

POSITIONS

Objective: Briefly examine in the light of Scripture several positions.

NOTE:

- This lesson does not propose to examine ALL the positions on marriage, divorce, and remarriage.
- Different positions may share some common views. Therefore, answers for one will sometimes apply to others.
- *Definitions are very important* in understanding the fallacies involved in some of these positions.

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I. NOT UNDER ANY DIVINE LAW

A. The Position

While in the world, men are not under law to Christ in any sense. They are only under civil law. After baptism, then men are under law to Christ. Therefore, a man in world is not accountable for specific sins such as adultery, fornication, which are held to be violations of Christ' law. The only marriage law the man in the world under is civil law. *Warren-Fuqua Debate*, pp. 9-10.

B. Answer

1. 1 Co. 6:9-11 - What in the text shows these people were guilty of these specific sins, including adultery, while they were still in the world?

According to Rom. 5:13, what *must* be for these people to have been guilty of these sins?

2. Mt. 19:3-8 - Jesus said it was “*unlawful*” for a man to divorce his wife (choose one of each of the following pairs [a or b] and then put a phrase from the text that supports your answer):
 - a) Because of Divine law
 - b) Because of civil law
 - a) From the beginning
 - b) Only after baptism
 - a) For all men
 - b) For Christians only
3. Rom 1:18...32; 2:1; 3:9,23 - Why are men lost? ?

II. NOT UNDER DIVINE MARRIAGE LAW OF MATTHEW 19

A. The Position

“This is the basic argument in my book, i.e., that Christ’s legislation in His personal ministry was for those in His covenant who were married to one another. Therefore, it is unscriptural for us to extend it to include mixed marriages (Paul did not), or to marriages of two people outside the covenant...One can summarize my book by saying: *First*, Christ in his personal ministry legislated on marriage, divorce and remarriage for two Christians. (1 Cor. 7:10-11) *Second*, Paul legislated on marriage, divorce and remarriage for the Christian married to a non-Christian. (1 Cor. 7:12-15). The two legislations differ but they do not contradict one another because they apply to two different categories.” *Not Under Bondage*, James D. Bales, pp. 8,10.¹

B. The Answer

1. Mt. 19:1-12
 - a) Whose question was Jesus answering?
 - b) What was the question (v. 3)?

¹“Matthew 19:3-9 is a part of the covenant that the Christian lives under, *not* the alien. One cannot be judged by a law that he is not subject to. Jesus states three laws regarding divorce: (1) No divorce (Gen. 2:24); (2) Moses’ divorce law (Deut. 24:1); and (3) His divorce law for two disciples in covenant with Him. The alien is not dealt with.” Homer Hailey, *The Divorced and Remarried Who Would Come to God* (Nevada Pub., Las Vegas, Nevada, 1991), p. 59.

c) The law to which Jesus appealed governs whom?

2. 1 Co. 6:9-11

a) When had these people been adulterers?

b) What is a requisite for them to have been guilty of this sin? (Rom. 5:13; 1 Jn. 3:4)

3. 1 Co. 7:10-15

The argument is that the Lord dealt with Christians married to Christians (“not I, but the Lord”) and said nothing about Christians married to unbelievers (“I say, not the Lord”).

a) Can it be affirmed with certainty that Paul here referred to Mt. 19:1ff? If so, how?

b) Did the Lord specifically address the issue of interracial marriages in Mt. 19? Would what he said apply to them?

c) Why might Paul address the question of mixed marriages specifically if they are included in the instructions to the married in vv. 10-11? 7:1, 12a, 8:1, 12:1, 16:1

d) Who in Corinth might cause these converted pagans to think mixed marriages were unlawful? Read v. 14 and compare 2 Co. 3, 11:22, Dt. 7:3,4.

e) Some contend that the instructions of vv. 12-16 must be different than those of vv. 10-11, else why give the same instructions he had just given? But, must they be different? Compare Lk. 12:41. Did the Lord say something DIFFERENT to Peter in vv. 42ff than he had said in vv. 35-40, or did he merely expand upon it because he was asked specifically whether it applied to them? ?

The argument continues that in v. 15 Paul gives the deserted believer the right to remarry for he says the believer is “not under bondage” and thus free to remarry.

a) The context of vv. 12-15 discusses a woman _____ an unbelieving mate as opposed to leaving them.

b) Is remarriage discussed at all in this section?

