

“Marriage and Divorce”
(WCF 24.5-6)

WCF 24.5 Adultery or fornication committed after a contract, being detected before marriage, giveth just occasion to the innocent party to dissolve that contract. In the case of adultery after marriage, it is lawful for the innocent party to sue out a divorce: and after the divorce, to marry another, as if the offending party were dead.

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.

V-VI. Are there biblical grounds for divorce and remarriage?

A. Introduction.

1. This morning, the Confession deals with one of the more controversial subjects in the church today: whether there are any biblical grounds for a divorce and a remarriage.
 - a. That this matter is controversial is sad because of the division it has brought in the church and because of the bondage it has placed some under.
 - b. Many pastors, believing there are no grounds for divorce and remarriage, have put some of Christ’s sheep in a very difficult position.
 - (i) Some have had their spouses abandon them and remarry, making reconciliation impossible. Their pastors tell them they can’t remarry and that they must be content, even though they don’t have this gift from the Lord.
 - (ii) Others are looked down on and treated either as second class Christians, unfit for any service in the kingdom; or are shunned as those who have committed the unpardonable sin.
 - (iii) Though those who hold these convictions may be well-meaning and sincere in their beliefs, they are wrong. The Bible clearly teaches that there are grounds for divorce and remarriage.
2. The Confession deals with two main questions on the subject of divorce and remarriage.
 - a. The first is, “May a man divorce his wife for any reason and marry another?”
 - b. The second is, “If he may not do so for any reason, what are the grounds or circumstances under which he may divorce and remarry?”
 - c. Understand that to avoid the constant repetition of both genders in each case, just the masculine will be used, understanding it works both ways.

B. First, is divorce and remarriage lawful in every case?

1. We’ll use as our primary text Matthew 19:1-9.
 - a. “Some Pharisees came to Jesus, testing Him and asking, ‘Is it lawful *for a man* to divorce his wife for any reason at all?’ And He answered and said, ‘Have you not read that He who created *them* from the beginning made them male and female, 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”? So they are no longer two, but one flesh. What therefore God has joined together, let no man separate.’ They said to Him, ‘Why then did Moses command to give her a certificate of divorce and sent *her* away?’ He said to them,

‘Because of your hardness of heart Moses permitted you to divorce your wives; but from the beginning it has not been this way. And I say to you, whoever divorces his wife, except for immorality, and marries another woman commits adultery’” (Matt. 19:1-9).

- b. These Pharisees came to find some fault in Jesus.
 - (i) The way they went about it was to ask His opinion on a subject which was controversial even among them: the subject of divorce.
 - (ii) “Is it lawful for a man to divorce his wife for any cause at all?” Notice that their question was not, “Is it ever lawful for a man for divorce his wife?” They knew there were grounds for this. But they asked, “Is it lawful for a man to divorce his wife *for any cause at all?*”
 - (iii) Is any reason good enough to put away your wife and to marry someone else?
2. Jesus’ answer here is clearly, “No.”
 - a. He points back to the beginning of creation to show that God originally made the man and woman for each other, to complement each other, as we’ve seen.
 - b. He also emphasizes the leaving of one’s father and mother, and the cleaving to one another in a one flesh relationship, showing how closely tied the man and the woman are in the marriage union.
 - c. If this wasn’t enough to settle the matter, He ends by saying, “What therefore God has joined together, let no man separate” (v. 6).
 - d. Clearly, it was God’s intention from the beginning that the marriage covenant be permanent.
 - e. No, a man may not divorce his wife for any cause at all and marry another.

