THE ETHICS OF DIVORCE
(INITIAL DRAFT OF POSITION PAPER)

SUBMITTED TO
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Contents

1. Introduction .................................................................................................................. 1
2. Nature of Marriage ........................................................................................................... 2
3. Nature of Divorce ................................................................................................................ 3
4. Teaching of Old Testament ..................................................................................................... 4
5. Jesus’ Teaching .................................................................................................................... 6
6. Paul’s Teaching ..................................................................................................................... 8
7. Effects of Divorce .................................................................................................................. 9
8. Summary ............................................................................................................................. 10
Bibliography ....................................................................................................................................... 11
1. Introduction

Families are experiencing many problems today, but the role of divorce in this picture has been frequently overlooked because its destructive effects have been subtle, yet insidious. The casual attitude of divorce in the secular world is spilling over into the church, where the statistics are only slightly lower. Consider the following statistics from the US Census Bureau:

- In 1920, there was 1 divorce for every 7 marriages. That is 14%.
- In 1940, there was 1 divorce for every 6 marriages. That is 17%.
- In 1960, there was 1 divorce for every 4 marriages. That is 25%.
- In 1972, there was 1 divorce for every 3 marriages. That is 33%.
- In 1977, there was 1 divorce for every 2 marriages. That is 50%.

Of course, the divorce rate has stayed around 50% since the 70's, but has recently exceeded that.¹

Divorce rates among various church affiliations:

- 34% Independent Fundamentalists
- 30% Jewish Faith
- 29% Baptists
- 27% People who describe themselves as "Born Again"
- 25% Average of all Americans
- 25% Mainline Protestants
- 24% Mormons
- 24% People who do not describe themselves as "Born Again"
- 21% Atheists and agnostics.²

What are Biblical grounds for divorce? The Bible gives two clear grounds for divorce: one is sexual uncleanness (Matthew 5:32; 19:9), which includes adultery, but also the other sexual sins covered by the term *porneia*: homosexuality, bestiality, prostitution, etc. The other ground is desertion of a believing by an unbelieving spouse (1 Corinthians 7:15). Even in these two instances, though, divorce is not required or even encouraged. The most that can be said is that sexual immorality and abandonment are grounds (an allowance) for divorce. Confession, forgiveness, reconciliation, and restoration are always the first steps. Divorce should only be viewed as a last resort.


Are there any grounds for divorce beyond what the Bible explicitly says? It would be very dangerous to go beyond what the Bible says (1 Corinthians 4:6). The most frequent additional grounds for divorce that people inquire about are spousal abuse (emotional or physical), child abuse (emotional, physical, or sexual), addiction to pornography, drug/alcohol use, crime/imprisonment, and mismanagement of finances (such as through a gambling addiction). None of these can be claimed to be explicit biblical grounds for a divorce.  

The purpose of this paper is to find out the Scripture answers to the biblical ethics of divorce and offer the Scripture guidance to the brothers and sisters in the church. In what follows, first, the nature of marriage, and the nature of divorce are discussed. Next, the biblical study is performed to explore the Old Testament teaching, Jesus’ teaching and Paul’s teaching on divorce. Then, some facts are presented to show the devastating effects. At last, the summary of the study is presented.

2. Nature of Marriage

What is the nature of marriage?

a. A divine element:  

- Marriage is a male-female covenant partnership established by God for God’s purposes.
- Marriage is the joyful companionship of male and female in a one-flesh reunion.
- Marriage is a covenant relationship intended to be faithful and permanent.
- Marriage is a continuation of the divine creation through procreation of the human race (Gen 4:1).

b. A human element:

- Marriage provides for the well being of human beings (Gen 2:20-24; Mk 10:6-9).
- Marriage is a blessing that provides intimate companionship (Gen 2:18).

