This was written by Paul Blue, as his thesis while getting his M.Div. He is currently the pastor of Family Fellowship in Greenville, Texas. It would fall under the category of “Divorce and Remarriage Under Various Circumstances.”

CHAPTER THREE
DIVORCE IN THE NEW TESTAMENT

Having studied divorce in the Old Testament, with an emphasis on divorce legislation according to the Mosaic Law, we now examine if the divorce regulations change in the New Testament. We make a simple delineation between the Old Testament and the New Testament by using contrasting terms: LAW and GRACE. When we study the Old Testament, we are studying the Law of God. When we study the New Testament, we now have Jesus who has come in grace.

“For the law was given by Moses, but grace and truth came by Jesus Christ.” (John 1:17)

Christ in the New Testament does not contradict the character of God revealed in the Old Testament. The God of the New Testament is the God of justice of the Old Testament.1 The justice of God found in the Old Testament instituted the bill of divorce to protect the disadvantaged woman from the hard-heartedness of her husband. Now, a very serious and pertinent question must be asked: “Did grace come by Jesus Christ to those suffering marital tragedy, even as much grace as was provided by Old Testament Law?”2 Most who teach on divorce, using only the New Testament, make a divorce harder to get now than it was in the Old Testament. It is not our intent to show that a divorce should be easier to obtain under grace, but to show that neither should it be harder to obtain. There cannot be more strict legalistic rules for divorce under grace than there was under law. Paul called the law a “yoke of bondage”, and commanded believers to stand fast in the liberty and grace by which Christ made them free (Galatians 5:1) Zodhiates says, “the teaching of the Lord Jesus on divorce ought to be examined by His relationship with the Law and the Prophets. Jesus said, „think not that I am come to destroy the law, or the prophets; I am not come to destroy, but to fulfill.”3 For this reason, the subject of divorce and remarriage cannot be studied only from the New Testament. An acquaintance with the teaching of the Old Testament on the subject is a must.4 Having established that the Old Testament permits divorce and remarriage, we now begin a study of Jesus teaching on the subject, and we will see how He doesn’t destroy the divorce legislation of the Old Testament, but instead reinforces it.
“PUT AWAY” AND “DIVORCE”

In the Old Testament, “put away” and “divorce” are two separate and distinct words and actions. What will we find in the New Testament? Will there continue to be a distinction between the two? The Holy Spirit selected the Greek language for the writing of the New Testament (even if some parts were originally written in Aramaic). Greek was chosen because it was what is known as the koine (the common language of all the people of the region) language of the 1st century. The region that used this Greek language was all that comprised the Roman Empire. All of the Eastern Mediterranean countries that surrounded Israel spoke this koine Greek. This world-speech was admirably adapted to serving the many people groups of the time.5 Consistent with Jesus' statement saying that He came to fulfill the Law, we also find two distinct words in the New Testament that parallel the two distinct words in the Old Testament. For the sake of clarity and review, let us refresh our memory on the words of the Old Testament, as defined by Strong's Concordance.6

1 Zodhiates, What About Divorce?, 48.
2 Callison, Divorce, the Law, and Jesus, 18.
3 Zodhiates, What About Divorce?, 65.
4 Ibid., 66.
6 Strong’s Concordance, s.vv. Hebrew #3748 & #7971, Greek #647 & #630.

1. Divorcement: Hebrew (3748) – keriyyuwhth. A cutting (of the matrimonial bond), i.e. divorce.
2. Send her: Hebrew (7971) – shalach. To send away.

Now, let us also note the similar words found in the teaching of Jesus.