- c) Mt. 5:32 and 19:9 say that whoever marries a woman who has been divorced, even though she is innocent of fornication, commits _____. How does this bear on the freedom (“not under bondage”) of the woman of 1 Co. 7:15?
- d) If you have availability to a lexicon of New Testament words (Vine’s, Thayer’s, Strong’s) find out whether the word “bondage” in v. 15 is the same as in vv. 27, 39, and Rom. 7:2.

III. BAPTISM CHANGES THE RELATIONSHIP

A. The Position

Under law, but baptism changes relationship so that it is now acceptable. One is forgiven for the past and is not expected to undo it. *Dabney-Frost Debate*, pp. 15,16,41

B. The Answer

1. Ac. 2:38; Gal. 3:27 - What is the purpose of baptism?
 - a) Write the scripture that teaches baptism changes a sinful act into a righteous act.
 - b) If the act that was adultery is no longer adultery after baptism, then what about homosexuality? drunkenness? lying?
2. Rom. 7:1-3 - How long is the woman bound by law to her husband?
 - a) Mt. 19:9 implies an exception. What is it?
 - b) Write the scripture that teaches baptism is another exception.
 - c) Define “adultery.”
3. Objections
 - a) God does not require us to undo the past.
 - (1) What does God require? Col. 3:5-10
 - b) Where is the authority to tell someone to divorce?
 - (1) Ezra 10:11 - What did Ezra tell these people they must do about their wives?

- (2) Mt. 3:8 - What did John the Baptist tell people they must do? See Rev 9:20,21.
 - (3) Mark 6:18 - What did John the Baptist tell Herod?
 - (4) John 8:11 - What did Jesus tell the woman who had been caught in the act of adultery?
- c) Is the “gospel” really “good news” if it demands that people must divorce?
- (1) Lk. 3:3-14 - John the Baptist was preaching that men must repent and believe the gospel (compare Mk. 1:15).
 - (2) What did this demand of the tax-gatherer who had been exacting more taxes than he should if he was using this money to provide for his family’s future?
 - (3) What did this demand of the soldier who had been taking money by force if he had been using this money to pay the debts his children had incurred and for which they were about to lose their home?
 - (4) Mt. 10:34-39 - What might obeying the gospel cause in a family?
 - (5) What *is* the “good news” of the gospel? Mk. 1:1...16:15,16; Rom. 1:16
- d) This would demand that people unscripturally married must divorce, even when they have children.
- (1) Is there *any* case where people must divorce though they have children? For example, suppose they have both been divorced for some other reason than fornication and remarried *after* baptism, and now have children by this relationship—must they divorce? If they have been divorced three times after baptism for other reason than fornication, and now have children in the fourth relationship...?
 - (2) If a homosexual couple has adopted children, must they sever their relationship to be right with God?
 - (3) See Ezra 10. Note that they had children, vv. 3,44, but agreed “to put away” the unlawful wives, vv. 3,11,19. This was “according to the law,” v. 3, and to “do His will,” v. 11.

IV. ALL “MARRIAGES” SCRIPTURAL

A. The Position

“...If the relationship is marriage, it is holy...” (p. 17). “...The application is this: the bed of the second marriage is not defiled because the husband cannot commit fornication with his own wife; the wife cannot commit fornication with her own husband...” (p. 18) *Lydic-Barnett Debate*

B. The Answer

1. Mt. 5:32 - When the divorced woman “_____” again, she “_____.”
2. Rom. 7:1-3 - This woman, who is married to another man, is an “_____.” How long will she be one?
3. Define “marriage.”
4. Review definition of “adultery.” *Definitions are important.*
5. Scriptures used to justify
 - a) 1 Co. 7:27,28 - “loosed” equated with “divorced” and any such person who “marries” “has not sinned.”
 - (1) Is this section of chapter seven discussing divorced persons? If not, who?
 - (2) Does the word Paul used here (“released” NASB; “loosed” KJV) mean that one was previously bound? (See notes on previous lesson on 1 Co. 7.)
 - (3) To make this scripture say any divorced person can remarry without sin is to contradict other scriptures (below). Write beside each a note about what that verse says that contradicts the idea that any divorced person can remarry.
 - (a) Verses 10-11 of this chapter
 - (b) Mt. 5:32; 19:9
 - (c) Rom. 7:1-3

b) Heb. 13:4

(1) Does this verse say “all marriages are honorable”? Are they? (Give scripture for answer.)

