Marriage is a most choice gift of our God and his deep concern. It is sacred because it serves as an image of the covenant of faithfulness between God and his people. How should we evaluate biblically the many cases of divorce and remarriage that confront us?

Generally

1. I am seeking to give biblical parameters within which we must work pastorally—the ethical side of counseling. What is the line, which, when crossed, allows for God-honoring divorce? When a couple is on one side of the line, we must work to renew the marriage. When they are on the other side, the marriage may be dissolved. Practically, when within this boundary, you are working with God to preserve the marriage. E.g., woman whose husband threatens her life. When may we say, “You need to take measures to protect yourself”?  
2. WCF 24.6: Although the corruption of man be such as is apt to study arguments unduly to put asunder those whom God hath joined together in marriage: yet, nothing but adultery, or such willful desertion as can no way be remedied by the church, or civil magistrate, is cause sufficient of dissolving the bond of marriage: wherein, a public and orderly course of proceeding is to be observed; and the persons concerned in it not left to their own wills, and discretion, in their own case.
3. Divorce is devastating in any event, and always occasioned by sin. But the Bible is the sufficient guide to the ethics of divorce and remarriage.
4. We do not favor or advocate divorce (it is never required by God); however, though always occasioned by sin, it is not always sinful. Matthew 1:18-20. (God divorced Israel, Jer 3:8. Mal 2:16 “He who hates and divorces covers his garment with violence.”)
5. Various views:
   a. Neither divorce nor remarriage (Roman Catholic);
   b. “valid divorce” (= de facto, a fait accompli), but no remarriage;  
   c. “valid divorce”, “valid remarriage”/”approved divorce (as a response to fornication)” and “approved remarriage”

Rationale for the position of the Confession:

1 The question here is not, “When would I like to be able to say this?” We all want to protect spouses from pain and suffering. The question is “When does God’s Word authorize me to say this?” We must do what we can to preserve marriage.
2 John Piper’s view (though he does not use the term “valid”): all remarriage is adulterous. Only the death of the spouse can open the door to remarriage. May evangelicals believe this.
1. In creation, God intended marriage to be permanent. Genesis 1:27, 2:23-24 in the light of Jesus’ statement in Matt 19:3-12.

   There are two “ties” of the marriage bond: vows of fidelity (“this is now flesh of my flesh…” “leave and cleave”) and the one-flesh union (sexual union, “consummation”). Two “ties” (or “strands”).

2. Regulating hardness of heart: Dt 24:1-4, unapproved divorce was nevertheless regulated by God, i.e., “valid divorce.” The passage deals with renunciation of vows, and protection of the woman.

   a. Divorce and remarriage are prohibited. The “test” was “(as long as we follow Dt 24) is it lawful to divorce for any reason?” Jesus asserts that the place to go, to understand God’s desire, is not Dt 24, but Gen 2:23-24. (Even after valid divorce (Dt 24), the one flesh tie remains.)

   Mt 5:31-32: when a man divorces, he causes his wife, when she remarries, to commit adultery. Likewise the man who remarries commits adultery. The disciples exclaim, “If such is the case, it is better not to marry!” So divorce and remarriage typically lead to four people committing adultery.

   b. But there is an exception, the commission of porneia. The “exception clause” in Mt 19:9 clarifies what the rabbis had muddied: that breaking the one flesh tie established by God in marriage is the only ground for “approved” divorce.

      1. Porneia by a spouse, which breaks the one flesh tie, is the sole ground.

      2. Porneia has a wider reference than “adultery” (Mt 15:19 “moicheiai, porneiai”—all adultery is porneia, but not all porneia is adultery.

         Fornication, prostitution (Hos 2:4 LXX, 1 Cor 6:15-16), incest (1 Cor 5:1), homosexual acts (Jude 7), bestiality. “Any overt act of sexual immorality.”

4 The word “bond” is sometimes used (though not in this paper) both for the “one flesh” established by intercourse, and, sometimes more broadly, for a contracted marriage. We should be careful not to use the two senses interchangeably, or equivocally. Only confusion can result.

5 The Hillel school said Dt 24 allowed any number of reasons for divorce. The Shammai school said only for serious sexual sin. Jesus opposes both schools.

6 It is important to recognize that a de-facto renunciation of the marriage vow can take place, biblically, only by an act of porneia. To suggest that “denying the marriage covenant” is a biblical ground for divorce led to the PCUS emendation of Confession 24.6 in 1959. Note, by comparison with the original Confession, its vague language:

   …the weaknesses of one or both partners may lead to gross and persistent denial of the marriage vows so that the marriage dies at the heart and the union becomes intolerable; yet only in cases of extreme, un-repented-of and irremediable unfaithfulness (physical or spiritual) should separation or divorce be considered. Such separation or divorce is accepted as permissible only because of the failure of one or both of the partners, and does not lessen in any way the divine intention for indissoluble union.

