
Mental Marriages and Mental Divorces



By Gene Frost

Contents

1. Mental Marriages and Mental Divorces	1
(Originally published in the <i>Gospel Anchor</i> , vol. VIII, No. 9, May, 1982)	
2. The Case for “Mental Divorce”	7
(Originally published in the <i>Gospel Anchor</i> , vol. VIII, No. 10, June, 1982)	
3. Mental Divorce Versus “What Jesus Said”	12
(Originally published in the <i>Gospel Anchor</i> , vol. VIII, No. 11, July, 1982)	
4. Accommodative Divorce	15
(Originally published in the <i>Gospel Anchor</i> , vol. XII, No. 5, January, 1987)	

PUBLISHED BY

Gene Frost
712 Victoria Place
Louisville, KY 40207

www.BibleEcho.com
www.brotherhoodsocieties.com

Mental Marriages and Mental Divorces

The concept of “mental marriages” and “mental divorces” has been argued for years by those who would justify all second marriages following divorce, but in recent times has been adopted and modified by those who consider themselves conservative on the marriage-divorce issue. It is to this “new twist” that we now address ourselves.

In man’s persistent effort to justify remarriages following unlawful divorce, new concepts are continually evolving. The latest effort reasons that divorce is simply a “mental act” with no relationship to civil or social divorcement. And since divorce is the dissolution of marriage, marriage also is a “mental act” with no actual relationship to marriage licenses, ceremonies, or any other social or civil requirement. This heresy is in violation of what the Bible teaches and is pernicious in its consequences. It is born not of sound exegesis but of a desire to circumvent the Lord’s teachings.

To answer the basic concept and the specious arguments to justify it, we need to begin with a study of what the Bible teaches and then contrast this new theory.

Marriage

Marriage is a *covenantal* relationship in which two come together as one, as husband and wife, committing unto one another their lives and fortunes and pledging connubial fidelity. The marriage relationship is established by the marriage *covenant* (Mal. 2:14), which involves three things: (1) a *statement* of intent, (2) an *oath* (or vow) by each to observe the terms of the agreement, and (3) the *formal ratification* of the covenant by some external act, usually coincident with the oath.¹ God is a witness of the covenant, often invoked in vows; hence the expression “a covenant of Jehovah” (*berith Yahweh*): 1 Sam. 20:8, et al.

1. **Agreement.** In any covenant, there must be terms to be observed and honored by both parties. This is true of the relationship of husband and wife. Each needs to understand the rights and duties that belong to the relationship. The period following this agreement is the betrothal or engagement. The vows and formal ratification have not taken place, and the parties have no rights to marital privileges. Any sexual activity at this juncture is fornication. It is a pernicious doctrine that teaches where there is agreement followed by sexual intercourse, the result is a valid marriage before God. Not so. There must be a “leaving” father and mother and “cleaving” to one’s wife. (Gen. 2:24, Matt. 19:5) This is not a “mental act,” but an assuming of responsibilities clearly observable. The idea that a couple in an emotional state may decide to get married, and upon that agreement alone may have sexual relations, whereupon God then joins them in marriage so that future vows and ratification (as authorized and recognized by society) are unnecessary or at most are mere empty acts reflecting an accomplished fact, is a concept nauseous to the minds of right thinking people and betrays a lack of understanding of what constitutes a covenant. The

reason for so pernicious a concept as espoused by some is seen when their concept of divorce is considered.

2. **An oath [vow].** The vows to accept and live by the terms of the agreement must be solemnly made. They are publicly acknowledged, usually coincident with the confirmation or ratification.

3. **The formal ratification.** A public record of the fact that vows have been exchanged impose upon the parties involved restraints and obligations. The sign of ratification may differ from time to time and from culture to culture. (Originally the word “covenant” [*berith*] signified the ratification itself.²) It may take the form of passing through the parts of a divided animal (Gen. 15:17, Jer. 34:18), of eating together, of building a mound of stones (Gen. 31:44-46), of mixing blood, of the groom ceremoniously entering the bridal chamber (Gen. 29:22-23), or of celebrating a marriage feast (Matt. 25:1ff). The particular sign is dictated by society, and in our day and society it is a legal formality. The point is, a covenant to be valid must be ratified: “Though it be but a man’s covenant, yet if it be *confirmed*, no man disannulleth, or addeth thereto.” (Gal. 3:15) To confirm is “to make valid; to confirm publicly or solemnly, to ratify”³.

A relationship without the agreement, vows, and ratification is not a marriage.

Bond

The “marriage” is the *covenantal* relationship between a man and woman. It refers to the *physical* relationship. It may or may not be approved of God; the couple may or may not be bound or yoked in the mind of God. When a couple, with a right to enter marriage, establish the covenant, God yokes them and binds them, i.e. put under restraint and obligation.⁴ (Matt. 19:6, Rom. 7:2, 1 Cor. 7:39) The *bond* is not a physical binding; it does not refer to the physical relationship per se. It is rather spiritual (in the mind of God) and legal (divine law): each is placed under obligations and restraints. The breaking of the physical relationship does not of itself break the legal as imposed by God Himself.

