

# Can the Guilty Party Remarry Without Committing Sin?

## **Introduction:**

1). The Bible's teaching on MDR is not difficult to understand.

- a). "Matthew 19:9 is a blunt, clear, plain text." – Martin Luther
- b). The difficulty arises when we allow our emotions to determine what we believe on this subject.

“The marriage, divorce and remarriage issue will probably never be resolved for all. It is not because the Word of God is not clear on the matter, nor does the real issue hang upon the definition of some words used in the Bible. The issue is difficult to resolve because of human involvement and situations with emotional overtones that cry out for some favorable answer from the Word of God to justify that human element. Many doctrines reign from the same “background””

(Introduction to Smith - Lovelady Debate)

2). We must allow God's Word (Not Our Emotions or Desire to Justify Loved Ones ) To Determine What the Bible Teaches on This Or Any Other Subject

- a) 1 Peter 4:11
- b). Colossians 3:16
- c). Sometimes God's word is bitter and hard to swallow - Revelation 10:9

## **I. The Position Defined**

### **A. The Focus of The Position is the Guilty Party**

1). By guilty party we mean the party that is guilty of adultery. The innocent party speaks of the party innocent of adultery.

*\* We are not commenting on their guilt or innocence in anyway other than relative to the sin of adultery*

2). This position states that when there is a divorce for fornication that not only is the innocent party free to remarry, but the guilty is also free to remarry

- a). The idea is that if one party is free then both are free.
- b). Illustrate: Bob and Sue are lawfully married to one another. Bob commits adultery against Sue. Sue puts away Bob for the cause of fornication. Not only can Sue scripturally remarry, but Bob can also remarry without committing adultery.

## **B. Not All Advocates of This Position Arrive At This Conclusion in the Same Way**

### **C. We Are Not Specifically Discussing**

- 1). Whether the put away fornicator can reconcile to their rightful spouse
- 2). The rights of the put away after their 1st mate dies

## **II. Basic or Foundation Principles to Keep In Mind**

### **A. The Difference in the Marriage and the Bond**

- 1) Most (if not all) false positions on divorce and remarriage fail to recognize the difference in the marriage and the bond.
  - a). They equate the two as being one and the same. Others, perhaps innocently, contribute to the confusion by speaking of “the marriage bond”. It is best to mark a clear distinction between the two.
  - b). Therefore, “If no longer married, then no longer bound”
  - c). Terminology like “Married in eyes of God” or “Divorced but not really divorced” grows out of a failure to distinguish between the marriage and the bond
- 2). Romans 7:1 Clearly Shows that There is a Difference in the Marriage and the Bond
  - a). In the context Paul is pointing out that we have did to the law of Moses that we might be married to another (Christ).
    - (1). The fact that marriage and divorce is not the main subject under discussion does not mean that we can ignore the lessons on marriage.
    - (2). Compare to Ephesians 5:25-33
  - b). The Woman of Romans 7 is “bound” to her 1st husband (v.2) even though she is “married to another man” (v.3).
    - 1). Marriage is a relationship entered into by agreement and by compliance with civil law (God may or may not approve of the marriage, but that does not determine whether it is a marriage or not)
    - 2). “Bond” or “Joining” is done by God (Matthew 19:6). God does the joining and only God can do the loosing
  - c). They are bound by God’s law
    - 1). There is more involved than simply the two partners in the marriage, but God and his law are involved.
    - 2). God’s law obligates and restrains (Romans 7:2; 1 Corinthians 7:39)
    - 3). Four Positions Relative to Being Bound
      - a). One can be bound and scripturally married - Matthew 19:5-6; Romans 7:2

- b). One can be bound and unmarried - 1 Cor.7:10-11
- c). One mate can be bound and unmarried while the other mate is free to remarry - Matthew 19:9
- d). One can be bound to one while unscripturally married to another - Mark 6:17-18; Romans 7:2-3

## **B. We Must Have Authority for All That We Do - There is No Authority for A Put Away Fornicator to Remarry**

- 1). The Authority of God Must Be Respected
  - a). Colossians 3:17
  - b). 2 John 9
  - c). Silence does not establish authority. Silence is prohibitive not permissive - Hebrews 7:14
  - d) Authority is established by - Acts 15:
    - (1). Direct Statement or Command
    - (2). Approved Example
    - (3). Necessary Conclusion or Inference
- 2). Who has authority to marry according to the scriptures?
  - a). Those who have never been married
  - b). Those whose mate has died - Romans 7:2-3
  - c). Those reconciling - 1 Cor.7:11
  - d). One who put away their mate for fornication - Matthew 19:9

*Where is the passage that authorizes the “guilty party” or “one put away for fornication” (or any put away person) to remarry?*