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3 What are Biblical grounds for divorce?: [http://www.gotquestions.org/grounds-for-divorce.html](http://www.gotquestions.org/grounds-for-divorce.html)


5 Family: Marriage & Divorce: [http://kwing.christiansonnet.org/courses/ethics/eth-17.htm](http://kwing.christiansonnet.org/courses/ethics/eth-17.htm)
- Marriage is an essential, sacred institution, a cornerstone of society.

c. Characteristics:

- Marriage is a life-long commitment; the word “cleave” means “to cling to, be glued firmly” indicating a permanent relationship intrinsic in dissolubility of marriage.
- ‘One flesh’ means ‘one person’, i.e. husband and wife in Christ’s teaching is that ‘they are no long two’.
- “Legal divorce does not dissolve ‘one flesh’”
- “A man cannot ‘divorce’ or sever the kinship relationship with his wife who is his own flesh and blood through the covenant and consummation of marriage.”
- Marriage should be monogamous (Gen 2:24).
- Marriage is not a necessity for fulfilment in God’s highest purpose.
- A Christian should not marry a non-Christian (2Co 6:14; 1Co 7:39).

Note: (1) In Canada, common law marriage is not a proper Christian model and is equivalent to fornication, clearly a sin. Marriage is established through legal contract and pledged vows, not just by living together. (2) The act of sexual intercourse never, in itself, constituted marriage.

3. Nature of Divorce

Divorce means that the legal separation of married partners. In the OT marriage is not regarded as a relationship (such as that of brother and sister) which is in itself by its very nature unbreakable. In New Testament age, Jesus wants the Christian to take marriage very seriously. Jesus said: "What therefore God has joined together, let no man separate." (Mark 10:9) But, because we live in an imperfect world, the Bible speaks about the circumstance of divorce.

What is the nature of divorce?

- It is impossible for divorce to break the marriage bond.
- It is impossible for divorce to break the marriage bond but we may have to act as if it had been broken – a divorce is a way of stating for all practical purposes the marriage relationship is over even though the marriage bond remains intact (and therefore remarriage would be adulterous).

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• The actions which lead to divorce break the terms of marriage covenant in such a way as warrants death and yet for the innocent party not to demand the ‘death’ penalty.

• Divorce is only legitimate where the covenant terms have been broken in those ways which God says warrant “death”. Diverse on other grounds is a legal mistake / fiction / whitewash.

Divorce is like any other sinful action. In fact, the sin is really in those conditions that created a situation in which reconciliation seemed impossible and divorce the only option. This informs us that we should not focus on the divorce itself as if this were the only sin. Rather, we should see divorce more as the final consequence of a string of sinful and mistaken behaviors that destroyed a relationship.

4. Teaching of Old Testament

No one knows how divorce began. The Biblical record shows that, unlike marriage, divorce was not instituted by God. There is no indication in the Bible suggesting that God introduced and institutionalized divorce after the Fall as part of His order for human society. Divorce is "man-made," not divinely ordained. It represents human rejection of God’s original plan for the indissolubility of the marriage bond.

Genesis 2:24: Becoming one flesh

"Therefore shall a man leave his father and his mother, and shall cleave unto his wife: and they shall be one flesh."

The Bible discusses a man "cleaving unto his wife." "Cleave" is a translation of the Hebrew word "dabaq" which means to make a permanent alliance with (Joshua 23:12, Ruth 1:14, 2 Samuel 20:2). In its noun form, the word refers to soldering two pieces of metal together. Some theologians have suggested that this term refers to permanent actions -- those that cannot be undone. Thus, the passage implies that divorce is impossible.


8 What the Bible says about divorce and remarriage: http://www.religioustolerance.org/div_bibl.htm
Exodus 21:7-11: Divorce in cases of neglect

"What if he marries another woman? He must still give the first one her food and clothes and make love to her. If he does not provide her with those three things, she can go free. She does not have to pay anything."

The application of these verses was almost universally recognised in Jewish tradition as providing grounds for divorce in cases of neglect (i.e., husband fails to the wife’s maintain his wife’s standard of living and level of sexual activity). This lies behind God’s protestations of his covenant faithfulness in Ezekiel 16, for example and informs I Cor7:3-5, 32-34.