Confusion results when one equates “marriage,” the physical relationship of living together as husband and wife, with the “bond,” the obligations and restraints imposed by God. The bond does not always exist where there is a marriage, i.e. one may marry without God’s sanction and yoking. In fact, one may be *bound* to one while *married* to another. (Rom. 7:2-3)

Divorce/Loose

Divorce is a dissolution of marriage. It can no more be a mental act than is marriage. It is the breaking of the marriage covenant, a physical fact. God demanded of the Jews a legal signification: a “writing of divorcement” (Deut. 24:1, Matt. 19:7). The dissolution of the marriage may or may not be with God’s approval. If God does not “loose” to make one “free” (from restraint and obligation), the divorce is without God’s approval and one so divorced is not free but must remain “unmarried” or be reconciled. (Rom. 7:2-3; 1 Cor. 7:11).

Again, to confuse the terms “divorce” and “loose” is to confuse the issue. To reason that if one is “bound” he is still “married,” or if one is “not loosed” he is “not divorced” and hence still “married,” is to produce much confusion and results in a flat denial of many Biblical statements, and leads one to equivocate. Yet this is precisely what the “mental marriage and divorce position” does!

The New Theory

The new marriage concept is that *all marriages* are lawful in God’s sight; if a relationship called “marriage” is not lawful, then the parties are not truly divorced. Therefore, as the Bible speaks of “marriages” not approved of God, the word is used “accommodatively” (as men view the relationship) and not “actually.” So with divorce. There are “marriages, accommodatively speaking,” and there are “marriages actually,” and there are “divorces, accommodatively speaking,” and there are “divorces

actually.” Since the Bible does not make this distinction—does not speak of “marriages, accommodatively,” or “marriages, actually”—one does not know when the Lord is speaking of one or the other...except the prophets of the new theory claim to have this insight. However, since Jesus never indicated to His hearers that there is a distinction, the theory has Jesus speaking equivocally. The Jews never realized He so spoke, and obviously then were misled (if the theory be so) without so much as a word of correction from Jesus. To the theorist Matthew 19:9 reads:

“And I say unto you, Whosoever shall put away his wife (divorce, actually) for the cause of fornication may marry (actually) another. Whosoever shall divorce (accommodatively speaking), without fornication as the cause, and shall marry (accommodatively speaking) committeth adultery (because he is not actually divorced and is still actually married): and whoso marrieth her (accommodatively speaking) which is put away (accommodatively speaking) doth commit adultery (because she is not actually divorced). Yet if she which is divorced (accommodatively speaking) did not consent to the divorce (accommodatively speaking) she may mentally divorce (actually) so that he who marries her (actually) does *not* commit adultery.”

To the theorist, when Jesus uses the terms “marry” and “divorce,” one time He means “not really, but accommodatively speaking,” and at other times He means what He says (as the Jews understood Him to mean).

In Matthew 19:9 some four situations are contemplated: (1) the man who divorces an unfaithful mate, (2) the man who divorces without cause, (3) the wife divorced because of fornication, and (4) the wife divorced without cause; and in all of these the second mate must be considered.

(1) Jesus contemplates the man who puts away his wife and marries again, such marriages resulting in adultery except he put away his first mate because of her infidelity. In this case, the theorist says that the divorce is *actually* divorce.

(2) However, in the case of the man divorcing without the stated cause, he commits adultery in a subsequent marriage. In this case, the theorist says the divorce is not divorce at all: Jesus is speaking accommodatively; the man is still married. Interesting, isn't it, that Jesus used “put away” (divorce) the one time and yet it carries both the idea of *actual divorce* and really *no divorce at all!* Or so the theorist would have us to believe.

(3) Then when He speaks of the woman put away, He assigns no cause. Whoever marries a “put away woman” commits adultery, Jesus said. Not so in every case, reasons the theorist, it depends on whether she was put away accommodatively speaking or actually. Jesus made no such distinction. If she was put away because of her guilt, then she was *actually* divorced, and whoever marries her commits... Well, here the theorists are divided. The old school of “mental divorce” espousers say that she does *not* commit adultery if *actually* put away because she is no longer married. The new school admits that she is not *actually* married, not bound (equating “bound and “married,” as they incorrectly do), yet she commits adultery. Why this is adultery, they do not say. It would be interesting to hear the old school and new school of theorists debate the point.

(4) If the woman divorced was not guilty, then she is not actually put away, but still married, we are told. However, she may “mentally put away” (*actually*) her husband who had thought he had put her away, but had not (only *accommodatively* so).

The theorists are divided on this point also. One has the “innocent divorced wife committing adultery when she remarries, but the “guilty” may enter a second marriage with God's blessings. The other has her guilty if put away for fornication, but not if she is innocent, i.e. if when she was put away she protested; if she agreed to the divorce, then she is guilty in a second marriage. And so in neither case did Jesus tell the truth, according to the theorists.

