

Remarriage Revisited: Scripture And Application

John D. Schuetze

The subject of remarriage is nothing new. It has been around as long as sin itself. Whether sin led to death or divorce, men and women who suddenly found themselves single again were faced with the prospect of finding a new marriage partner and entering a new marriage. In some cases it was a matter of preference, in others convenience or necessity. It is no wonder that in both the Old and New Testaments, the holy writers address this matter.

In each generation there are some that understand and others that misunderstand what God reveals about remarriage. Our present age is no different. There remain those within the Christian church, even within Lutheranism, who question whether a divorced person can ever remarry. For this reason we would like to study the key sections of Scripture that address this matter of remarriage and consider how God would have us apply them in an evangelical ministry that properly applies law and gospel to the sheep that he places under our care.

Working through the passages that deal with remarriage is not like strolling through the forest. It is more like walking through a maze. One must study each section carefully, not only in the immediate context but also in the broader context of Scripture. Only then will one be able to choose the right path that leads to a correct understanding of the passages as well as a God-pleasing course of action.

In our journey through the maze of remarriage, we begin with Matthew 5:32. The NIV translates it this way: "But I tell you that anyone who divorces his wife, except for marital unfaithfulness, causes her to commit adultery, and anyone who marries the divorced woman commits adultery." One can immediately sense some of the problems with this translation. If a man divorces his wife, why is the wife guilty of adultery? And why would the man who marries this woman also be guilty of adultery? We know that the father does not share the guilt of his son, nor the son the guilt of his father (Ezekiel 18:20). Why, then, would the wife share the guilt of her husband's sin of divorce? Even though the two become one in marriage they still stand before God as two, each responsible for his or her own actions.

Some have argued that the reason why the wife and second man are guilty of adultery is that the previous marriage had not really been dissolved before God.¹ The man may have obtained a legal divorce, but this did not "completely dissolve the marriage bond" before God.² This forces the woman into an adulterous relationship especially if she remarries, because she should really be reconciled with her first husband who in God's eyes is still her rightful husband. The husband is guilty of the greater sin by divorcing his wife. But the wife is also guilty because she is forced into another marriage when she really should be reconciled with her first and rightful husband.

However, this view ignores the fact that while God ordained marriage as a lifelong union, it is possible for human beings to break the marriage bond. Jesus told the Pharisees, "What God has joined together, let man not separate (Matthew 19:6)." Notice that Jesus says a person should not break what God has joined together. He does not say that a person is not able to bring about such a separation.³ When a man divorces his wife, even

¹ This is the view held by William Hendriksen (*The Gospel of Matthew*, Grand Rapids, Michigan: Baker Book House, 1973, p. 305,306), Jay Adams (*Marriage, Divorce, and Remarriage*, Phillipsburg, New Jersey: Presbyterian and Reformed Publishing Company, 1980, p. 67), and Andrew Cornes (*Divorce and Marriage: Biblical Principles and Pastoral Practice*, Grand Rapids, Michigan: Eerdmans Publishing Company, 1993, p. 201). William E. Heth and Gordon J. Wenham, who also hold to this view, explain it in this way: "The statement that divorce will cause the woman to become an adulteress is simply another way of condemning the second union she will most probably be obliged to contract in her situation. But even more obvious than this is Matthew's emphasis on the guilt of the husband who divorces for an unwarranted reason, as if exculpating the wife. There is complete consensus on this observation that Matthew's 'makes her commit adultery' points a finger at the divorcing husband and makes him morally responsible for making his wife and her second husband commit adultery against him. Special emphasis falls on the demand that a husband not contribute to the adultery of his wife, as would happen if she remarried because he had divorced her." (*Jesus and Divorce: The Problem With The Evangelical Consensus*, New York: Thomas Nelson Publishers, 1984, p. 69)

² William Heth, *Divorce and Remarriage: Four Christian Views*, Downers Grove, Illinois: InterVarsity Press, 1990, p. 83.