Deuteronomy 24:1-4: Divorce of a woman and prohibition of remarriage to her original husband

"Suppose a man gets married to a woman. But later he decides he doesn't like her. He finds something shameful about her. So he gives her a letter of divorce and sends her away from his house. Then after she leaves his house she becomes another man's wife. But her second husband doesn't like her either. So he gives her a letter of divorce and sends her away from his house. Or perhaps he dies. Then her first husband isn't allowed to marry her again. The Lord would hate that. When her first husband divorced her, she became "unclean." Don't bring sin on the land the Lord your God is giving you as your own."

Deuteronomy 24 is the main Old Testament passage on divorce. It is the teaching of Moses on divorce. The law here was not intended to endorse divorce; just the contrary. The intention was to regulate the existing custom of divorce, not to put forth God's ideal for marriage. Divorce was allowed in certain instances because of human sinfulness.  

Key to understanding this passage is the definition of "something shameful." It probably did not mean adultery since that was subject to the penalty of death (Deut 22:22), nor did it probably mean premarital intercourse with another man (Deut 22:20-21) since that carried the same penalty. The precise meaning of the phrase is unknown.

Divorce was not instituted by Moses, nor was it approved as an intrinsic right of the husband. Deuteronomy 24:1-4 indicates that Moses sought to curb the evil of divorce by requiring the husband to give a bill of divorcement to his wife to protect her after her marriage to another man. The Mosaic concession does not alter God’s original plan for marriage to be a

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sacred, permanent covenant. It simply provides protection for the divorced wife when sinful hearts violate God’s original plan for marriage.11 12

Malachi 2:14-16: Marital separation (or perhaps divorce) is detestable

“You ask, "Why?" It's because the Lord is holding you accountable. He watches how you treat the wife you married when you were young. You have broken your promise to her. You did it even though she’s your partner. You promised to stay married to her. And the Lord was a witness to it. Hasn't he made the two of you one? Both of you belong to him in body and spirit. And why has he made you one? Because he was looking for godly children. So guard yourself in your spirit. Don't break your promise to the wife you married when you were young. 'I hate divorce,' says the Lord God of Israel. "I hate it when people do anything that harms others," says the Lord who rules over all." 

In this passage, Malachi clearly identifies and condemns the sin which had caused God to reject the offering and worship of His people, namely, the violation of the marriage covenant with the wife taken in one’s youth in order to marry foreign idolatrous women. Here Malachi informs us that God sees marriage as a sacred covenant binding two persons in a permanent relationship before God (Gen 31:50; Prov 2:17). Since "the Lord was witness to the marriage covenant," breaking it by divorcing one’s wife meant to be faithless not only to one’s spouse but also to God. This passage in Malachi reminds us that God hates divorce.

5. Jesus’ Teaching

The Contribution of Matthew. Matthew makes three significant contributions about Jesus’ teachings on divorce which are not found in Mark or Luke.

1) Jesus’ teaching on divorce and remarriage is found in the context of the Sermon on the Mount. Jesus encourages living in conformity to the spirit of the law rather than to its letter. Contrary to the Pharisees who allowed divorce by appealing to the letter of the Mosaic concession (Matt 5:31; cf. Deut 24:1-4), Jesus disallows divorce but for one exception (Matt 5:32) by revealing the true intent of God’s law.


2) The disciples’ responsibility to Jesus’ teaching: "If such is the case of a man with his wife, it is not expedient to marry" (Matt 19:10). Apparently, the disciples had been following either the rabbinical view of Shammai which allowed divorce only on the ground of adultery or of Hillel which permitted divorce for any reason. When they understood that Jesus in essence made no allowance for divorce, they responded in astonishment, "If one cannot get out of marriage, then it is better not to marry in the first place." Jesus then declared that not all can accept a celibate life (Matt 19:11-12). This brief dialogue between Jesus and the disciples recorded by Matthew reveals, indirectly and yet forcefully, that Jesus taught the permanence of the marriage relationship.