2. Put away: Greek (630) – apoluo. To free, relieve, release.

The New Testament word translated "put away" in Jesus' teaching in the King James Version of the Bible, according to Strong's Concordance is the Greek word apoluo. There is a synonymous word, used by Paul, the Greek word aphiemi.7 Prior to the Old Testament Law, when a husband wanted to dismiss his wife, he simply put her away. This “putting away” in the New Testament is expressed by these two words, apoluo and aphiemi.8 Apoluo and aphiemi are similar in definition: to let go, dismiss, send away, put away,9 and are the Greek words used in the New Testament for a marriage that ends without the bill of divorce, just as the Hebrew word
shalach (put away) was used in the Old Testament. There is an Old Testament Hebrew word for divorce, keriythwth, and a parallel New Testament Greek word, apostasion.10 Apostasion was used as the technical term for a bill of divorce as far back as 258 B.C.11 Apoluo, the Greek word for putting away, was not technically divorce, though often used synonymously.12 In the Old Testament, the hard-hearted men were putting away their wives, without giving them a bill of divorce. God objected to that and gave them regulations in the Law. Jesus also objected to the mistreatment of women. He told them that this earth would pass away before the law requiring a written bill of divorce should fail.

17 And it is easier for heaven and earth to pass, than one tittle of the law to fail.
18 Whosoever putteth away his wife, and marrieth another, committeth adultery: and whosoever marrieth her that is put away from her husband committeth adultery. (Luke 16:17-18)

Jesus reaffirms here what the law taught concerning putting away. He says here that if a man puts away his wife (without a bill of divorce) and marries another (while still legally married, since he gave no bill of divorce), that the man was guilty of adultery. Moreover, the wife who was put away without the bill of divorce is also in trouble. Without the divorce paper, she is abandoned, but still married. If she were to marry again, she would also commit adultery. The distinction between “put away” and “divorce”, between the Greek apoluo and apostasion is critical. Apoluo indicates that women were enslaved, put away, with no rights, no recourse; deprived of the basic right to monogamous marriage. Apostasion ended marriage and permitted a legal subsequent marriage.13

Some might now say that the Greek word apoluo should be translated divorce. In Kenneth S. Wuest's The New Testament, an Expanded Translation, it is always translated “dismissed” or “put away,” never “divorced”.14 The old, and very literal American Standard Version always translates it “put away”. The King James Version translated it “put away” ten out of the eleven times Jesus used it. This eleventh instance is the cause of all of the problems concerning the differing

8 Zodhiates, What About Divorce?, 47.
10 Ibid., s.v. #641.
11 Callison, Divorce, the Law, and Jesus, 20.
12 Ibid.
13 Ibid.
Testament, and shows that even in the New Testament, that divorce and putting away are two separate and distinct words and actions. The parallel passage found in Matthew 19 also translates the words correctly:

3 The Pharisees also came unto him, tempting him, and saying unto him, Is it lawful for a man to put away (apistasten) his wife for every cause?
4 And he answered and said unto them, Have ye not read, that he which made them at the beginning made them male and female,
5 And said, For this cause shall a man leave father and mother, and shall cleave to his wife: and they twain shall be one flesh?
6 Wherefore they are no more twain, but one flesh. What therefore God hath joined together, let not man put asunder.
7 They say unto him, Why did Moses then command to give a writing of divorcement (apistasten), and to put her away (apistasten)?
8 He saith unto them, Moses because of the hardness of your hearts suffered you to put away (apistasten) your wives: but from the beginning it was not so.
9 And I say unto you, Whosoever shall put away (apistasten) his wife, except it be for fornication, and shall marry another, committeth adultery: and whoso marrieth her which is put away (apistasten) doth commit adultery.

Because this is translated correctly, as in Mark, there will be no further comment concerning the distinction between the two words, other than to say, Matthew 5:32 is mistranslated. Now that we have established the distinction between “putting away” (apistasten) and “divorce” (apistasten) in the teaching of Jesus, let us consider what it is that He taught.

THE TEACHING OF JESUS

The teaching of Jesus on the subject of marriage-breaking consists of only two instances, both of which have a parallel passage. We will look at these briefly. Having established that the translation of Matthew 5:32 is in question, we will first select the text of its parallel passage in Luke 16:18:

“Whosoever putteth away his wife, and marrieth another, committeth adultery: and whosoever marrieth her that is put away from her husband committeth adultery.”