C. Are there then any biblical grounds to divorce and remarry?

1. If a man may not divorce his wife for any cause, then why “did Moses command to give her a certificate and divorce her?” Isn’t Moses saying that a man may divorce his wife for any reason?
 - a. Jesus’ answer again is, “No.” It was “because of your hardness of heart, Moses permitted you to divorce your wives; but from the beginning it has not been this way” (vv. 7-8).
 - (i) Jesus just told us that God’s will from the beginning was that the husband and wife remain married for life.
 - (ii) Moses however allowed those whose hearts were hard against their wives to put them away for less than righteous reasons.
 - (iii) The only thing he required was that the husband give his wife a certificate of divorce to show that she was legally divorced, and that if she became another man’s wife, the first could not take her again to be his wife if her latter husband turned against her (Deu. 24:1-4).
 - (iv) Moses couldn’t have had adultery as the only grounds in view, since the penalty for adultery was death. If an adulterous spouse was executed, the surviving spouse would be quite free to remarry.
 - b. The question is, Why did Moses allow them to do something sinful? The Lord commands us to love and forgive each other. Why would he allow them to harden their hearts and divorce their wives?
 - (i) This is how Calvin understands it: “Ought Moses to have permitted what was in itself bad and sinful? I reply, That, in an unusual sense of the word, he is said to have permitted what he did not severely forbid; for he did not lay down a law about

divorces, so as to give them the seal of his approbation, but as the wickedness of men could not be restrained in any other way, he applied what was the most admissible remedy, that the husband should, at least, attest the chastity of his wife. For the law was made solely for the protection of the women, that they might not suffer any disgrace after they had been unjustly rejected. Hence we infer, that it was rather a punishment inflicted on the husbands, than an indulgence or permission fitted to inflame their lust” (*Harmony* 2:283). Moses gave them this law to protect the innocence of the woman, not to encourage the sinfulness of the man.

- (ii) Henry writes, “The Jewish doctors themselves observe such limitations in that law, that it could not be done without great deliberation. A particular reason must be assigned, the bill of divorce must be written, and, as a judicial act, must have all the solemnities of a deed, executed and enrolled. It must be given into the hands of the wife herself, and (which would oblige men, if they had any consideration in them, to consider) they were expressly forbidden ever to come together again.”
 - (iii) And again, “Christ tells them there was a reason for this toleration, not at all for their credit; *It was because of the hardness of your hearts*, that you were permitted to *put away your wives*. Moses complained of the people of Israel in his time, that *their hearts were hardened* (Deut. 9:6; 31:27), hardened against God; this is here meant of their being hardened against their relations; they were generally violent and outrageous, which way soever they took, both in their appetites and in their passions; and therefore if they had not been allowed to put away their wives, when they had conceived a dislike of them, they would have used them cruelly, would have beaten and abused them, and perhaps have murdered them.”
- c. To understand our passage, we need to realize that it’s this particular practice that Jesus is correcting, the practice of divorcing one’s wife for any reason, because of their hardness of heart.
- (i) He tells them God’s original intention from the beginning, “What God has joined together, let no man separate” (v. 6).
 - (ii) He tells them what the consequences were then, and are now, if they divorce and remarry for less than biblical grounds, “Whoever divorces his wife . . . and marries another woman commits adultery” (v. 9).
2. Does this mean there are no grounds for a divorce and remarriage? No.
- a. Jesus gives us the first in our text: Immorality.
 - (i) If a man divorces his wife and marries another woman, he commits adultery, “except,” Jesus says, “for immorality.”
 - (a) If immorality is the ground, then when he divorces her and remarries, *he does not commit adultery*.
 - (b) Calvin writes, “But an exception is added; for the woman, by fornication, cuts herself off, as a rotten member, from her husband, and sets him at liberty” (2:284).
 - (c) Some believe this is what Moses had in view in Deuteronomy 24.
 - (d) Jesus does not require divorce – the covenant could still be renewed through repentance, confession and forgiveness.
 - (e) But if the spouse is stubbornly unrepentant, they may righteously be put away.
 - (ii) Objections: As clear as this is, there are still some who argue against it.
 - (a) Some believe that the word “immorality” can only refer to something that takes place outside of the marriage covenant.