3) The Exception Clause of Matthew 5:32 and 19:9 which teaches that to divorce and to remarry, "except for unchastity (porneia)" is adultery: "But I say to you that every one who divorces his wife, except on the ground of unchastity, makes her an adulteress; and whoever marries a divorced woman commits adultery" (Matt 5:32). "And I say to you: whoever divorces his wife, except for unchastity, and marries another, commits adultery" (Matt 19:9).  

Defining the word porneia (which is translated marital unfaithfulness) is a key element in trying to understanding these passages ((Matt. 5:31-32, Matt. 19:9). While some commentators teach that this word refers to incestuous relationships or sexual promiscuity during the betrothal period, most scholars believe the word applies to relentless, persistent, and unrepentant adultery. Among those holding to this exception clause for adultery, some believe remarriage is possible while others do not.

The study of the Jewish setting, historical and geographical background, and the immediate context of Matthew 19:1-12 suggests that by the exception clause ("except for porneia") Jesus permitted divorce only in the case of an unlawful marriage to a near relative. By means of the porneia exception, Christ did not intend to impose the Levitical norms for legitimate marriage, but simply to declare that when such norms were violated, there was a valid reason for the dissolution of marriage.

This view is consistent with the absolute value that Mark, Luke, and Paul place on the saying of Jesus. We are bound to conclude that by the exception phrase about porneia, Jesus did not intend to open the way for divorce and remarriage in the case of sexual misconduct. Rather, He wished to reaffirm the creational principle of the permanence of the marriage union by allowing for divorce only in the case of an unlawful marriage. In the light of this conclusion,

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Matthew 19:9 would read: "whoever divorces his wife, unless his union with her is illegitimate, and marries another, commits adultery."  

The teaching of Jesus in the Gospels can be summarized in two points. First, divorce is forbidden because it violates God’s intention that marriage be a permanent union of two persons. Second, remarriage after divorce is adultery because divorce does not dissolve the marriage union.

6. Paul's Teaching

The other significant section of teaching on divorce in the New Testament can be found in Paul's teaching on divorce in 1 Corinthians 7:10-16.

" 10 I give a command to those who are married. It is a direct command from the Lord, not from me. A wife must not leave her husband. 11 But if she does, she must not get married again. Or she can go back to her husband. And a husband must not divorce his wife.

12 I also have something to say to everyone else. It is from me, not a direct command from the Lord. Suppose a brother has a wife who is not a believer. If she is willing to live with him, he must not divorce her. 13 And suppose a woman has a husband who is not a believer. If he is willing to live with her, she must not divorce him. 14 The unbelieving husband has been made holy through his wife. The unbelieving wife has been made holy through her believing husband. If that were not the case, your children would not be pure and clean. But as it is, they are holy.

15 If the unbeliever leaves, let that person go. In that case, a believing man or woman does not have to stay married. God wants us to live in peace. 16 Wife, how do you know if you can save your husband? Husband, how do you know if you can save your wife?"

Paul discusses three different divorce situations:

1 Corinthians 7:10-12: Divorce of Two Believers - No divorce, on any grounds.
Appealing to the teaching of Christ (cf. Mark 10:9, 11, 12; Luke 16:18; Matt 19:3-9), Paul declares in absolute terms that a Christian couple should not seek divorce. Twice he affirms the no-divorce principle: "... the wife should not separate from her husband ... and the husband should not divorce his wife" (1 Cor 7:10-11). The basis of Paul’s prohibition is Christ’s teaching that husband and wife are one flesh and what God has joined together no man should put asunder.

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1 Corinthians 7:10-12: Divorce of a Believer Married to an Unbeliever Who Does Not Want a Divorce - No divorce, on any ground. The instruction of Paul is clear: if the unbeliever does not want a divorce, the believer should not seek for it. The reason given for preserving the marriage union is the sanctifying influence of the believing partner upon the unbelieving spouse and children: "For the unbelieving husband is consecrated through his wife and the unbelieving wife is consecrated through her husband. Otherwise, your children would be unclean, but as it is they are holy" (1 Cor 15:14).

1 Corinthians 7:10-15: Divorce of a Believer Married to an Unbeliever Who Wants a Divorce - Special case where an unbeliever wants a divorce. Paul’s instruction in this case is: That the believer need not pursue the deserting spouse and is free from all marital obligations. Since Christ has called us to peace, the believer may withdraw from slavery in such a case.

