

Divorce

A Biblical View

I. Definition of terms: We have allowed a mistaken view of the two words below to become the traditional view. Our purpose is not to uphold tradition, but to discover what is true, and then uphold that truth.

A. Hebrew

1. כִּיתוּת = kerithuth = divorce
2. שָׁלַח = shalach = put away

B. Greek

1. ἀποστάσιον = apostasion = divorce
2. ἀπολύω = apoluo = put away

II. Proposition: Divorce is God's answer to a bad marriage. The certificate of divorce ended a marriage and the divorced people were free to marry again. Sending away a spouse without a certificate of divorce was the cause of adultery from a broken marriage.

A. Traditional view: Divorce for any reason other than adultery is sin, and anyone marrying a divorced person (except for the above reason) also commits adultery.

B. Position under investigation:

1. Divorce itself is not a sin. What is sin is what happens before and after divorce. Divorce is a God-given remedy for that sin.
2. There is a definite distinction between the two words listed above.

III. Passages to consider:

Deuteronomy 22:13-30

“If any man takes a wife and goes in to her and then turns against her, and charges her with shameful deeds and publicly defames her, and says, ‘I took this woman, but when I came near her, I did not find her a virgin,’ then the girl’s father and her mother shall take and bring out the evidence of the girl’s virginity to the elders of the city at the gate. “And the girl’s father shall say to the elders, ‘I gave my daughter to this man for a wife, but he turned against her; and behold, he has charged her with shameful deeds, saying, “I did not find your daughter a virgin.” But this is the evidence of my daughter’s virginity.’ And they shall spread the garment before the elders of the city. “So the elders of that city shall take the man and chastise him, and they shall fine him a hundred shekels of silver and give it to the girl’s father, because he publicly defamed a virgin of Israel. And she shall remain his wife; he cannot *shalach* (*put her away*) her all his days.

“But if this charge is true, that the girl was not found a virgin, then they shall bring out the girl to the doorway of her father’s house, and the men of her city shall stone her to death because she has

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committed an act of folly in Israel, by playing the harlot in her father's house; thus you shall purge the evil from among you.

"If a man is found lying with a married woman, then both of them shall die, the man who lay with the woman, and the woman; thus you shall purge the evil from Israel.

"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.

"But if in the field the man finds the girl who is engaged, and the man forces her and lies with her, then only the man who lies with her shall die. "But you shall do nothing to the girl; there is no sin in the girl worthy of death, for just as a man rises against his neighbor and murders him, so is this case. "When he found her in the field, the engaged girl cried out, but there was no one to save her.

"If a man finds a girl who is a virgin, who is not engaged, and seizes her and lies with her and they are discovered, then the man who lay with her shall give to the girl's father fifty shekels of silver, and she shall become his wife because he has violated her; he cannot *shalach* (put away) her all his days.

"A man shall not take his father's wife so that he shall not uncover his father's skirt.

Deuteronomy 24:1-5

"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 *kerithuth* and puts it in her hand and *shalach* her 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 *kerithuth* and puts it in her hand and *shalach* her of his house, or if the latter husband dies who took her to be his wife, then her former husband who *shalach* her 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.

"When a man takes a new wife, he shall not go out with the army, nor be charged with any duty; he shall be free at home one year and shall give happiness to his wife whom he has taken.

The solution to the problem in the marriage was the certificate of divorce. The word "indecency" does not have a certain meaning. It may mean nakedness, shame, disgrace. Adultery is not what is meant here, for adultery was punishable by death (Lev. 20:10ff. Deut. 22:22)

Ezra 10:3

"So now let us make a covenant with our God to *shalach* all the wives and their children, according to the counsel of my lord and of those who tremble at the commandment of our God; and let it be done according to the law.

It was illegal for the Jews to have married these pagan wives. The certificate of divorce was not needed for them to marry another pagan, so God told them to just put them away and let them go back to where they belong.

Isaiah 50:1

Thus says the Lord, "Where is the certificate of *kerithuth*, by which I have sent your mother away? Or to whom of My creditors did I sell you? Behold, you were sold for your iniquities, And for your transgressions your mother was *shalach*.