³ Jesus says, μή χωρίζετω. This verb form is an imperative and with μή expresses a prohibition. As such it expresses something the Lord does not want us to do in no uncertain terms. However, it does not express something that is impossible for us to do.

if it is for unscriptural reasons, that marriage is broken before God, society, and the state. To say that this marriage is still in effect creates a "married in the eyes of God" versus "married in the eyes of the state/society" distinction which is foreign to God's ordination of marriage. He ordained marriage for this life not the next, for society and not just for the church. To say that the only God-pleasing solution is for the woman to reconcile with the husband who divorced her would be to ignore 1 Corinthians 7:15 which indicates that the Christian is no longer bound to the marriage in such a situation.

Looking once again at Matthew 5:32 we note that the verb Jesus uses in the phrase, "causes her to commit adultery," is the passive form *μοιχευθήναι*. Most commentators and lexicons note that this passive form has an active meaning and some examples from the Septuagint and other early writings would seem to confirm this.⁴ But one has to consider whether it is necessary that this passive verb always be understood in the active sense, especially when this does not fit the context as is the case with Matthew 5:32.⁵ Add to this the fact that *ποιέω* is used with this verb. This would indicate that the woman is not the one who is committing adultery but the one against whom adultery is committed. She is sinned against. She is the victim of the sin of adultery. She is made to be a divorced person. It is something that is done to her, not something that she does.

Since Jesus refers to Deuteronomy 24:1-4 in the previous verse, it would be good to include this section of Scripture in our discussion. While much could be said about this passage, the key point that pertains to our study of remarriage is that it did not forbid the woman to remarry. It only prevented the first husband from marrying her again once she had become the wife of another man. However, it is also possible that a verb form used in Deuteronomy 24:4 may offer some insights on the confusing verb form *μοιχευθήναι* used in Matthew 5:32. John Brug states,

Some light may be shed on this problem by another strange verb which occurs in Deuteronomy 24:4, a *hutqattel* of the verb *חָטָא* (be unclean). There are only four *hutqattel* forms in the Old Testament. They all have a passive subject and undersubject. The *hutqattel* conjugation, also called *Hothpa'al* (Gesenius-Kautzch-Cowley, 54h), also has a declarative force. Thus Deuteronomy 24:4 should be translated, "She had been made to declare herself to be unclean" by her first husband's act of divorcing her. This uncleanness did not result from an act of immorality by the woman, nor from her marriage to a second husband, but from the declaration that she had been forced to make by her first husband when he divorced her. The woman is not forbidden to remarry after her first or second marriage. She is only forbidden to remarry her first husband who had caused her to declare herself to be unclean by his divorce action against her. The prohibition of Deuteronomy 24 is really directed against her first husband, not against the woman.⁶

Brug concludes,

A correct understanding of Deuteronomy 24:4 may help solve the problem of Matthew 5:32. The puzzling passive in Matthew may be an attempt to express a grammatical and moral situation which is very like that in Deuteronomy 24. A selfish husband is forcing a wife to declare herself unclean. Greek had no verbal form exactly parallel to the *hutqattel* of Hebrew, but the writer of the Gospel is trying to express a similar thought with the closest form which he had available to him.⁷

Another point that is worth considering is that *μοιχεύω* in the active voice is used several verses earlier in Matthew 5:27,28. This would make the shift to the passive form *μοιχευθήναι* significant in verse 32. Allowing

⁴ Leviticus 20:10; Ezekiel 18:32; Jeremiah 5:7; 2 Clement 4:3

⁵ Bauer, Arndt, Gingrich Greek-English Lexicon of the New Testament indicates that while passive this form should be translated, "to commit adultery." However, Kittel and Scott Greek English Lexicon (Oxford: Clarendon Press, 1996) also lists "debauch" as a possible meaning, which would reflect something that is done to the woman rather than something she is guilty of doing. In a sense, the woman is violated by the divorce.

⁶ *Wisconsin Lutheran Quarterly*, Vol. 90, Number 2: Spring 1993, p. 143.

⁷ *Wisconsin Lutheran Quarterly*, Vol. 90, Number 2: Spring 1993, p. 143.