## **C. The Bible Forbids the “Put Away” Party from Remarrying**

- 1). Matthew 19:9 is composed of two independent clauses
  - a). Part A - “And I say to you, whoever divorces his wife, except for sexual immorality, and marries another, commits adultery”
  - b). Part B - “whoever marries her who is divorced commits adultery.”
- 2). Part A Tells Us
  - a). Put Away (for forn.) - Remarry - No Adultery
  - b). Put Away (no forn.) - Remarry - Adultery
- 3). Part B Tells Us
  - \* Is Put Away - Remarry - Adultery
- 4). Authenticity of Matthew 19:9b
  - a). Some translations do not contain part b of Matthew 19:9

1. NASB - "And I say to you, whoever divorces his wife, except for immorality, and marries another woman commits adultery."
2. ESV - "And I say to you: whoever divorces his wife, except for sexual immorality, and marries another, commits adultery."
- b). Is Matthew 19:9b authentic?
  1. It is found in in the majority of manuscripts. Thus the evidence for it is greater than against it.
  2. Bruce Metzger was asked by Donnie Rader - "Is there any textual evidence to reject the phrase 'and whoso marrieth her which is put away doth commit adultery?'" - His answer was "No"
  3. Pulpit commentary - "It has very high authority in its favor"
- c). Even if it could be proven that Matthew 19:9b was not part of the original text of Matthew 19:9 there can be no doubt that it is an "authentic" statement
  - 1). It is found in Matthew 5:32 in the sermon on the Mt.
  - 2). It is found in Luke 16:18 where the blanket rule is stated.

### **III. Arguments Used to Defend the Guilty Party Remarrying**

#### **A. One Free- Both Free**

- 1). Comparison is often made to being "hand-cuffed" or "tied with a rope" to another person. If you take the handcuffs off of one the other is automatically freed as well.
  - a). "Tie your two hands together and let each hand represent one of the two parties to a marriage. Cut the string. Which hand is freed? Both!" (Roland H. Worth, Jr., Divorce And Remarriage, p. 11)
  - b). We need to be careful trying to establish truth by an illustration.
  - c). An illustration can be used only to help clarify a truth that has already been clearly established by God's word.
- 2). Assumes that the man and his wife are the only two involved in the bond. In this view marriage is viewed as a two-way contract
  - a. This view ignore scripture that shows that the marriage covenant that also involves God and his law.
  - b. Proverbs 2:17 - "forgets the covenant of her God"
  - c. Malachi 2:14 - 'wife by covenant"
- 3). Romans 7:2-3 shows that in addition to the man and his wife that God's law is also involved.
  - a). One is bound "BY THE LAW" - Romans 2:2-3

b). Perhaps a better illustration than handcuffs or ropes is a yoke. It is possible for one to be freed from “the yoke” while the other is still “in the yoke”.

## **B. 1 Corinthians 7:2, 27-28 - Authorizes Them to Remarry**

1. 1 Corinthians 7:2

a). Paul was dealing with questions that had been sent to him by the Corinthians - 1 Corinthians 7:2

b). Paul is showing that celibacy is not a more righteous state than marriage.

2. 1 Corinthians 7:27-28 - “If you marry, you have not sinned”

a). The context of this passage is discussing “virgins” (those never married) - 1 Cor.7:25

b). Paul is not discussing people that have been put away for fornication or any other divorced persons. He is talking to “virgins” (those never married) that while he advises the single life in the present distress it is not sinful for them to choose marriage.

c). H.A.W. Meyer - “ does not imply: art thou separated from.. ,but art thou free from, untangled with a wife, single”.

e). Gordon Fee - “It lies totally outside the present context to suggest that the two questions address the married and the divorced” - The 1st Epistle to the Corinthians, pg. 331

d). 1 Corinthians 7:2 does not contradict what Jesus taught in Matthew 19:9

3. Paul has already made it clear that not all “unmarried” people can marry - 1 Corinthians 7:10-11

## **C. Exception Phrase in Matthew 19:9 Modifies Both Clauses**

1). In an effort to justify the guilty party remarrying some have argued that the “except for fornication” phrase modifies both parts a and b of Matthew 19.

a). They have Matthew 19:9 in essence as follows: “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, except it be for fornication, doth commit adultery.”

b). Hugo McCords - “They know that in no Greek manuscript does the exceptive phrase appear in the second clause, and that without its being there, their cause is lost. Therefore they say the phrase must be inferred in the second clause.” - Spiritual Sword Lectureship, 1979

2). Matthew 19:9 is composed of two independent clause. The part B clause is complete without providing the exception phrase.

3). The exception phrase cannot grammatically modify both part a and part b of Matthew 19:9. It is an *adjectival phrase* as it modifies part a, but in order to modify part b it would have to be an *adverbial phrase*.

