

# Applying **Law & Gospel** to Divorce and Remarriage

- an issue of the heart -

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## **Permanence** (God's original intent)

There were those who believed it was okay to get a divorce for any old reason, that the Law of Moses gives one license to get rid of one's wife as long as he does so lawfully by signing the proper papers. **In Matthew 19**, Jesus says, "NO" that's not what marriage is about – using someone for your own selfish purposes. Jesus takes them back, not to Moses, but to God's original intent for marriage. God initiated marriage as a life-long covenant of companionship based on a commitment of sacrificial love. It was to be a reflection of His love. *The marriage covenant was not to be broken for any reason.*

## **Brokenness** (sin enters the picture)

However, when sin entered the world, it brought great havoc on God's original creation. Since the Fall, the reality is that marriages are broken, especially when God is pushed out of the picture. The question is "What to do now?" How do we deal with the sin of a broken marriage and the numerous consequences of the termination of this relationship?

One way Moses responded to this hardness of heart was by making special provision for those who were put away. The certificate of divorce wasn't meant to be used *as an excuse* for a man to get rid of his wife for any old selfish reason. Rather, it was meant to *protect* the women. The marriage was already dissolved through the act of the husband getting rid of his wife. The certificate of divorce was a public recognition of this sin and a legal acknowledgment that the wife has been released from this marriage. She was thus free to go on with her life. She was free to live single (which would have meant living in especially difficult circumstances) or she was free to remarry if she so desired.

**THE EXCEPTION CLAUSE:** The word translated "marital unfaithfulness" is *pornenia* or "fornication". The Biblical writers employ this term to refer in general to sexual intercourse outside of marriage, including adultery.

In His discussions in **Matthew 5 & 19**, Jesus' intent was not to address *all* situations concerning divorce and remarriage. Specifically, in chapter 19, He was responding to a very specific case - one involving hard-hearted legalists who held a wrong understanding of the very essence of marriage and wanted to use their twisted interpretation of Old Testament civil law as an opportunity to trip Jesus up and discredit Him with their legal arguments.

In light of God's original intention for marriage, Jesus says that anyone who thinks it's okay to get rid of his wife and trade her in for a new one is dead wrong! God gave the gift of marriage as a lifelong commitment of love and His will is that such a covenant relationship should never be destroyed for any reason.

## **Stained** (sin leaves its mark)

Whenever a marriage is destroyed, the consequences of that sin are many. In Matthew 5, Jesus highlights the seriousness of this sin. The divorced woman will always carry with her the stain of her divorce. And if she remarries, she will carry that stain with her into her new marriage. Her new husband will also be tainted through marrying a divorcee. This stain testifies to the sin of violating God's will for the permanency of marriage.

**Matthew 5:32** is often translated in the *active* sense as, "Anyone who divorces his wife, except for marital unfaithfulness, *causes her to commit adultery.*" However, she hasn't committed anything. Rather, her ex-husband has actively sinned against her. An alternate translation of the Greek text, conveying the women's *passive* role, reads, "Anyone who divorces his wife, except for marital unfaithfulness, causes her *to be stigmatized as [regarded as] an adulteress.*" (Lenski)

Allowing husbands arbitrarily to grant a bill of divorce to their wives and thus branding all divorced wives as guilty casts a stigma also on everyone who marries a divorcee. Since all divorced women are *per se* assumed to be guilty, the new husband suffers the opprobrium [public disgrace] of seeming to have formed an illicit relationship with a guilty woman. Hence he is being unjustly treated when he is looked upon as an adulterer.