(2) “No verb in the Greek. The copula can be supplied either *estin* (is) or *estO* (let be, imperative).” RWP.

- If as KJV, marriage is honorable in every way, including the marriage bed, “but” fornicators ...
- If as NASB, an imperative to hold marriage in honor in every way including the marriage bed, “for” fornicators ...

V. FORNICATION, ADULTERY, DISSOLVES THE MARRIAGE BOND

A. The Position

“...adultery is committed *the first time* (*italics mine, srf*) one cohabits with any other than the person to whom he was first married...That first marriage has been destroyed by the sin of fornication...Since the first marriage has ceased to exist, how is it possible to adulterate that which does not exist? Though adultery was committed when they first joined themselves together in intercourse because they were still the husband or wife of someone else, *subsequent sexual intercourse between them is not adultery.* (*italics mine, srf*). They are no longer the husband or wife of someone else.” *Frost-Moyer Exchange*, p. 11

B. The Answer

1. Rom. 7:1-3

a) Is this woman an “adulteress” because the first marriage still exists?

b) WHY is this woman an adulteress?

c) How long will she be an adulteress?

d) Suppose that while her first husband is still living, and after she has divorced him and married the second man, she is sorry, pledges not to divorce and remarry again, and asks God to forgive her, but continues to live with the second man. Is she now an adulteress? Why? .

2. Where is the scripture that defines adultery as that which defiles the first marriage?

3. Thayer defines “to commit adultery” as “*to have unlawful intercourse with*

ANOTHER'S WIFE" (caps mine, srf). The argument is, then, that a man cannot commit adultery with his OWN WIFE. Can he, and if so, give a scripture?

How might Thayer scripturally use the term "wife" other than the woman to whom one is presently married? Give a scripture.

4. Give a Biblical definition of "adultery."
5. Mt. 19:9; Lk. 16:18
 - a) If fornication dissolves the marriage so that it no longer exists, once fornication takes place, can the innocent party now divorce their mate? Explain.
 - b) How many people are guilty of adultery according to Luke 16:18?

If adultery dissolves the marriage of the original parties so that both are free to marry, how many of these would be guilty of adultery?

VI. ONE FREE, BOTH FREE

A. The Position

When the divorce is on the grounds of fornication the innocent may remarry. The reason that he may remarry is that no marriage bond exists. If that is so, the guilty cannot be bound by that which does not exist, therefore, if the innocent is free, the guilty must be. Stated in other words, they are bound to each other. When that bond is loosed for the innocent (as implied in Mat 19:9), the guilty is of necessity loosed also, and thus free to marry, 1 Co. 7:27-28. *Except For Fornication*, Lewis Hale, pp. 10,19,22,24,28,35; George Southard, printed material, pp. 4-8.

B. The Answer

1. Rom. 7:1-3
 - a) Based on the contrast of 1 Co. 7:39, what does Paul mean by "bound"?
 - b) Is this a physical or legal bond? Put the phrase from the verse that supports your answer.
 - c) What does "to" in "die to the Law," v. 4, mean?
 - d) With this and Mt. 19, there are only two ways to be "free to marry" by God's law (for one previously married). What are they?

To assume any party to marriage can be free on any other grounds or conditions is to do exactly that - *assume it*. THE BIBLE LEAVES THEM BOUND.

2. Give a secular and a Biblical example showing a person can be bound by law in reference to another without the other person being bound. (See lesson on passages, Rom. 7:1-3.)
 - a) Secular example
 - b) Biblical example
3. It is argued that Mt. 5:32 and 19:9 do not discuss remarriage in cases where the divorce took place because of fornication (making the “except..” clause apply to both parts of the verse). But,
 - a) Grammatically, while the “except...” clause may apply to both parts of the verse, the weight of scholarly testimony makes it at best only possible, but not probable.² It is a weak foundation upon which to build such a critical doctrine. Remember, it is not repeated in the text.
 - b) Grammatically, “for fornication” may refer to the person who is doing the divorcing, i.e. for his own fornication. However the SENSE of the passage derived from CONTEXT AND HARMONY says it refers to whom?

Likewise, the SENSE of the passage derived from CONTEXT and HARMONY says that if the innocent person cannot remarry without committing adultery, neither can the fornicator.
 - c) Also, remember WHO IS BEING SPOKEN TO, the Pharisees. They wished to maintain “righteousness,” and if they could not marry the innocent woman without being guilty of adultery, marrying the fornicator would be out of the question.