- a). "In Matthew 19:9 the original Greek text translated 'except for fornication' modifies the 'putting away' on the part of the man and does not modify the person who is put away." Leonard Latkovski, Professor of Classic Languages, Bellarmine College
- b). "In my opinion, the phrase 'except it be for fornication.' applies to the first clause but not to the second" Dr. Harry Sturz, Greek Department, Biola College
- c). "The modifying clause (except it be for fornication) applies only to the first person mentioned, in the first half of the sentence. It does not apply, grammatically, or syntactically, to the person ('whoso marrieth her who is put away') in the second half of the sentence." - Donald Drury M.A. , English Department, Long Beach City College

#### **D. Matthew 19:9b Is Not Talking About Put Away Fornicator**

- 1). Some argue that Jesus is talking about the put away fornicator, but one the one put away for a cause other than fornication.
- \* Melear - "The only noun in this sentence to which 'her' and 'she' can refer is 'wife'..... Grammarians say it is one and the same woman in BOTH CASES! Jesus stated the consequences of a man putting away his wife WITHOUT fornication and marrying another. He then followed-through showing the results of marrying THAT put away woman" - Melear-Williams Debate
- 2). Hugo McCord - "Actually, however, the omission of the definite Greek article from the second clause forbids grammatically (besides the contradiction) carrying over the exceptive phrase to the second clause. This is true because the second clause in omitting the definite article cannot refer to any specific woman, but to any put-away woman. A marriage with any put-away woman, Jesus asserted, is adultery. To make Jesus say that he was only eliminating non-adulterous wives from remarriage, not adulterous ones, is slander against the beauty of the Lord's teaching. The AV and the ASV both are faithful to the text in omitting the article from the second clause. The RSV and the NASV are clear, setting forth precisely what the Lord said... But the NEB ("a woman thus divorced") and the NIV ("a woman so divorced") bring the exceptive phrase of the first clause into the second, and so do not faithfully translate Jesus' words." Spiritual Swords Lectureship, 1979
- 3). Even if Matthew 19:9b did not include the put away fornicator (and it does) there is still no authority for put away fornicator to remarry.
- 4). In addition Matthew 5:32 also says, "whoever marries a woman who is divorced commits adultery."

#### **E. Adultery Can Only Be Committed by Married People**

## **So If They Are Unmarried They Can't Be Guilty of Adultery**

- 1). This fails to appreciate the difference in the marriage and the bond - Romans 7:2-3.
- 2). It is adultery because she is "bound by the law" to her first husband even though she is married to another man.

## **F. Fornication Severs the Marriage When Committed. When the Marriage is Severed They (the innocent and the guilty) Are No Longer Married to One Another and both are Free to remarry.**

- 1). There is a clear distinction made between "fornication" and "divorce" in Matthew 19:9. Fornication is the cause not the putting away itself.
- 1). Lloyd Moyer - "The marriage ceases to be that which God ordained when one of the two parties of the marriage joins his body to that of someone other than the person to whom he is married" ..... "When a marriage is thus dissolved, the innocent is no longer married to the guilty, nor is the guilty any longer married to the innocent. No marriage exists. Where no marriage exists, the parties may marry someone else" (Frost-Moyer Exchange)
- 2) If this is the case then one could be unmarried and not know it. If a husband was guilty of adultery and that ended the marriage then would the wife be guilty of fornication next time she had sexual relations with him. If not, why not?

## **G. Adultery is Only the Act of Remarrying Not the Continued**

- 1). Olan Hicks - ""This establishes, if we take precisely what the scriptures say, omitting human opinion entirely, that the 'adultery' which is to be repented of in this case, consists of two actions, 'putting away' and 'marrying another'"
- 2). In this view adultery is a one time act that can be repented of and then you can continue to live with that mate.
- 3) This is not the way that adultery is used in the scripture (John 8:1-11; Matthew 5:28).

## **IV. Consequences**

### **A. It Rewards Adultery Since God's Judgment is Harder on the *Unjustly* Put Away Than the One *Justly* Put Away**

- 1). Illustrate: Jack divorces Jill because she burns the biscuits (or any reason besides fornication). Since Jill was put away for a cause other than fornication she can't remarry and must remain single. However, if she commits adultery then Jack can divorce her and she is free to remarry without sin according to those who say the guilty can remarry.
- 2). This position rewards the sin of adultery. In fact, it could even encourage it. If you are trapped in a marriage and want out then just commit adultery and you can be free to remarry.

## **B. No Such Thing As An Unscriptural Divorce**

- 1). If it is "unscriptural" then it is not real and they are really still married. We might say they are divorced but they are not really divorced. We only say so accommodatively.
- 2). This is the same with the mental divorce position. While many who hold the mental divorce concept would deny that the guilty party can remarry, they have as their basis the same error. They both equate the marriage and the bond. Because of this I believe that those hold the "mental divorce" or "second putting away" position are weakened in their opposition to the guilty party remarrying.

### **Conclusion:**

- 1). God's teaching is clear and plain on whether the guilty party can remarry.
- 2). The innocent party who puts his mate away for fornication can remarry without sin. If the guilty party remarries then he is guilty of adultery.