What this interpretation rests on is the observation that Jesus is here not only stating the general principle, but he is also coming to the defense of innocent parties: wives improperly put away, and men maligned for taking as wives women who have the right to remarry. That Christ is speaking in behalf of aggrieved parties is established by his use of the *passive* voice of the verb forms. (WELS)

## **Restoration** (applying Law & Gospel in order to change the heart)

How do we apply the Law in the situation of a broken marriage covenant? How do we apply the Gospel? Consider the woman caught in adultery (Jn. 8:3) was required by Old Testament civil law to be stoned. But Jesus applied the Gospel instead of the Law. Why? Because the Law had already convicted her heart (she felt the weight of God's judgment). Broken by the Law, she was ready to receive the Gospel. Jesus' invitation to Matthew the tax-collector and the women at the well are further examples of Jesus giving the Gospel to broken sinners.

When Jesus spoke concerning those who *thought* they were keeping the Law, He gave them no Gospel. Why? Because the Law hadn't yet prepared them for the Gospel. Their hearts were not broken, but remained hard. So what did Jesus do? He kept pouring on the Law! Notice the context of the passage in Mt. 5. In each case, we have the interpretation of those who thought they had kept the Law (and were thus righteous in God's sight) compared with Jesus' interpretation of murder, adultery, divorce, oaths, an eye for an eye, etc. To the self-righteous, Jesus poured on the Law. To those already broken, Jesus poured out grace.

**Summary of Jesus' teaching:** In Jesus' response to these religious skeptics, His intent was *not* to respond to every divorce and remarriage situation, but to a particular case with His opponents who intend to trip Him up. They reflected a popular understanding that marriage was no big deal, that marriage could be ended whenever you wished and God was okay with it. How did Jesus respond to this? He certainly didn't give them any Gospel but only Law. The Law and the Gospel ultimately address issues of the heart.

**What about other situations?** What should be done if one's spouse just up and leaves? What should a spouse do who's being abused? What if the guilty party is humbled by the Law? Is there forgiveness for someone who commits adultery? Is there a possibility of remarriage?

The Christians in the city of Corinth (a very sensual and promiscuous culture – see 1 Corinthians 6) asked for counsel on particular marriage situations that weren't necessarily mentioned by Moses or Jesus. These believers weren't hardened skeptics who opposed God's will, but *believers who desired to follow God's will; to listen to God and do the right thing*. However, they were unsure what God desired in their particular situations.

For example, now that they had become Christians, should they remain married to non-Christian spouses? What if a spouse leaves? What should they do then? Should they pursue them and attempt to *make them* stay in the marriage? If their spouse leaves them, can they remarry? And what about marriage and singleness during these very trying times as a Christian? Was it best to stay married or not, to remain single or not? Paul responds to their questions in **1 Corinthians 7**.

Paul, reflecting Jesus' teaching, clarifies that the guilty party (the one with an unrepentant heart) is *not* to remarry. They aren't to treat marriage as if it were no big deal. They weren't to just jump into another marriage. For whatever reason they left or were unfaithful, they have issues to deal with - issues of the heart, issues of selfishness, issues of what marriage is all about.

As couples work through their issues in light of God's will, they should seek restoration. Forgiven and restored by God, they are to seek forgiveness and restoration with one another. If they're unwilling to do so, they should remain single until their hearts have been broken. On the other hand, if they've worked through issues of forgiveness, but restoration is not possible because their spouse has moved on and married someone else, they are free to do as they wish – to remain single or to remarry.

**1 Corinthians 7:27-28** *Are you married [bound to a wife]? Do not seek a divorce [to be released]. Are you unmarried [released from a wife/divorced]? Do not look for a wife. 28 But if you do marry, you have not sinned; and if a virgin marries, she has not sinned. But those who marry will face many troubles in this life, and I want to spare you this.*

**How to respond to circumstances not specifically addressed in Scripture?** Abuse, for example? As Jesus did, we respond with Law and Gospel, which applies to all situations of the heart.

## **Summary**

Yes, there are circumstances when divorce (being released from the marriage bond) is permissible and also when remarriage after a divorce is permissible. Neither Jesus nor Paul addresses the issue of divorce and remarriage primarily on legal terms, but as an issue of the heart. God's Law and God's Gospel are intended to be applied to the human heart in order to shape it and mold it towards restoration in our relationship with God and in our relationships with one another.