Scripture to interpret Scripture it seems preferable to take the passive *μοιχευθῆναι* in a passive sense. This would harmonize Matthew 5 with Deuteronomy 24, Ezekiel 18, and the rest of Scripture. It would recognize the change in verb forms. It would reflect the use of the verb *ποιέω* with the infinitive. *God's Word to the Nations* (GWN) seeks to reflect the passive voice: "causes her to be looked upon as an adulteress." It is something the woman passively suffers, rather than something she actively does.

What remains is our understanding of the final part of this verse: "And anyone who marries the divorced woman commits adultery." In this case the verb form *μοιχᾶται* is in the middle voice. Some commentators and translations take this middle in a passive sense.⁸ This would mean that the man who marries this divorced woman would bear the same stigma as she does. Yet the verb is middle and not passive and to take this as a passive would be difficult to justify in the immediate context. For in Koine Greek a deponent verb in the middle voice has lost most of its middle or reflexive sense and is comparable to an active voice. A solution is to see this second situation as separate from what precedes. Since the definite article does not appear with "divorced woman" it is possible that Jesus is talking about a different couple here, not *the* divorced woman of the previous section but *a* divorced woman. That would make the final part of this verse similar to Luke 16:18. In this case the couple would be sinning in getting married because they are not doing so "in the Lord" (1 Corinthians 7:39), that is, in a God-pleasing way. They are not interested in honoring God's guidelines regarding marriage. They are only motivated by their desire to have a marriage partner. Jesus is then setting down a general principle similar to that of Luke 16:18 and stating that those who marry, divorce, and remarry without any regard for God's guidelines regarding marriage are sinning.

This leads us to Jesus' words in Luke 16:18: "Anyone who divorces his wife and marries another woman commits adultery, and the man who marries a divorced woman commits adultery." In this passage Jesus is setting down a general principle. Those who marry, divorce, and remarry, without any regard for God's guidelines for marriage, are sinning. The fact that Jesus does not mention the exceptions of marital unfaithfulness and malicious desertion in these verses need not concern us. Exceptions are just that, exceptions to the general principle. In Luke 16:18 both men are sinning. The text does not spell out the details of the conduct. The scenario may be as follows. The first man is sinning not only because he divorces his wife, but because he also marries another woman thus making any future reconciliation with his first wife impossible. The second man sins because he is marrying a divorced woman who should be reconciled with her first husband. This woman was not the "victim" of divorce but the one who sought or agreed to an unscriptural divorce with her husband. Neither this woman nor her new husband is taking into account what God says about marriage, divorce, and remarriage. As Armin Schuetze says, "The details we do not know and there is no value in speculating. But all parties involved through their action must have shown a disregard for God's injunction about the permanence of marriage in such a way that they all were guilty."⁹

The same is true with Mark 10:11,12: "Anyone who divorces his wife and marries another woman commits adultery against her. ¹²And if she divorces her husband and marries another man, she commits adultery." The man is sinning because he divorces his wife without scriptural grounds. Likewise the woman is sinning because she does not have scriptural grounds for divorcing her husband. Both have sinned by divorcing their spouses. Both have sinned by marrying another rather than reconciling with their first marriage partner.

But what about 1 Corinthians 7:10,11? How are we to understand Paul's instruction to "remain unmarried or else be reconciled?" In this section Paul begins by echoing Jesus' words: "A wife must not separate from her husband. And a husband must not divorce his wife." But what if he or she does so without a biblical basis? Paul indicates they should remain unmarried and work toward reconciliation. Since remarriage would make reconciliation impossible, Paul stresses that remarriage is not an option at this point. The first course of action should be reconciliation. However, if reconciling with the former marriage partner is not possible, then the person would be free to marry again.

⁸ See R.C.H. Lenski (The Interpretation of St. Matthew's Gospel, Minneapolis, Minnesota: Augsburg Publishing House, 1963, p. 233) and GWN translation.