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Jeremiah 3:1-10

God says, “If a husband *shalach* his wife, And she goes from him, And belongs to another man, Will he still return to her? Will not that land be completely polluted? But you are a harlot with many lovers; Yet you turn to Me,” declares the Lord. “Lift up your eyes to the bare heights and see; Where have you not been violated? By the roads you have sat for them like an Arab in the desert, and you have polluted a land with your harlotry and with your wickedness. “Therefore the showers have been withheld, And there has been no spring rain. Yet you had a harlot’s forehead; you refused to be ashamed. “Have you not just now called to Me, ‘My Father, You are the friend of my youth? ‘Will He be angry forever? Will He be indignant to the end?’ Behold, you have spoken and have done evil things, and you have had your way. “

Then the Lord said to me in the days of Josiah the king, “Have you seen what faithless Israel did? She went up on every high hill and under every green tree, and she was a harlot there. And I thought, ‘After she has done all these things, she will return to Me’; but she did not return, and her treacherous sister Judah saw it. And I saw that for all the adulteries of faithless Israel, I had *shalach* her and given her a writ of *kerithuth*, yet her treacherous sister Judah did not fear; but she went and was a harlot also. And it came about because of the lightness of her harlotry, that she polluted the land and committed adultery with stones and trees. And yet in spite of all this her treacherous sister Judah did not return to Me with all her heart, but rather in deception,” declares the Lord.

Malachi 2:13-16

“And this is another thing you do: you cover the altar of the Lord with tears, with weeping and with groaning, because He no longer regards the offering or accepts it with favor from your hand. “Yet you say, ‘For what reason?’ Because the Lord has been a witness between you and the wife of your youth, against whom you have dealt treacherously, though she is your companion and your wife by covenant. “But not one has done so who has a remnant of the Spirit. And what did that one do while he was seeking a godly offspring? Take heed then, to your spirit, and let no one deal treacherously against the wife of your youth. “For I hate *shalach*,” says the Lord, the God of Israel, “and him who covers his garment with wrong,” says the Lord of hosts. “So take heed to your spirit, that you do not deal treacherously.”

God gives a law concerning divorce in Deut 24. If shalach is to be understood as “divorce,” why would He then condemn what He Himself legislated?

Matthew 1:19

And Joseph her husband, being a righteous man, and not wanting to disgrace her, desired to *apoluo* her secretly.

Since they were not married, no certificate was needed. The noble thing about Joseph is that he was willing to do it secretly.

Matthew 5:31-32

“And it was said, ‘Whoever *apoluo* his wife, let him give her a certificate of *apostasion*; but I say to you that everyone who *apoluo* his wife, except for the cause of unchastity, makes her commit adultery; and whoever marries a *apoluo* woman commits adultery.

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Is Jesus changing the law or didn't He understand the law? The Law demanded the adulterer to be stoned and Jesus had just said, "Do not think that I came to abolish the Law or the Prophets; I did not come to abolish, but to fulfill." (Matthew. 5:17) The Jews were sending their wives away without the certificate of divorce. This was causing adultery to take place because without the certificate they were still married. The only exception to giving the certificate of divorce was for marital unfaithfulness (unchastity). This is the same as the OT Law in which the unfaithful one was stoned. The Jews in the time of Christ did not have the authority to stone (being under Roman rule), so they were to just send her away. The unfaithful one did not need the certificate for he/she was already an adulterer. Jesus is neither changing nor misunderstanding the Law. If He did so He would be contradicting the Father. He is upholding the Law - rather than tradition. He does the same thing in the next passage.

Matthew 19:3-11

And some Pharisees came to Him, testing Him, and saying, "Is it lawful for a man to **apoluo** his wife for any cause 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 cause a man shall leave his father and mother, and shall cleave to his wife; and the two shall become one flesh'? "Consequently 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 **apostasion** and **apoluo** her?" He said to them, "Because of your hardness of heart, Moses permitted you to **apoluo** your wives; but from the beginning it has not been this way. "And I say to you, whoever **apoluo** his wife, except for immorality, and marries another woman commits adultery."

The disciples said to Him, "If the relationship of the man with his wife is like this, it is better not to marry." But He said to them, "Not all men can accept this statement, but only those to whom it has been given.