Paul’s teachings on the question of divorce in 1 Corinthians 7:12-16 not only closely reflects Jesus’ teachings concerning the permanence of marriage, but also reveals its full depths. It does this by showing how the Christian faith causes the marriage covenant to become a sacred and lifelong relationship. There is for Paul an intimate connection between the permanence of the marriage bond and the Christian faith.

Summing up, like Jesus the apostle Paul affirms the principle that Christian marriage is a union binding and permanent for life. If a separation should occur, Paul presents only two alternatives to believing partners: be reconciled to one another or remain single.\textsuperscript{15}

7. Effects of Divorce

Divorce, generally speaking, is a tremendous evil. In fact, it is so bad that Jesus Christ allows it (together with a subsequent remarriage) on one basis only—that of fornication (Matthew 5:32; 19:9). Subsequent unions following divorce—for all parties other than the innocent victim of a marriage breached by fornication—constitute adulterous relationships. The devastating effects of divorce are demonstrated by the facts:\textsuperscript{16}

- Alcoholism is much more likely to be a problem among those who have been divorced than those who have not. Those divorced only once have almost twice the rate of alcoholism as those who have never been divorced. Folks divorced more than once are almost three times as likely to have drinking problems.


• The suicide rate is almost three times higher among the divorced than among life-long spouses.
• The National Institute of Mental Health advises that the divorced are about four times as likely to have problems with depression as are the never-divorced.
• Studies have shown that the prevalence of suffering from any psychiatric disorder over a lifetime was significantly lower for those in stable marriages.
• Statistical data have revealed that children of divorced parents are much more likely to drop out of school than children from one-time-married couples.
• Children from broken homes are much more likely to have a difficult time obtaining and maintaining steady employment.
• The children of divorced parents are more likely to become “teen parents,” producing out-of-wedlock babies, than the children of life-long married parents.
• The offspring of divorced parents are twenty to thirty percent more likely to have health problems, or to be injury-prone than youngsters whose original parents are still together.
• The children of divorced parents are three times more likely to have emotional or behavioural problems than they will have if their biological parents stay together.

The evidence is all too clear. God knew what he was doing when he gave strict regulations for the preservation of the original family. In view of this, Christian parents will make every effort possible to keep their marriages intact. Moreover, they will instruct their children in the concept of the permanency of marriage as designed by God.

8. Summary

1. Marriage is a covenant relationship which God intends to be lifelong.

2. The Bible gives two clear grounds for divorce: (1) sexual immorality and (2) desertion of a believing by an unbelieving spouse. Spousal abuse (emotional or physical), child abuse (emotional, physical, or sexual), addiction to pornography, drug / alcohol use, crime / imprisonment, and mismanagement of finances cannot be claimed to be explicit biblical grounds for a divorce.

3. When the terms of the covenant are broken by a “divorce-worthy” sin then the “innocent” party may forgive and carry on or may divorce.

4. Divorce is not a sin but a God-given way of dealing with a sin.

5. After a legitimate divorce, the innocent party may remarry.

6. Remarriage after an illegitimate divorce is adultery.

7. Divorce-worthy sins include:
i. Serious sexual infidelity  
ii. irremediable desertion  
iii. gross violation of the marital obligations of Exodus 21  
iv. capital crimes  

8. While there is the possibility of reconciliation, a Christian who has divorced from another Christian should not remarry.  

9. God is capable of changing and reforming any person. God is capable of healing and renewing any marriage. Divorce should only occur in instances of repeated and unrepentant heinous sin.  

**Bibliography**  


Christensen, Phil. Sermon: Divorce and Scripture:  

ET 2.1 – Introduction to Christian Ethics: Divorce and Remarriage:  


Jackson, Wayne. “The devastating effects of divorce.”:  


What the Bible says about divorce and remarriage:
[http://www.religioustolerance.org/div_bibl.htm](http://www.religioustolerance.org/div_bibl.htm)