death. ⁶ But now we have been delivered from the law, having died to what we were held by, so that we should serve in the newness of the Spirit and not *in* the oldness of the letter.

1 Cor 7:39-40

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. ⁴⁰ But she is happier if she remains as she is, according to my judgment – and I think I also have the Spirit of God.

The only exception to death is infidelity, which permits divorce when one of the contracting parties, in this example the wife, rebels against the marriage-bond.

While divorce is permitted because of adultery divorce is not commanded. The principle of forgiveness must always be considered.

Now the objection is raised, “Did not Moses leave room for greater freedom?” [Deut 24:1-4]

Such seemed to be the opinion of the scribes and Pharisees. Moses did not encourage divorce, but did not completely forbid it.

Deut 24:1-4 clearly discouraged divorce.

Husband, you better think twice before you reject your wife. Remember that once you have put her away and she becomes the wife of another man you cannot afterward take her back; not even if that other husband has rejected her or if he should die.

The scribes and Pharisees placed the emphasis on the bill of divorce *certificate*, while Jesus placed the emphasis where it belonged. They greatly exaggerated the importance of the *exception*, that which made the divorce possible. Jesus stresses the *principle* that husband and wife should remain as one.

There is a difficulty in the translation of 32 “...causes her to commit adultery...”

An alternate translation is, “Whoever divorces his wife except on the basis of infidelity exposes her to adultery.” So Jesus is saying that whoever divorces his wife except for infidelity must bear the responsibility if as a result she, in a deserted state should yield to temptation and be married to someone else. The erring husband should correct his error, that is, go back to his wife. This also explains the closing clause, which says that anyone who rushes to marry the deserted wife is involving himself in adultery.

The more you meditate on Jesus' teachings the more you will appreciate them. In a few simple words, Jesus refutes the rabbinical misrepresentation of the law, reaffirms the law's true meaning, censures the guilty party, defends the innocent, and upholds the sacredness and inviolability of the marriage bond as ordained by God!

Are there other grounds for divorce besides infidelity?

It seems fairly evident that Jesus just stated that the single ground for divorce is adultery.

Consider what Paul writes in 1 Corinthians 7:

1 Cor 7:10-16

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

¹² But to the rest I, not the Lord, say: If any brother has a wife who does not believe, and she is willing to live with him, let him not divorce her. ¹³ And a woman who has a husband who does not believe, if he is willing to live with her, let her not divorce him. ¹⁴ For the unbelieving husband is sanctified by the wife, and the unbelieving wife is sanctified by the husband; otherwise your children would be unclean, but now they are holy. ¹⁵ But if the unbeliever departs, let him depart; a brother or a sister is not under bondage in such *cases*. But God has called us to peace. ¹⁶ For how do you know, O wife, whether you will save *your* husband? Or how do you know, O husband, whether you will save *your* wife?

Is Paul then, in 1 Corinthians 7, teaching that desertion of a believer by an unbeliever is yet another ground for divorce?

That was my understanding for many years. It is now my belief that the only biblical ground for divorce is adultery, and even then divorce is a last resort. Then what is Paul teaching in 1 Corinthians 7? Clearly Paul is not "correcting" what Jesus taught. Now the apostles, through the Holy Spirit, added many teachings that are not fully taught in the gospels. However, there is no instance where the apostles contradicted anything contained in the gospels. The primary mission of the apostles was to complete the body of doctrine for the church.

"They continued steadfastly in the apostles' doctrine...." {Acts 2:42}

1. Jesus only allowed adultery as grounds for divorce.
2. Paul does not add desertion as grounds for divorce.
3. A believer who is deserted is no longer in bondage, i.e., may be free to remarry, but with extreme caution that there is no possibility for reconciliation.

The context of Matthew 19 and 1 Corinthians 7 seems to be that a state of celibacy is preferable to a remarriage when the other party has not committed adultery. If the party who leaves divorces the other it seems that then the marriage is dissolved.

An interesting question arises about the application of Deut 24:1-4 for Christians. The following adequately answers that question. All of Deut 24:1-4 is explained by Christ. That includes the question of a remarriage between believers who may have divorced.

DIVORCE IN NT

(to apostasiou):

The Scripture doctrine of divorce is very simple. It is contained in Matt 19:3-12. We are not called upon to treat of divorce in the Mosaic legislation (Deut 24:1-4). That was passed upon by Jesus in the above discussion and by Him ruled out of existence in His system of religion. After Jesus had spoken as above, the Mosaic permission of divorce became a dead letter. There could not be practice under it among His disciples. So such Old Testament divorce is now a mere matter of antiquarian curiosity.

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We must not end this study without saying that divorce is not the “unpardonable sin” and that Jesus Christ’s atoning blood covers all sin.

That is not condoning easy divorce and then a “Father forgive me.... Band-Aid.”

What is past is done and gone; but there may be a believer out there who will hear this study and dismiss any thought that divorce is the answer to their problems in a marriage.