7 John Piper disagrees: the exception refers only to fornication during betrothal. “Therefore, as Matthew proceeded to construct the narrative of his gospel, he finds himself in chapter 5 and then later in chapter 19 needing to prohibit all remarriage after divorce (as taught by Jesus) and yet to allow for “divorces” like the one Joseph contemplated toward his betrothed whom he thought guilty of fornication (porneia). Therefore, Matthew includes the exception clause in particular to exonerate Joseph, but also in general to show that the kind of “divorce” that one might pursue during a betrothal on account of fornication is not included in Jesus’ absolute prohibition.” “Divorce and Remarriage: A Position Paper” at http://www.desiringgod.org/resource-library/articles/divorce-remarriage-a-position-paper, accessed 6/10/13.

8 Pornographic addiction, though sinful, and very serious, would not be an example of porneia unless it led to prolonged defrauding of conjugal rights.
3. Matt 19:9 “But I say to you, whoever divorces his wife, except for sexual immorality, and marries another, commits adultery.” Does “except for immorality” apply only to the prohibition of divorce, or also to the prohibition of remarriage? (In the first case, Jesus allows divorce on the basis of immorality, but not remarriage. In the second case, Jesus allows both divorce and remarriage on the basis of immorality.) John Murray: the sentence has one subject, “whoever,” and one verb, “commits adultery.” So the man commits adultery because he both divorces and remarries. The structure of the sentence, then, requires that the exception clause apply both to the divorce and to the remarriage. Otherwise this would be the meaning: “whoever divorces his wife except for immorality, commits adultery.” The act of divorce, apart from remarriage, would be described as “committing adultery.” But that is absurd. In other words, the exception clause must also apply to “and remarries another” for the verb “commits adultery” to be true of him.  

4. Why is the exception not included in Mk 10, Luke 16? It is assumed there.

   a. Vv. 3-6, do not defraud each other of conjugal rights. (The only exception to mutual relations is to be made by mutual agreement, and for a limited time, v. 5.)
   b. Vv. 10-11 are practically the equivalent of Jesus’ teaching (“not I but the Lord”): if someone goes through with a valid but unapproved divorce, now, to avoid the sin of adultery involved in remarriage, “let her remain unmarried, or else be reconciled to her husband.”
   c. Vv. 12-16: Paul’s application (“I, not the Lord”) to the mixed marriage. Not modifying Jesus’ teaching, but giving a special case of it.
   d. V. 15,10 “willful desertion,” is a special case of porneia, because it is a defrauding of conjugal rights. When a spouse is deserted, he or she is “not enslaved,” that is, free to remarry (cf. Rom 7:1-3).
   e. WCF 24.6 lists grounds as “adultery,” or irremediable, “willful desertion.” As we can see, these are biblically justified.11
   f. Applying this passage, the PCA Report says divorce may be necessary “to protect a blameless spouse from intolerable conditions” (page 229). The Committee then qualifies the statement: “the list of sins tantamount to desertion cannot be very long.” However, “intolerable conditions” is considerably more vague than this passage.12 Despite the real complexity of the situations we face, Scripture is more definite than

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9 Divorce, 40.
10 The so-called “Pauline Privilege.” I am arguing that withholding of conjugal rights by desertion is a case of porneia, not that Paul added another ground for approved divorce (even granting his Apostolic authority to do so).
11 John Murray, because he judged that 1 Cor 7 authorizes divorce only on account of desertion of a believer by an unbeliever, wrote that WCF 24.6 is too broad (Divorce, 76n.13).
12 Cf. Frame’s critique: “Obviously, what is tolerable to one person may be intolerable to another. So the Report tries to distinguish between objective and subjective sources of intolerability, a very difficult distinction to make with any cogency. I am not satisfied with the Report’s reasoning at this point.” The Doctrine of the Christian Life, 781.
this, and therefore, must be more carefully applied. We might ask, “Why is porneia the line?” Answer: because Jesus drew it there by saying “με επί πορνεία.”

5. Cases
   a. Woman whose husband threatens her life. If verified (i.e., if the civil magistrate agrees that it is a true threat to her life), a session may consider this a case of “constructive desertion,” and thus a case of porneia. (If her life is in danger, she is being defrauded of her conjugal rights.)
   b. An unbelieving woman previously married and divorced (based on mutual consent, “no fault”). When converted, she wants to marry a believer, but sees that her divorce was not based on porneia. What should she do?
   c. A pregnant Christian woman dating the father of her child, asks what God would have her do. She can see difficulties, but feels that because of the baby, she is in some way obligated to marry. In the course of discussion, the man mentions that he is planning to divorce his present wife. What is the biblical view of their relationship?
   d. Christian couple. The wife moves to Atlanta to take a job. She refuses to give the husband her address and contacts him only through an intermediary. What is his position?
   e. “Sexual desertion” (for an extended period of time) under the same roof. Grounds for approved divorce, if proven (e.g., admitted)?
   f. Never give advice about legitimacy of divorce without speaking to/with both parties, and in the context of the church. In other words, as the Confession wisely counsels us: “a public and orderly course of proceeding is to be observed; and the persons concerned in it not left to their own wills, and discretion, in their own case.”

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13 It was suggested to me that the ambiguity of the PCA Report may arise from the lack of clarity in the relationship between the (supposed) two grounds in WCF 24.6.