VII. THE DIVINE PREROGATIVE

A. The Position

The “whosoever” (“everyone” NASB) of Mt. 5:32a grants a divine prerogative to put away your mate if fornication has been committed against you. If your mate puts you away for some other reason, it is by human authority and not recognized by God. Therefore you are still married in God’s eyes. Later, then, if your mate commits fornication, you may now exercise

² See David Bonner’s work, *A Study of Marriage, Divorce, and Remarriage*, pp. 2,3.

your divine prerogative and put your mate away. Marshall Patton, *Searching the Scriptures*, Feb., 1987.

B. The Answer

1. Mt. 5 and 19

- a) Is the “whosoever” of Mt. 5:32a a married or divorced person?
- b) If a person has been divorced, *for whatever reason*, can they subsequently divorce their mate? If so, explain. .
- c) Is there any divine prerogative given in Mt. 5 or 19 to a person who has ALREADY BEEN PUT AWAY to put away their mate? .

2. Confusion of terms

This position argues that a divorce by human authority does not dissolve the marriage in heaven, therefore the person put away by human authority may later put away their mate for fornication.

- a) Does “married” = “bound”? Explain and give evidence for your answer.
- b) According to 1 Co. 7:10,11, the person who is divorced is “_____”.
Can an unmarried person have a “husband”? Explain.
- c) Is a person who has been divorced still “married” in the eyes of God?

3. The “put away” woman of Mt. 5:32b

It is argued “that the innocent put away person ... who has fornication committed against her simply is not in verse 32b.”³ Whether that is so or not, if she is “put away” can she subsequently put away her mate for fornication? Explain.

It is argued that “human action by human authority and in violation of the law of God” cannot “negate that which is divinely authorized.” By “that which is divinely authorized” is meant the “divine prerogative” for one who “*has already been put away* by human authority.” (italics mine, srf) to “put away one’s guilty mate.”⁴

³ Patton, 1st affirm., p. 6, col. 2

⁴ Patton, 1st affirm., p. 7, col. 1

Does Mt. 5:32 or Mt. 19:9 give divine authorization for a *put away* person to “put away” their mate for fornication?

If not, then “that which is divinely authorized” according to this position is *assumed* and *non-existent*.

VIII. SENSE OF THE PASSAGE

A. The Position

Although the text of Mt. 19:9 only allows the person who divorced their mate for fornication to remarry without sin, the reason for this allowance is the protection of the innocent, so the SENSE of the passage would justify the innocent person divorced by a fornicator to remarry. (Suggested in class)

B. The Answer

1. The SENSE of a passage must be gathered from what is said in the text.
 - a) What is the topic of discussion in Mt. 5:27-32?
 - b) What is the topic of discussion in Mt. 19:3-9?
 - c) Is the protection of the innocent the topic of discussion in either text?⁵
2. Does the text say *why* this one allowance for divorce and remarriage was made?
3. If the protection of the innocent in cases where fornication is involved decides what is lawful, would the following situations justify the innocent in divorcing their mate and remarrying?
 - a) If fornication was *planned* at the time the divorce took place, but not actually *committed*, could the innocent party later remarry when they found out about the planned fornication?
 - b) If the fornication was *unknown* by the innocent party at the time of the divorce, could the innocent party then remarry without sin?
4. If the SENSE of Jesus’ legislation was to protect the innocent, would that justify the innocent divorcing and remarrying in the following situations?

⁵Considering the *sense* of the passage in interpretation is legitimate. But, that sense must be derived from context and harmony. See “Questions” on Mt. 5:31,32 in the lesson on “Passages.”

- a) Wife beating?
- b) Continual drunkenness and inability to hold a job and support the family?
- c) Desertion?
- d) Moral perversion in language, magazines, TV, movies?

We must beware of reasoning from consequences. (See lesson on “Attitudes.”)

IX. MT. 5:32 – PRINCIPLES

A. The Position

Since Jesus is “specifically addressing principles,” cannot “take what he says literally” and “state it as law.”⁶

B. The Answer

Because Jesus is dealing with principles relating to the righteousness of citizens of the kingdom of heaven, does NOT mean nothing he says should be taken “literally” as prohibitive “law.” “I say to you” is *authoritative* and what he “said” was that *literal* divorce, except for *literal* fornication, results in *literal* adultery!