Mark 10:2-12

And some Pharisees came up to Him, testing Him, and began to question Him whether it was lawful for a man to **apoluo** a wife. And He answered and said to them, "What did Moses command you?" And they said, "Moses permitted a man to write a certificate of **apostasion** and **apoluo** her." But Jesus said to them, "Because of your hardness of heart he wrote you this commandment. "But from the beginning of creation, God made them male and female. "For this cause a man shall leave his father and mother, and the two shall become one flesh; consequently they are no longer two, but one flesh. "What therefore God has joined together, let no man separate." And in the house the disciples began questioning Him about this again. And He said to them, "Whoever **apoluo** his wife and marries another woman commits adultery against her; and if she herself **apoluo** her husband and marries another man, she is committing adultery. "

Luke 16:18

"Everyone who **apoluo** his wife and marries another commits adultery; and he who marries one who is **apoluo** from a husband commits adultery.

Why does the Law say a divorced woman is free to marry if it is adultery for someone else to marry her?

John 4:16-18

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He said to her, “Go, call your husband and come here.” The woman answered and said, “I have no husband.” Jesus said to her, “You have correctly said, ‘I have no husband’; for you have had five husbands, and the one whom you now have is not your husband; this you have said truly.”

*This woman **had** had 5 husbands. Jesus did not tell her she had 1 husband and 4 adulterous relationships (5 adulterous relationships if you count her live-in boyfriend she currently had). Also notice she claimed to have no husband and Jesus told her “you have correctly said.”*

Josephus, Antiquities 4:8:23

He that desires to be divorced from his wife for any cause whatsoever, (and many such causes happen among men) let him in writing give assurance that he will never use her as his wife anymore; for by this means she may be at liberty to marry another husband, although before this bill of divorce be given, she is not to be permitted so to do.

IV. Observations:

- A. God’s desire is one flesh. God does not want people hurting each other by getting divorced. But if they do, make a bill of divorce, take it to him/her and send them away. That is the Law and that has not changed.
- B. God Himself is divorced. If divorce itself were sin, we have a God who sins.
- C. Jesus did not change the Law concerning divorce, but upheld it. The Law made divorce possible for “indecency.” Divorce is never to be sought after, but it is simply the solution to sin.
- D. God is for marriage and marital faithfulness. Marriage is His idea (Matthew 19:4-6). The principle that God has joined men and women together is true, but also true is that men and women, because of sin, break that bond. God has given divorce as the means of ending a sin-filled marriage.
- E. In Deut. 22 and 24 the marital misbehavior is seen before the certificate of divorce is given. But in Matthew, Mark, and Luke marital misconduct is seen after the “putting away.”
- F. The Lord authorized divorce because of the hardness of the hearts of people. God authorized divorce, not man. Divorce is not the problem, it is a result of the problem. Divorce is the grace of God to solve the problem. The traditional view makes divorce sin when the real sin is what goes on before, during, and after the divorce.
- G. Our translations do us a real disservice by using these words interchangeably.
- H. The term “living in adultery” is a man-made term not found in the Scriptures. In the Law, if you committed adultery, you were put to death. If you are divorced, the marriage is ended.
- I. Because of the fact that there may be several reasons for divorce, some may be afraid that people may want to get divorced for any reason. 1. God is for marriage. 2. If that fear keeps us from letting people know there is forgiveness in divorce then we better stop preaching I John 1:9, because if Christians hear that all they have to do is confess their sins and God is faithful to forgive them, there is no telling what kind of sins they may go out and commit. Paul dealt with this in Rom 6.

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- J. You must have a legal document to have a marriage and you must have a legal document to end the marriage. Until the divorce has been legally fulfilled the couple is still married. In modern times some people going through a divorce begin to see other men or women before it has become final. They must realize that they are still married and therefore committing adultery until the divorce is legally acknowledged.
- V. Conclusion The traditional view was socially tolerable when there were very few who got divorced. We need to take this issue and learn what the Bible really says about it. We cannot just push our divorced brothers and sisters to the side. Too many people are divorced. We and they need to know where they stand before God.

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