- (1) They argue that if the Lord had marriage in view here, He would have used the word for “adultery.” What He’s referring to, therefore, is an engagement period prior to the wedding in which the man or the woman is unfaithful.
 - (2) Those who hold this view believe Paul tells us in Romans 7: 2-3 that there are no grounds for a divorce after a marriage has taken place: “For the married woman is bound by law to her husband while he is living; but if her husband dies, she is released from the law concerning the husband. So then, if while her husband is living she is joined to another man, she shall be called an adulteress; but if her husband dies, she is free from the law, so that she is not an adulteress though she is joined to another man.”
- (b) But this can’t be the case. Scripture doesn’t make a distinction between an engaged couple and a married couple with regard to fidelity.
- (1) Once an engagement has been entered into, the man and woman were considered married, even though the ceremony and consummation of that marriage would take place later.
 - (2) Moses wrote in Deuteronomy 22:23-24 that an engaged girl is her fiancé’s wife, “If there is a girl who is a virgin engaged to a man, and *another* man finds her in the city and lies with her, then you shall bring them both out to the gate of that city and you shall stone them to death; the girl, because she did not cry out in the city, and the man, because he has violated his *neighbor’s wife*. Thus you shall purge the evil from among you” (Cf. also vv. 13-21)
 - (3) Joseph, thinking Mary had been unfaithful, wanted to break off his engagement through divorce:
 - (I) “Now the birth of Jesus Christ was as follows: when His mother Mary had been betrothed to Joseph, before they came together she was found to be with child by the Holy Spirit. And Joseph her husband, being a righteous man and not wanting to disgrace her, planned to send her away secretly. But when he had considered this, behold, an angel of the Lord appeared to him in a dream, saying, ‘Joseph, son of David, do not be afraid to take Mary as your wife; for the Child who has been conceived in her is of the Holy Spirit’” (Matt. 1:18-20).
 - (II) “To send her away” or “To put her away” is an expression used to refer to divorce.
 - (III) And as to the fact that Mary was already his wife, the angel literally said, “Do not be afraid to take *Mary your wife*, for the Child who has been conceived in her is of the Holy Spirit.”
 - (IV) It’s true that immorality during the engagement would constitute grounds for a divorce, as the Confession says – “Adultery or fornication committed after a contract, being detected before marriage, giveth just occasion to the innocent party to dissolve that contract” – but it also constitutes grounds for a divorce after the ceremony and consummation of the marriage, since in both cases, the man and woman are married.
- (c) Another consideration is that “immorality” is not applied merely to those who are unmarried, but to those who are married as well.
- (1) It’s a broader word than adultery that includes not only that sin, but many other forms of immorality, such as homosexuality or bestiality.
 - (2) Jesus used this word because He didn’t want to limit the grounds to adultery

alone.

- (d) As to the fact that it could also apply to the pre-engagement period, we don't need to look any further than Rahab to show that even those with a checkered past could marry into the household of God, if they repented (Matt. 1:5; cf. also Bathsheba, v. 6). This doesn't constitute grounds for a divorce.
 - (e) And with regard to Romans 7:2-3, Paul is merely using this as an illustration of our relationship to the Law. As long as we were alive, we were bound to that law; but when we were united with Christ and His death, we died to the Law and were joined to Christ. Paul is not dealing with divorce and remarriage here, which would constitute an exception to this rule.
- (iii) The bottom line is that sexual immorality breaks the marriage covenant, and once it has been broken, the innocent party may sue for a divorce and then remarry.
- (a) This has been the majority view of the Protestant Church since the Reformation.
 - (b) John Owen, living in the 17th Century, wrote, "It is confessed by all that adultery is a just and sufficient cause of a divorce betwixt married persons" (16:328).
- (iv) If someone still objects that adultery is not a valid ground for divorce, then he is indicting God as well, since this was the ground upon which He divorced His people Israel.
- (a) He said through Jeremiah the prophet, "And I saw that for all the adulteries of faithless Israel, I had sent her away and given her a writ of divorce" (3:8).
 - (b) God not only divorced Israel, He remarried.
 - (1) Jesus warned Israel that they would forfeit their relationship with God through unbelief and that He would choose another people: "Therefore I say to you, the kingdom of God will be taken away from you and given to a people, producing the fruit of it" (Matt. 21:43).
 - (2) When that rejection was fully realized, Jesus pronounced judgment on His Old Covenant people: "Jerusalem, Jerusalem, who kills the prophets and stones those who are sent to her! How often I wanted to gather your children together, the way a hen gathers her chicks under her wings, and you were unwilling. *Behold, your house is being left to you desolate!*" (Matt. 23:37-38).
 - (3) Paul tells us that Christ now has a new bride: "For the husband is he head of the wife, as Christ also is the head of the church, He Himself *being* the Savior of the body. But as the church is subject to Christ, so also the wives *ought to be* to their husbands in everything. Husbands, love your wives, just as Christ also loved the church and gave Himself up for her, so that He might sanctify her, having cleansed her by the washing of water with the word, that He might present to Himself the church in all her glory, having no spot or wrinkle or any such thing; but that she would be holy and blameless. So husbands ought also to love their own wives as their own bodies. He who loves his own wife loves himself; for no one ever hated his own flesh, but nourishes and cherishes it, just as Christ also *does* the church, because we are members of His body. For this reason a man shall leave his father and mother and shall be joined to his wife, and they two shall become one flesh. This mystery is great; but I am speaking with reference to Christ and the church" (Eph. 5:23-32).
 - (4) The church is now the bride of Christ.