Now that we understand the distinction between “putting away” and “divorce”, we see that Jesus is not even teaching about divorce here. He is teaching about that which God hates, “
“But I say unto you, That whosoever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery:...” (Matthew 5:32)

In this verse, we have something added, an exception: “saving for the cause of fornication”. Does that change our interpretation of Luke 16:18 in any way? No, it does not, but it does add a new twist that we haven’t seen to this point in the study. The word used in this exception clause (porneia), is not the normal Greek word for adultery.19 The Greek word moicheia is the word used to specifically denote adultery (sexual unfaithfulness to the marriage commitment). Porneia, on the other hand, is a much broader term that includes adultery, but refers to all other unlawful sexual behavior as well.20 The teaching of Matthew 5:32 agrees with Luke 16:18, in that, if someone is “put away” and not properly divorced, then it would constitute adultery if they were to remarry. Here though, the exception clause shows that it is legal to “put away” someone


who is guilty of some kind of sexual sin. We have a distinct difference in the punishment of such a fornicator between the Law and Grace. In the Old Testament, if a man's wife committed some kind of fornication, her punishment was loss of life. If a man's wife commits some kind of fornication in the New Testament, her punishment is abandonment, without a bill of divorce. A literal translation might read like this:

“If a man puts away his wife and she marries another man, the husband that put her away carries some responsibility for causing her to sin. However, if he puts her away because she committed fornication, then he bears no responsibility.”
We must remember that the divorce legislation found in the Law was to protect innocent wives from hard-hearted husbands who were putting them away without a bill of divorce. In Matthew 5:32, the addendum is in the case of a woman who has committed fornication, not an innocent woman, as was the case in the Old Testament Law. Here is a new teaching. There was not a case of putting away of a wife who was guilty of fornication in the Old Testament. Why? Because that woman would have been stoned to death. Now in the New Testament, she is not to be stoned to death, but instead, the husband may put her away, without having to give her a bill of divorce. However, she will not be allowed to remarry! Jesus did not make putting away for fornication compulsory. It was permissible, but it would be better if it could be worked out. 21 He is not required to do so, but he now has that option. Matthew 5:32 then, is a verse of protection for the husband of a fornicating wife. In the parallel passages of Matthew 19 and Mark 10, we must notice one thing about both passages:

The Pharisees also came unto him, tempting him, and saying unto him, Is it lawful for a man to put away his wife for every cause? (Matthew 19:3)

And the Pharisees came to him, and asked him, Is it lawful for a man to put away his wife? tempting him. (Mark 10:2)

We immediately notice that the Pharisees do not even ask Jesus about divorce. They ask Him about “putting away” (apoluo). These passages are identical in message, except that the passage in Matthew includes the same exception clause that is found in Matthew 5:32. Lets briefly look at this clause in Matthew 19:9:

And I say unto you, Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery: and whoso marrieth her which is put away doth commit adultery.

Here we have a slight twist to the exception clause found in Matthew 5. In this passage, if a man “puts away” his wife, he commits adultery. This is not a new teaching. However, the exception clause here shows that if a man puts away a wife that has committed fornication, it would not be adultery for him to remarry, even if he did not give her a bill of divorce. Now, we have an illustration of God protecting an innocent man, much like He protected the innocent women of the Old Testament.

We will now summarize Jesus' new teaching on divorce:

We are sure you noticed a big blank. That is because all of Jesus' new teaching was on “putting away”, not divorce. The only thing Jesus had to say about divorce was that it was to be done according to the Law (Mark 10:3).
There might be some question as to why the exception clause is only included in the Gospel of Matthew. Some have argued that the exception clause is only applicable to Jews, not Gentiles, which is why only Matthew mentions it (Matthew wrote his Gospel to a Jewish audience). However, if Matthew agreed with such a view, it is odd that he does not make it explicit, since all these teachings in his Gospel were intended to be passed on to the Gentiles.22 Matthew tells us that in chapter 28, verses 19 and 20:

Go ye therefore, and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost:
Teaching them to observe all things whatsoever I have commanded you: and, lo, I am with you alway, even unto the end of the world. Amen.