Compare:

- v. 22 – *literally* call “fool” out of prideful anger – SIN?
- v. 28 – *literally* “look...to lust” – SIN?
- v. 44 – *literally* “love...pray”??

FIGURATIVE LANGUAGE

Figurative language is found on *every page of the Bible*. To make *everything* in a context figurative because figurative language is used would mean *nothing* in the Bible is literal! Figurative and literal language are intertwined, and careful and honest exegesis must be employed to correctly interpret.

⁶ This is taking directly from the sermon on the mount where Jesus is specifically address principles. If we are to take what he says literally, then 1) according to the context we should be cutting off body parts that cause us to sin, 2) we should not ever give our word, 3) we are guilty of murder if we hate, 4) we are guilty of adultery for even thinking about it. Now it is quite obvious that all 4 of these are absurdities, but what they do get at is the principle of righteous living. Jesus in all the cases of the Sermon on the Mount is specifically address Jewish abuses of the Old Law. The Jews had taken the Law and abused it. In every case of this sermon Jesus starts with a “you have heard” and finishes with an extreme conclusion that is in the opposite direction of what the Jews went in. It is hyperbole, extreme exaggeration to prove a point. Why do you choose to examine vs. 32 and state it as law, when you would never advocate using vs. 30 as law? (email from advocate of this position)

In the following, label each word or phrase “literal” or “figurative”:

Jn. 11:11

- “Our friend”
- “Lazarus”
- “has fallen asleep”
- “I go”
- “awaken him out of sleep”

Mt. 16:6

- “Jesus”
- “said to them”
- “beware”
- “leaven”
- “Pharisees and Sadducees”

When figurative language is used, it is a mistake to

- ASSUME ALL is figurative.
- ARBITRARILY interpret as figurative without evidence. The rule is that it should be taken literally unless there is *reason in text* (context or harmony) to interpret otherwise.

FACT: Jesus said *literal* divorce, except for *literal* fornication, results in *literal* adultery!

X. 1 CO. 7:27-28 - DIVORCED CAN MARRY WITHOUT SIN

A. The Position

1 Co. 7:27-28 grants the divorced person the right to remarry.⁷

B. The Answer

1. “Loosed” does NOT equal “divorced”

To make it mean any divorced person can remarry without sin is to contradict:

- Vv. 10-11 - What does Paul tell the divorced woman she must do?
- Mt. 5:32; 19:9 – Some divorced people will be guilty of what when they remarry?
- Rom. 7:1-3 – This woman is married to “another” man—one different from her first husband. What is it that makes her an adulteress?

⁷ The Bible does not specifically address the person who is being divorced, other than to give them the liberty to remarry as can be seen in 1 Cor. 7:27-28. (email from advocate of this position)

2. “Released,” NASB, may connote that one was bound, but the original word does NOT⁸. Better as KJV, NKJV, ASV - “loosed”
3. The context, beginning in v. 25f, is concerning (choose answer from the text)
 - divorced
 - virgins
4. NIV - “Are you married? Do not seek a divorce. Are you unmarried?...” This is *interpretation* instead of *translation*. The word “bound” in v. 27 (KJV, NKJV, NASB, ASV, NRSV) is NOT the words used throughout N.T. for “married,” and the same writer in another passage used “bound” in such a way as to distinguish it from marriage...Rom 7:1-3.⁹ (Even in v. 28 the word for marry, *gameO*, is different from the word for “bound” in v. 27, *deO*.)

XI. DESERTED BELIEVER NOT UNDER BONDAGE – 1 CO. 7:15

A. The Position

1 Co. 7:15 teaches that the believer deserted by the unbeliever is “not under bondage” and therefore free to marry.

B. The Answer

This was dealt with in the “Passages” lesson when studying 1 Co. 7. The following is a brief review of some of the points.

1. Mt. 5:32 and 19:9 show that one who has been put away by their mate is *not* free to remarry without committing adultery.
2. The argument that Mt. 5 and 19 do not apply is based on the *false assumption* that they do not apply to marriages with unbelievers. What the Lord said applies to *all lawful* marriages—between believers, unbelievers, inter-racial marriages.
3. The “bondage” of the context of vv. 12-15 is to “live with” the unbeliever. If the unbeliever leaves, they are “not under bondage” to “live with” them. It does *not* refer to the legal bond of Rom. 7:1-3.