⁹ *Wisconsin Lutheran Quarterly*, Vol. 79-4, Fall 1982, p. 254.

We need to understand Paul's words here in the light of the fruits of repentance. God does not prescribe remaining unmarried as a fruit of repentance in and of itself.¹⁰ That would turn such an action into an "act of penance." He does teach that remaining unmarried and working toward reconciliation would be the first fruit of repentance a penitent sinner should pursue. A repentant heart always seeks to return what was taken and restore what was broken. It seeks to undo what was done and make right what was wrong. For those who divorce without scriptural grounds, that means reestablishing the marriage. If that is not possible, then the fruit of repentance would be to live a God-pleasing single lifestyle or to live in a God-pleasing marriage with another person. To forbid the guilty party to remarry when reconciliation is not possible would not be consistent with Paul's previous words that "it is better to marry than burn with passion." Nor would it be consistent with what Scripture says about the fruit of repentance.

Perhaps an illustration would be in order. Suppose a woman divorces her husband without scriptural grounds. In doing so she is acting in unbelief. She was warned against such a course of action, yet in defiance to the Word of God, she proceeded with the divorce. In this case her husband is now the victim of divorce that 1 Corinthians 7:15 speaks about. His wife acted in unbelief and therefore he is no longer bound to the marriage. By her sinful actions she is shown to be an unbeliever. But then in time the wife is led to repentance. The body of believers "wins her over" through loving and faithful application of Christian admonition (Matthew 18). And as a fruit of her repentance the penitent woman understands that she should reconcile with her husband. However, some time has passed and her husband no longer wishes to have her back as his wife. Perhaps he has even married someone else which he was free to do. In this case the woman would need to pursue a different fruit of repentance as she seeks to glorify God through the 6th Commandment. She may choose to remain unmarried. But to insist that she do so as a divine mandate misapplies 1 Corinthians 7 and makes it fly in the face of what Scripture says elsewhere about fruits of repentance. It also fails to recognize that chastity is one of the purposes that God's institution of marriage now serves in a fallen world. As the apostle put it earlier in this chapter, "But since there is so, much immorality, each man should have his own wife and each woman her own husband" (1 Corinthians 7:2). And a few verses later he adds, "It is better to marry than to burn with passion" (1 Corinthians 7:9).

Another section of Scripture that would seem to support the remarriage of a divorced person would be 1 Corinthians 7:27,28: "Are you married to a woman? Do not look for a divorce. Are you divorced from a wife? Do not look for a wife. But if you do get married, it is no sin, and if a virgin gets married, it is no sin" (GWN). Some versions,¹¹ including the NIV, translate the second question, "Are you unmarried?" Yet the words that Paul uses in this question seem to speak about more than just a single person. He asks, *λέλυσαι ἀπὸ γυναικός;* ("Have you been freed or released from a woman?"). Paul uses this same root in the first part of the verse when he asks, "Are you married to a woman? Do not look for a divorce (*λύσιν*)." Even though Paul advises a divorced person to remain single due to the present situation that the Corinthians faced, he does not rule out remarriage entirely as the following verse indicates. For he goes on to say, "But if you do marry, you have not sinned."

So far we have established the fact that Scripture allows the remarriage of a divorced person. But under what circumstances? Certainly the "victim" of a divorce is free to remarry. In 1 Corinthians 7:15 Paul indicates that a "believing man or woman (*ἀδελφὸς/ἀδελφή*) is not bound in such circumstances. The verb *δεδούλωται* in this context can only mean that the person is no longer bound by that marriage. And if the man or woman is not bound, he or she would be free to marry again just as the woman in verse 39 is no longer bound after the death

¹⁰ Some believe that 1 Corinthians 7:10,11 teaches that a person who has pursued an unscriptural divorce has two options: remain unmarried *or* be reconciled. Thus remaining unmarried without seeking reconciliation following an unscriptural divorce is seen as a fruit of repentance or the prescribed course of action. See William Heth (*Divorce and Remarriage: Four Christian Views*, Downers Grove, Illinois: InterVarsity Press, 1990, p. 92), John Williams (*For Every Cause: A Biblical Study of Divorce*, Neptune, New Jersey: Paternoster Press, 1981, p. 38), and John Murray (*Divorce*, Philadelphia: Presbyterian and Reformed Publishing Company, 1972, p. 62).