- b. The second ground is not in our text: desertion by an unbeliever.
 - (i) Paul writes in 1 Corinthians 7:15-16, “Yet if the unbelieving one leaves, let him leave; the brother or the sister is not under bondage in such *cases*, but God has called us to peace. 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?”
 - (ii) If an unbeliever abandons their believing spouse – presumably on the grounds that they don’t want to live with a Christian any longer – Paul literally says, “He must leave.” The believer is not to stop them.
 - (iii) More importantly, he says that “the brother or sister is not under bondage in such cases,” which, in the context of 1 Corinthians 7, means that they are not bound to that marriage covenant, but free to remarry.
 - (iv) “Are you bound to a wife? Do not seek to be released. Are you released from a wife? Do not seek a wife. *But if you marry, you have not sinned*; and if a virgin marries, she has not sinned. Yet such will have trouble in this life, and I am trying to spare you” (1 Cor. 7:27-28).
- c. A third situation in which a person may remarry is: the death of a spouse.
 - (i) The separation caused by death, of course, is not a divorce.
 - (ii) But death brings about a definitive end of a marriage and frees the surviving spouse to remarry, only to another believer.
 - (iii) Paul writes in 1 Corinthians 7:39, “A wife is bound as long as her husband lives; but if her husband is dead, she is free to be married to whom she wishes, only in the Lord.”

D. Additional situations.

1. What if the one who abandons the marriage covenant is a believer abandoning another believer?
 - a. Then he should remain unmarried for the purpose of reconciling with his spouse: “But to the married I give instructions, not I, but the Lord, that the wife should not leave her husband (but if she does leave, she must remain unmarried, or else be reconciled to her husband), and that the husband should not divorce his wife” (1 Cor. 7:10-11).
 - b. But if the one who departs refuses to reconcile, after being dealt with according to Matthew 18:15-17, he should be declared an unbeliever and treated as an unbeliever who departs.
2. What about one who has sinfully divorced and remarried, who later repents: Does the one who remarried have to divorce his current wife and reconcile with his former wife?
 - a. No. Scripture actually forbids the remarriage of two who have divorced when one marries and divorces again: “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 indecency in her, and he writes her a certificate of divorce and puts *it* in her hand and sends her out from his house, and she leaves his house and goes and becomes another man's *wife*, and if the latter husband turns against her and writes her a certificate of divorce and puts *it* in her hand and sends her out of his house, or if the latter husband dies who took her to be his wife, *then* her former husband who sent her away is not allowed to take her again to be his wife, since 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 gives you as an inheritance” (Deu. 24:1-4). (NB: The woman is called the latter husband’s wife).
 - b. The divorce and remarriage constitutes adultery. It must be acknowledged and repented