21 Instone-Brewer, Divorce and Remarriage, 10.
22 Keener, And Marries Another, 33.

Are we also to suppose that Mark, Luke, and Paul had no Jewish readers in their audience, for whom they might wish to suggest this Jewish tradition which would have given those Jewish readers an extra escape?23

The answer to this question as to why only Matthew includes the exception clause is because the initial question, as posed by the Pharisees (Matthew 19:3), had as its basis, a philosophical debate that had been ongoing among the Jews for some time. It was known as the Hillelite and Shammaite debate. Paul, Mark and Luke did not include the exception clauses because the Gentiles (their primary audience) would not be familiar with the Shammai-Hillel debate.24 In Jesus’ day, much like today, there were two schools of thought in the religious community regarding this issue of marriage-breaking. Since the mid-19th century, most scholars have recognized that the extra phrases in Matthew’s account refers to a debate between the two groups of Pharisees in the early first century.25 These two schools of thought were on both extremes. The School of Shammai, a rather legalistic group, believed that a man could not end his marriage unless he found some indecency in her. The School of Hillel, the more liberal of the two, believed that a man could end his marriage for any reason at all.26 Alfred Edersheim says,

“It is a serious mistake on the part of commentators to set the teaching of Christ on this subject by the side of that of Shammai.”27

Without going into a great deal of time, what we have is two schools of thought, both presenting extreme views, neither of which dealt with what Moses had in mind.28 However, these were the two primary schools of thought on the issue of marriage-breaking, and a Jewish reading audience would recognize this.
But what about the actual subject of divorce. We have established that Jesus did not offer any new teaching on divorce. The only words He had to say about divorce was that it be done according to the Law.

It hath been said, Whosoever shall put away his wife, let him give her a writing of divorcement: (Matthew 5:31)

This is the only time Jesus uses the Greek word for divorce (apostasion). Everything else Jesus said was about “putting away” (apoluō). So, having established that Jesus only discusses at any length only the subject of “putting away”, what would have been the divorce guidelines at the time of Christ? Very simply, the same as they were at the time of Moses. How would Jews at the time of Christ have interpreted the divorce legislation given through Moses? Alfred Edersheim, in his book Sketches of Jewish Social Life in the days of Christ, says that the Jews would have interpreted the grounds for divorce given in Deuteronomy 24, “some uncleanness” to include every kind of impropriety.

This matter of “some uncleanness” (Deuteronomy 24:1) would be understood as… “not only a breach of the marriage vow, but of the laws and customs of the land. In fact, we know that it included every kind of impropriety, such as going about with loose hair, spinning in the street, familiarly talking with men, ill-treating her husband's parents in his presence, brawling, that is, "speaking to her husband so loudly that the neighbours could hear her in the adjoining house", a general bad reputation, or the discovery of fraud before marriage. On the other hand, the wife could insist on being divorced if her husband were a leper, or affected with polypus, or engaged in a disagreeable or dirty trade, such as that of a tanner or coppersmith. One of the cases in which divorce was obligatory was, if either party had become heretical, or ceased to profess Judaism.”29

Josephus, the Jewish historian wrote this concerning divorce:

23 Ibid.
24 Adams, Marriage, Divorce, and Remarriage, 51.
25 Instone-Brewer, Divorce and Remarriage, 8.
“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 any more; 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.”

It is apparent that Jews at the time of Christ continued to follow the divorce legislation given through Moses in the Law. They did not make rules eliminating the Law, nor did Jesus. He did not come to destroy the Law. Jesus never said one thing that showed His disapproval of God's original divorce laws. However, there are additional Scriptures that deal with marriage-breaking. God inspired the Apostle Paul to cover this area too. We will now look at Paul's teaching on this topic.

THE TEACHING OF PAUL

The Apostle Paul is inspired to write to the Corinthians and teach them in the area of marriage. They had apparently written to Paul with some marital questions, and 1 Corinthians 7 contains Paul's response and instruction in this area of marriage. Before we study these verses, for the sake of clarity, we need to define the Greek words that are the basis of this study, using Strong's Concordance for definitions.

1. **Divorcement**: Greek (647) – apostasion. Divorce: - (writing of) divorcement.
2. **Put away**: Greek (630) – apoluo. To free, relieve, release.

*Apostasion* and *apoluo* are the words that we are used in Jesus' teaching on this topic. Paul now adds two new words in his teaching:

3. **Put away**: Greek (863) – aphiemi. To send forth.
4. **Depart**: Greek (5563) – chorizo. To place room between. To go away.