¹¹ These would include Williams, Contemporary English Version (CEV), The Living Bible, New Living Translation, New Century Version, Today's English Version (TEV), and Nueva Versión Internacional (NVI). Some versions are unclear and translate, "Are you free of a woman?" These would include The American Bible, the Revised Standard Version (RSV), and Versión Reina-Actualizada.

of her husband but is free to remarry. Whether this person was the victim of marital unfaithfulness or malicious desertion, he or she would not be bound by the marriage. The guilty party broke the marriage bond by his or her sinful actions.

But are there circumstances in which a divorced person may not remarry? In answering this question it is important to note that the first pastoral concern would be to lead the sinning person to repentance. Scripture firmly establishes the truth that divorce is sinful. "I hate it," is God's reaction in Malachi 2. As noted above, repentance means that we turn away from sin and turn to Christ for forgiveness. The fruit of repentance means that we seek to return or restore what was lost. In this case the person who obtained an unscriptural divorce would seek reconciliation with his or her marriage partner. Therefore remarriage to any person other than his or her previous marriage partner would not be possible according to Scripture. But should the "person who was sinned against" refuse reconciliation, which he or she is free to do, then re-establishing the previous marriage is no longer possible. The appropriate fruit of repentance for the guilty party would be to live a God-pleasing life either in the single state or in a new marriage. Nothing in Scripture would deny the person the opportunity to remarry if reconciliation is not possible.¹²

Another point worth considering in this whole discussion of remarriage is the principle Jesus sets forth regarding the Sabbath: "The Sabbath was made for man, not man for the Sabbath" (Mark 2:27). This same principle applies to marriage. "Marriage was made for man, not man for marriage." The point is that God ordained marriage to serve man, not man to serve marriage. This was not an easy task in Jesus' time or in the time of the apostles. It is not an easy task today. Marriage has its hands full as it serves the human race. It is despised and scorned. It is abused and rejected. But nowhere does God allow this hurting servant the right to become the master. As much as we want to stress God's will for marriage, we have to be careful we do not turn it into something that we serve rather than something that serves us. God gave us marriage as a blessing in life, not as something that we slavishly adhere to at the expense of other scriptural principles. Refusing to allow a divorced person to remarry when reconciliation is not possible makes marriage the master rather than the servant. It makes man serve marriage.

As we have walked step by step through the maze of passages that deal with remarriage, we have found that it is not an easy task to understand these sections of Scripture. They are meat not milk. But it is equally difficult to apply them to real people in real life. The situations are complex and the emotions are strong. It is not always clear who is at fault or why. As pastors we always need to remember that our main goal is the care of souls. Therefore our first and main course of action is Christian admonition. We lead impenitent sinners to repentance. We lead penitent sinners to appropriate fruits of repentance. From an eternal perspective saving a marriage will mean little if souls are not led to repentance. We live in a messy world and the church is no exception. We are not in the church triumphant yet. We are in the church militant and there is often plenty of "friendly fire" to go around, especially in marriage and the family. But at the foot of the cross sinners find forgiveness. And at the empty tomb they find hope in their marriage with Christ. Though we make a mess of our earthly relationships, God has betrothed us to him forever (Hosea 2:19). Calvary's empty cross and Joseph's empty tomb testify to this truth.

¹² In his book, *For Better Not For Worse*, (St. Louis, Missouri: Concordia Publishing House, 1935, p. 385) Walter A. Meier states that remarriage is not possible for the guilty party as long as the former spouse is alive and unmarried, even if the innocent party refuses reconciliation. The hope is that the person will have a change of heart and agree to reconciliation. Yet such a view places the guilty party at the mercy of the former marriage partner and could lead to numerous practical problems. More than that, such a view cannot be maintained in the light of other biblical texts.