⁸

“Bachelors as well as widowers are included in *lelusai*...” RWP. “*are you free from a wife*, i.e. not bound to a wife? 1 Cor 7:27 (a previous state of being ‘bound’ need not be assumed...)...” A&G. Mat 16:19, “whatever you shall loose (*lusEs*, subj. aor. act. - *luO*) on earth shall be loosed (*lelumenon*, perf. pass. part. - *luO*)...”

⁹

“loosed” = *lusi* from *luO*. The word *apoluO* (loose from) is used of divorce in Mt. 5:31,32; 19:3f; etc. This is the only occurrence of *lusi* in the N.T. *luO* occurs 43 times in the N.T. and is never used of divorce.

XII. PROCEDURE NOT SPECIFIED

A. The Position

The “procedure” of divorce is not specified, i.e. how to initiate the divorce. As long as the marriage is “sundered for the cause of fornication,” the innocent party has the right to remarry.¹⁰

Note: if by “procedure” not specified, one means it is not specified that one must divorce through the civil courts, this is true.¹¹ But, if what is meant is that *who initiates* the divorce is not specified, this is NOT true.

B. The Answer

NOT what *the text* says:

Does the *scripture* read, “whenever a marriage is sundered...”? If not, what *does* the text say?

The position says:

“And I say unto you, **When a marriage is sundered**, except for fornication, **if the fornicator** shall marry another, he committeth adultery: and he that marrieth her when she is put away, **unless the marriage was sundered for fornication**, committeth adultery. (Mt. 19:9).

The position is not even this: “Whoever sunders a marriage, except for fornication...” for *the position says it makes no difference who sunders the*

¹⁰ “As the elders of this congregation, we have always upheld the right of the innocent party to remarry when a marriage is sundered for the cause of fornication regardless of who filed the civil proceedings or who first stated the intent to leave the relationship.” Letter from elders of 84th Street congregation in Oklahoma City to Carlis Scroggins, Oct. 19, 2005, p. 2.

“Let us leave it where Jesus left it – the **procedure** is not specified, but the **cause** is specified (Matt. 19:3-12). Where no **cause** of fornication does exist for sundering a marriage, the innocent spouse with a scriptural **cause** for departing from the marriage has a right to remarry. Let us not go down a path of division over unspecified **procedures** [bold mine, srf] added to God’s word. ...who must file the civil action of divorce, who must receive the ruling of the divorce court, who must be first to verbally renounce the other or other such **procedures** [bold mine, srf] unknown to the word of God. Brethren who agree that **fornication must precede biblical putting away** [bold mine, srf] if the innocent has a right to remarry are being divided because they will not submit to an additional test of fellowship which is neither commanded, exemplified nor implied in Scripture. ... an innocent party in a marriage sundered for the cause of fornication may lawfully remarry and leave all other considerations about who must secure the civil divorce, who must be first to verbally renounce the marriage, or other **procedures** [bold mine, srf] of human origin in the realm of private conscience.” Letter from elders of 84th Street congregation in Oklahoma City to Carlis Scroggins, Nov. 9, 2005, pp. 5-6,7.

¹¹ This seems to be what Harry Osborne is talking about in this article: <http://www.biblebanner.com/articles/mdr/put_HO.htm>. However, in a paper, “What is Biblical Putting Away,” he says, “Jesus was totally silent on ... necessity of being ‘active’ rather than ‘passive’ with regard to civil action taken” (p. 3)—what about the *actual* “leaving” or “putting away”? Does it make a difference whether one is “active” or “passive”? “**Who took action not point**, but that it is a completed fact.” (p. 5, bold mine) “What is involved in putting away? ... Gospels use active voice of *apoluo*; 1 Corinthians 7 parallels with passive voice; Other words show **point described is alienated state**.” (p. 5, bold mine). Referring to God and Israel, “God was never first to repudiate or depart & retain right.” (p. 6). “Putting away is **state** where relationship is destroyed” (p. 8, bold mine). “If marriage is sundered for fornication, innocent may remarry.” (p. 8)

marriage. It is simply the fact that the marriage was sundered and “fornication must proceed biblical putting away.” As long as fornication has taken place before the marriage was sundered, even though it is the person who committed the fornication that is sundering the marriage, the innocent can remarry. *But the text must be changed* in order for it to say what this position maintains.

Compare Mk. 16:16:

- “He who has believed and has been baptized shall be saved.”
- “He who has believed shall be saved and should be baptized.”
- “He who has been baptized is saved and should later believe.”