*Aphiemi* is synonymous with *apoluo*.32 *Chorizo*, while similar to *apoluo*, can't be correctly called a synonym. *Apoluo* and *aphiemi* are both words that describe the action that one takes, when that person *sends* their spouse away, to put them out of the marriage. *Chorizo*, is similar to *apoluo* and *aphiemi* in that it is something other than divorce, but *chorizo* is when one of the partners in the marriage removes *themself* from the marriage, as opposed to putting their spouse out.33 Now that we have been reminded of the original Greek words of this subject, and defined two new terms that Paul uses, we can continue with Paul's teaching. He specifically writes about marriage-breaking in verses 10-16, and 27-28.

10 And unto the married I command, yet not I, but the Lord, Let not the wife depart (*chorizo*) from her husband:
11 But and if she depart (*chorizo*), let her remain unmarried, or be reconciled to her husband: and let not the husband put away (*aphiemi*) his wife.
12 But to the rest speak I, not the Lord: If any brother hath a wife that believeth not, and she be pleased to dwell with him, let him not put her away (aphiemi).
13 And the woman which hath an husband that believeth not, and if he be pleased to dwell with her, let her not leave (aphiemi) him.
14 For the unbelieving husband is sanctified by the wife, and the unbelieving wife is sanctified by the husband: else were your children unclean; but now are they holy.
15 But if the unbelieving depart (chorizo), let him depart (chorizo). A brother or a sister is not under bondage in such cases: but God hath called us to peace.
16 For what knowest thou, O wife, whether thou shalt save thy husband? or how knowest thou, O man, whether thou shalt save thy wife?
27 Art thou bound unto a wife? seek not to be loosed. Art thou loosed from a wife? seek not a wife.

31 *Strong’s Concordance*, s.vv. Greek #647, #630, #863, and # 5563.

28 But and if thou marry, thou hast not sinned; and if a virgin marry, she hath not sinned. Nevertheless such shall have trouble in the flesh: but I spare you.

We must first of all notice what Greek word is not represented in this passage of Scripture: *apostasion*. Here, in Paul's teaching, just like in Jesus' teaching on marriage-breaking, we quickly find that the context is not divorce. Opponents may now suggest that *chorizo* should be synonymous with *apostasion* (divorce), but that is a desperate stretch. It is apparent that the word *chorizo* is not divorce, but a separation. It is not the formal dissolution of the marital contract.34 W. E. Vine lists *chorizo* under the terms "separate" and "depart". He does not list it under divorce.35 If divorce is not the context here, then what is? Can it be so hard to imagine that the Holy Spirit has inspired Paul to write on the same subject as Christ, and use the same context? Jesus' context was "putting away". So is Paul's. Paul begins verse 10 by saying, "I am repeating the principles about marriage-breaking that Jesus set forth." In verses 10 and 11, Paul simply restates what Jesus had already said, and what was written in the Law: "don't abandon your spouse! If you do abandon your spouse, do not remarry (that would be adultery)." But, in verses 12-16, Paul says, "I am now going to deal with a question that Jesus did not mention. I shall address this, and it is inspired just as all other things I have dealt with."36 What is the question that Paul is forced to deal with that Jesus did not? It is the question of marriages between believers and unbelievers. Presumably, the main reason for religiously mixed marriages
in Corinth is that many of the Christians were first generation converts out of paganism and were married before they became Christians.37 Now that they found themselves in a marriage with a spiritually incompatible husband or wife, what were they to do? If they were to search the Old Testament scriptures, they would come to the story of the mixed marriages in the book of Ezra. This was another case of marriages that were spiritually incompatible. These new Corinthian Christians were probably wondering if they were supposed to put away their spouses like the Israelites did in the book of Ezra. Here, with this background, we see a beautiful example of the grace of God. Under Law, the Corinthians would be bound to put their spouses and children away. But under Grace, Paul instructs them, “if your spouse is an unbeliever, and they still want to be your spouse, don’t put them away. God does not want a believer to marry an unbeliever. That is an unequal yoke that we are warned about in Scripture, which we will cover in more detail later. But, if two unbelievers are married, and one comes to Christ, then God places a “sanctity” upon that marriage. The unbeliever still needs to come to a personal, saving knowledge of Jesus Christ, but God places His seal of approval upon that marriage for the sake of the one who has received Him as their Savior.