- of. But the union must not now be undone.
- (i) “It was said, ‘Whoever sends his wife away, let him give her a certificate of divorce’; but I say to you that everyone who divorces his wife, except for *the* reason of unchastity, makes her commit adultery; and whoever marries a divorced woman commits adultery” (Matt. 5:31-32).
 - (ii) When the divorce took place on less than biblical grounds, the covenant was still intact.
 - (iii) When the second marriage took place, it constituted adultery because the former marriage covenant had not been broken.
 - (iv) When the second marriage took place, the former marriage covenant was broken, making the current marriage valid.
 - (v) However, the way it was contracted was adulterous, and unless that sin is repented of, it makes them adulterers, in the same way that it only takes one murder to make one a murderer.
 - (vi) But like the murderer, they are not guilty of a perpetual sin. If they repent of how the marriage was contracted, they will be cleansed from that sin: “Such were some of you; but you were washed, but you were sanctified, but you were justified in the name of the Lord Jesus Christ, and in the Spirit of our God” (1 Cor. 6:11).
3. What if there were no grounds for the divorce and neither has remarried?
 - a. When one of them repents, they must seek reconciliation with their spouse.
 - b. If one or the other has committed sin that constitutes grounds for divorce following their divorce, then reconciliation would not be required since their covenant was broken.
 - (i) Reconciliation through covenant renewal, however, would be preferable, if both are believers, or both are unbelievers.
 - (ii) It would not be allowed if one was a believer and the other not, since the Lord forbids a marriage of this kind (2 Cor. 6:14).
 4. What if there were no biblical grounds for the divorce, but one remarried? May the one who is single marry?
 - a. The remarriage of the first spouse constituted adultery, breaking the first covenant.
 - b. The remaining spouse may then remarry without committing adultery.
 5. What if there were biblical grounds, but they later repent?
 - a. If they are both believers and have not married in the meantime, they should seek reconciliation and the renewing of their marriage covenant.
 - b. If they are unbelievers and have not married in the meantime, they should also seek reconciliation.
 - c. If one is a believer and the other not, then they should not reconcile, unless the unbeliever repents and trusts in Christ.
 - d. Once a biblical divorce takes place, they are no longer married. And if they are unmarried, the restriction that a believer not marry an unbeliever applies (2 Cor. 6:14).
 6. What if there were biblical grounds for the divorce, but one has remarried? May the remaining spouse remarry?
 - a. Yes, if he was the innocent party, as we’ve seen above.
 - b. And yes, if he was the guilty party.
 - (i) His former marriage covenant was broken and no longer exists. Further, his former spouse has entered into a new marriage covenant.

- (ii) The Lord tells us that there is forgiveness for those who repent. Though it is serious, divorce and remarriage is not the unpardonable sin.
 - (iii) Any sin truly repented of will be pardoned by the Lord.
 - (iv) Paul warns us that those who practice adultery and other sins will not inherit the kingdom. But he also reminds us that those who repent and forsake their sins will find mercy (1 Cor. 6:9-11).
- c. Consider the alternative if either the innocent or guilty party who repents could not remarry.
- (i) If there were no grounds for a divorce and remarriage, what would happen to those whose spouses abandoned or divorced them for unbiblical reasons and married someone else? Where would that leave them? Would they be bound for the rest of their lives to someone who was bound to someone else living in perpetual adultery? Some believe this to be the case.
 - (ii) But what if they didn't have the gift to remain single? Would God require them to remain that way even though it was no fault of theirs that their marriage covenant was destroyed? Would He also require it of someone who had genuinely repented, but had no hope of reconciling with his former spouse? Wouldn't this force them into a situation where they would sin no matter what they did?
 - (iii) John Owen writes, "It may, and probably will, cast a man under a necessity of sinning: for suppose he hath not the gift of continency, it is the express will of God that he should marry for his relief; yet on this supposition, he sins if he does so, and in that he sins if he doth not so" (16:329).
 - (iv) If someone in this situation could not marry, then there would be no way for him or her to escape temptation, contrary to what Paul tells us in 1 Corinthians 10:13, "No temptation has overtaken you but such as is common to man; and God is faithful, who will not allow you to be tempted beyond what you are able, but with the temptation will provide the way of escape also, that you may be able to endure it."
 - (v) If your spouse is unfaithful and abandons the marriage relationship, you may divorce them and marry another, only in the Lord.
 - (vi) Of course, if they repent, you must forgive them and receive them back. But if they continue to sin and show that their repentance isn't genuine, then you may divorce them. If you don't, you may very well expose yourself to more sin and misery.
 - (vii) And if you have been unfaithful, and your spouse has divorced you and married another, if you repent, you may remarry, only in the Lord.

E. What should the innocent party do when his or her spouse deserts their marriage covenant? "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."

1. They should not take matters into their own hands.
2. They should seek the spiritual direction of the elders.
3. They should also seek adjudication by the state (Deu. 24:1-4).
4. Henry writes, "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."