The first is what Jesus *said*; the second is Baptist doctrine; the third is Roman Catholicism. *Can we change the text?*

Let’s try again: “**When a marriage is sundered**, except for fornication, **those who** marry another commit adultery.” But, this won’t work, for it allows even the *guilty* to remarry without committing adultery—something this position does not allow!

Who sunders the marriage?, “Whosoever sunders a marriage [the “innocent” party or the “guilty” party?], except for fornication, and shall marry another, committeth adultery: and he that marrieth her when she is put away committeth adultery. (Mt. 19:9). Unless one contends the “guilty” party can sunder the marriage for their *own* fornication and remarry without adultery, it must be recognized that *it does make a difference who is in view in the first part of the verse!*

A favorable sounding *last* part of the verse: “and he who marries a divorced woman [except if she was divorced by a fornicator due to his own fornication] commits adultery.” If this is true, then after discovering his fornication she could continue to try and make the marriage work without the liability that he might later divorce her and leave her in an unmarriageable state. But, if this meaning is given “except for fornication” in the *last* part of the verse, it must be given the SAME meaning in the *first* part of the verse. [The “except” phrase does NOT occur in the last part of the verse, but for now allowing its application from the first part of the verse as some contend.] “Whoever divorces his wife, except for [his own] fornication, and marries another commits adultery”—so that if he divorces his wife for his OWN fornication he *can* marry again *without committing adultery*...?!

Not HOW, but WHO

This position stresses that the issue is not “procedure” but “cause.” The “who” in “Whoever puts away ...” is completely *removed* from the equation. Rather it is, “WHENever a marriage is sundered...” But, the issue is NOT *procedure*, but WHO “put away.” *How* (procedure) they put away is not the issue. In the

fifties and sixties one issue between the “liberals” and “conservatives” was whether the orphan home was a “how” the church did it’s work or a “who”—another organization. Some say, “Who took action is not the point, but that it is a completed fact.”¹² Is the “who took action” a point? The text says, WHOever divorces...and marries...” If the *guilty* party is the “whoever” that divorces *for his own fornication* (resulting in a “completed fact”), *is he free to marry?* Does the “who” in “whoever divorces” make a difference?

A question is raised, “Are all ‘put away’ parties forbidden to marry?”¹³ It is shown, correctly so, that the answer is “no” (those put away who remarry their lawful mate; those put away who marry after the death of their mate; those put away from unscriptural marriages—these “put away” persons can lawfully marry). However, the question is, *what about the put away woman of Mt. 5 and 19?* Can *she* remarry? Because *all* “put away” parties are not forbidden to remarry does not mean *some* “put away” parties are not forbidden to remarry.

Active/passive

A point is made that, while Jesus uses the *active*, Paul used the *passive* when talking about divorcing one’s mate?¹⁴ (*chOrizO*—“leave” or “depart”—is passive in 1 Co. 7:10,11. *apoluo*—“divorces” or “shall put away”—is active in Mt. 19:9; Mk. 10:11,12; Lk. 16:18; *chOrizO* is active in Mt. 19:6). It is said that this shows “alienated state” is the point and *not* “who took action.”¹⁵

In 1 Co. 7:10,11, Paul uses *chorizo* in the passive voice *grammatically*, but if the *meaning* is that the woman is *receiving the action* (passive), why does Paul write a command to *her*—she cannot control what her husband does to her (i.e.. whether he leaves her)! Robertson in his *Word Pictures* says, “This passive infinitive is almost **reflexive in force** according to a **constant tendency in the Koiné** [bold mine, srf] (Robertson, Grammar, p. 817).” “Reflexive in force” points back to her—compare Green’s Literal, “not to be separated from.” It evidently refers to something *she* can control. In Moulton’s *Analytical Greek Lexicon*, under *chOrizO*, he says “*to sunder, sever, disunite*, Mt. 19:6 [active voice, srf] ... *to dissociate one’s self, to part*, 1 Co. 7:10,11,15; *to withdraw, depart*, Ac. 1:4 [passive, srf]; 18:1 [aorist passive, just as in 1 Co. 7:10,11, srf], 2 [passive, srf]; Phile. 15 [aorist, passive, indicative, exactly like 1 Co. 7:11; 7:10 is aorist, passive, infinitive - srf]...” Thayer says on *chOrizO*, “Mid. and 1 aor. pass. with a reflex. signif. [like

¹² Osborne, ““What is ...?”” *op. cit.* p. 5.