In verse 15 and 16, the situation changes. We still have the same foundational context: two unbelievers who are married, and then one gets saved. In these verses, the unbeliever decides that they don’t want to stay married to the believer. Paul says, “if the unbeliever wants out, the Christian must not stand in the way of the marriage-breaking.” Paul uses the middle voice with the imperative tense: “let him depart”.38 This is one instance in which the ending of the marriage is required.39 If this happens, and the unbeliever leaves, even if they do not give a bill of divorce, the believer is free as if he or she were never married:40

“…a brother or a sister is not under bondage in such cases.”

Now, in verse 16, Paul heads off a potential argument among the Corinthian believers. He can see that some might not want to let their unbelieving spouse go. “I want to keep them in our marriage so that I can win them to Christ.” Paul replies by saying, 'you don't know whether they will get saved or not. If they insist on leaving, let them leave.” Finally, Paul wraps up his teaching on this subject in verses 27 and 28:

27 Art thou bound unto a wife? seek not to be loosed. Art thou loosed from a wife? seek not a wife

34 Hicks, Marriage, Divorce and Remarriage, 132.
35 Vine’s Expository Dictionary of New Testament Words, s.vv. separate, depart, and divorce.
36 Adams, Marriage, Divorce and Remarriage,
37. 37 Keener, And Marries Another, 55.
28 But and if thou marry, thou hast not sinned; and if a virgin marry, she hath not sinned. Nevertheless such shall have trouble in the flesh: but I spare you.

Here, Paul gives a brief conclusion and summary statement of his inspired teaching on this subject.

1. If you are married, don’t seek a way out. Stay the course. Love your spouse. Do what is necessary to have a God-honoring, fulfilling, happy marriage.
2. If you are formerly married, don’t seek to remarry. Paul clearly states his case for the single life in this chapter. His philosophy: “if you are single, you can concentrate on doing more for God.” This is clearly a suggestion, not a command, as we will see by Paul's next statement. However, before we approach that, we must touch the belief that some have concerning Paul's statement here of "art thou loosed from a wife". Some try to make this mean that the spouse has died. Once again, this is a desperate stretch. If being loosed from a wife means that the wife has died, then Paul's previous statement, "Art thou bound unto a wife? Seek not to be loosed”, means that a man should not seek to kill his wife! Because we know that not to be the case, we also know that Paul is speaking of someone who was married and is now divorced.
3. If you have been married and divorced, if you remarry, you have not sinned! It doesn't get any clearer than that. Many have made remarriage a terrible sin. This will be covered in more detail later. Suffice it to say now, God didn't say remarriage was a sin.

To complete this study of Paul's teaching, it is meaningful, it seems, that 1 Corinthians 7 follows two chapters that warn both the church as a body and the individual believer to expel from among themselves, both corporately and individually, certain profane people. The church is told to expel those that walk disorderly, do not accept sound doctrine, etc. Those individuals who continued in adultery and fornication were to be purged out and their company rejected.41 It is only consistent with the nature of God, and with the context of the surrounding Scriptures that if such wicked people should be avoided by all Christians and not be tolerated in the church, that if one has a spouse who is a fornicator, idolater, raider, drunkard, etc., that the believing spouse should also be allowed to put away that spouse.42 Once again, believers are not commanded to put away such spouses, but the Bible clearly shows that they have the freedom to do so, and also the freedom to remarry if they do so. Godly spouses have the same freedom to separate themselves from such husbands and wives as did Israel of old and the church of Corinth. The marvel is that the grace of God permits the believer a choice in such situations.43 The people of the book of Ezra had no such choice.
Neither Jesus nor Paul gave any instruction in the area of marriage-breaking that contradicts that of the Mosaic Law. As a result, the divorce laws given through Moses are God's only instruction to us in the area of divorce. Anything contrary to that is man-made.

41 Ibid., 349-350.
42 Ibid., 351. 43 Ibid.