¹³ Osborne, *Ibid*, p. 7

¹⁴ “Paul uses the passive voice to represent the active voice of *apoluo* used in Gospels” (Osborne, “What is...” p. 5). “Putting away is state where relationship is destroyed ... Jesus used “sunder” as synonym for “put away” (Matt. 19) ... Clarifies why Paul could use *passive* voice for “put away (“depart”) to restate Jesus use of *active* voice in Matthew 19” (*Ibid*, p. 8)

¹⁵ Osborne, *Ibid*, p. 5.

Robertson, srf] *to separate one's self from, to depart; a. to leave a husband or wife: of divorce, 1 Co. 7:11,15 ...ib. 10*" *Green's Literal Translation* captures the *grammatical* passive, but still the burden of action is hers: "But I command the ones being married (not I, but the Lord), a woman not to be separated from her husband;" NKJV says, "is not to depart"; KJV says, "Let not the wife depart"; ASV says, "I give charge ... that the wife depart not"; NASB says, "should not leave"; NRSV, NIV say, "should not separate from." None of these lexicographers or translations support a passive *sense*, as if she is but the *recipient* of the action. So, can any argument be made on Paul using the passive voice to the effect that who does the action is not important? It still seems like there is a "Who" that "took action" (or, in 1 Co. 7, was *not* supposed to take action). Again, *how* she took that action ("procedure") is not the issue, but Paul forbids her (the "Who") to do so. This reference to the active/passive uses do not prove that all in view is an "alienated state" regardless of who took the action.

XIII. OTHER REASONS FOR LAWFUL DIVORCE - EZRA 9,10

A. The Position

"One could make the argument that according to Matt. 19, the only reason for a lawful divorce is due to fornication of the offending mate. However, there are other reasons why one may have a lawful divorce. Ezra 9 & 10 illustrate this. In this example, the people were told to divorce because they violated God's will in marrying foreign women. Hence, when other [of] God's Laws are violated, then divorce other than for fornication may be lawful. For example, God intended for man not to be alone. If he or she is divorced, then God intends for them to remarry. Another example, according to 1 Cor. 7, if the unmarried are unable to remain pure then they are told to marry. Another example, we are to withdraw from people who can lead us astray to violate God's will. If are [our] mate is doing this, then we should divorce them."¹⁶

B. The Answer

Ezra 9 and 10 illustrate lawful divorce *when the marriage was unlawful*. Yes, when other of God's laws are violated, then divorce other than for fornication may be lawful. For example, a person may have married a person who still bound to a previous mate, or a man married a man. In these cases it *is* lawful to divorce.

But, and this is where the argument fails, the examples given are *not* unlawful states ...

¹⁶ A question sent to me via email.

- It is not *unlawful* to be alone. In fact, that may be the *recommended* course, Mt. 19:10-12.
- It is not *unlawful* to be unmarried and struggle against evil passion. ALL people struggle with evil passion! If “unable to remain pure” justifies violating God’s law about marriage, throw out Mt. 5,19! In fact, what wouldn’t be justified? If I am “unable to control my temper” is it OK to murder? If a single young man is “unable to remain pure” is it OK to commit fornication? Why not?—because of a law against fornication? *But there is also a law against some remarriages!* That any person will give up their moral integrity if the pressure is great enough is *Satan’s* argument, Job 1:10-11; 2:4-5.
- It is not *unlawful* to be married to an unbeliever (whether never having obeyed the gospel or an apostate), 1 Co. 7:12-13; 1 Pt. 3:1-2. Of course, if one is “unable to remain pure” justifies satisfying the passion, we can ignore these restrictions, or better yet, just kill the rascal!

KJV	=	King James Version
NKJV	=	New King James Version
ASV	=	American Standard Version of 1901
NASB	=	New American Standard Bible
NIV	=	New International Version
NRSV	=	New Revised Standard Version
RWP	=	Robertson, A. T., <i>Word Pictures in the New Testament</i> (Broadman Press, Nashville, TN, 1932)
A&G	=	Walter Bauer/ William F. Arndt/ F. Wilbur Gingrich, <i>A Greek-English Lexicon of the New Testament</i> (The Univ. of Chicago Press, Chicago & London, 1979)
TH	=	C. G. Wilke / C. L. Wilibald Grimm / Joseph Henry Thayer, <i>Greek-English Lexicon of the New Testament</i> (Zondervan Pub. House, Grand Rapids, Mich., 1962)