Strange, isn't it, that Jesus did not assign a reason for the woman being put away, yet the theorists know why. Some know He had (1) the unfaithful wife under consideration. Others know that (2) the put away woman was not guilty but wanted to be put away. One says Jesus was speaking of *actual* divorce, and the other says, No, only *accommodatively* did He say "divorce." And these are the men who tell us that they alone understand what Jesus was teaching! (Yes, it takes expert help to misunderstand the Bible.)

In reply, why not take Jesus at His word? Something is wrong with the theory that has to read into what He says; one time *actually* and the next *accommodatively*. It is absurd to say that Jesus told the truth if we understand that the woman was *accommodatively* divorced by *mutual agreement* with her husband, but His statement is *not* true if she was *accommodatively* divorced under *protest*. Then others say, Jesus told the truth if she was divorced *accommodatively* (with or without protest), but it is *not* true if she was *actually* divorced! In contrast, those who appreciate the truth accept Jesus' statement as is, and need not to equivocate His terms.

The theorists have the same problem with other Scriptures, e.g. Romans 7:3:

"So then if, while her husband liveth, she be *married*"—not *actually* married, but just imaginedly and so used *accommodatively*—"to another man, she shall be called an adulteress: but if her husband be dead, she is free from that law; so that she is no adulteress, though she be *married*"—*actually* this time—"to another man." Paul uses "married" twice in this verse, but he did not mean *actually* "married" both times, according to the theory. In the latter usage the woman was *actually* "married;" however, in the first usage she was not "married" at all! The theorist has to insert before each usage whether it is used *actually* or *accommodatively*. This is eisegesis, not exegesis. The theorist reads *into* the text.

Why these mental gymnastics? The theorist so reasons so that he may find justification for those who are divorced. He simply does not believe that everyone who marries a divorced person (one put away) commits adultery, as Jesus said in Matthew 19:9b. He has to reason; he has to employ mental gymnastics. Unless there was a cause of fornication in putting away, he reasons there was no putting away. Jesus didn't mean it when He said it: He was only speaking *accommodatively*. He is still married to the first woman. That is why, he says, he commits adultery in the second marriage. He has to be married to commit adultery. Remember that he equates "bound" and "married," making them synonymous. Now the "put away" wife (who is not really, *actually*, put away, but is still married to him) may now mentally put him away as the guilty party. The first divorce was a "hollow act"; the real divorce was a "mental act." Some reason further that the man, now being *actually* divorced (and no longer married or bound) is free to remarry. The mental act releases both. The new school of theorists contend that only the woman is free. They are at loss, however, to tell us why the guilty mate is not free since he is not married (bound) and is loosed, i.e. is not under restraint or obligation from God. We predict that the new school of "mental divorce" theorists will eventually be driven to join the old school in order to be consistent. Even though they do not agree, they will join hands in the battle to justify the divorced party.

Jesus said, "All whoso marrieth her which is put away doth commit adultery." He said, "And," not "or." "And" signifies that the man who puts away (without cause) and marries again commits adultery, *and* (also, in addition to) whoso marries her who is put away commits adultery. The theorist responds that this is true *if* "they" divorce each other without cause. But this is not what Jesus *said*. Ignoring the fact that Jesus said that the man put away the woman, the theorist will read the text: "If a couple divorces..." He assumes that Jesus is saying *both* wanted the divorce, in which case the divorce is not really a divorce (they remain married). Even after one has committed adultery in a second marriage, the other cannot put him away mentally because this would authorize the "waiting game." (Why the "waiting game" is wrong would be interesting to learn. The theorist is not so adverse to it, as he might protest.) The only divorced person, he reasons, who has a right to a "mental divorce" is the one in a divorce, *accommodatively* speaking, who doesn't want it. If he doesn't want a divorce, then he can "wait" (and must wait) until the partner, to whom he is still *actually* married, commits adultery. And so the theorist *assumes* that the

woman put away in Matthew 19:9b *wanted* to be divorced, and only then is the “and” appropriate. But if she had not wanted the divorce Jesus would have said, “or” in case she married first and violated her marriage she would commit adultery. On the other hand, if the man married (*accommodatively*) first, then neither “and” nor “or” is appropriate... what Jesus said just would not be true! It is a biased mind that would treat the words of Christ thusly.

It would be interesting to hear the theorist tell how he knows that the woman of Matthew 19:9b *wanted to be put away*, that Jesus was talking about “a couple divorcing each other.” Can anyone knowledgeable of the woman’s status in Israel at the time imagine a woman wanting a divorce? Was Jesus illustrating His will by referring to such an obscure case (if one could imagine such a woman)? How does the theorist determine the woman’s feelings, when the question was of the “man” who “puts away his wife”? What language indicates that Jesus is referring to “a couple divorcing”? How does the theorist know the mind of God behind what He said?

Without cavil, in every recorded instance, Jesus said, “Whoever shall marry her that is divorced committeth adultery.” (Matt. 5:32; cf. Matt. 19:9, Luke 16:18) Nothing is stated as to *why* she is divorced. Men may reason all day long as to whether she desired the divorce, protested the divorce, or whatever. The text says, whoever marries a divorced woman commits adultery. Modern theorists say, “No, Lord, not if she objected!” Moderns write in an *exception clause* for the divorced person. (Jesus gave an exception to the one who does the putting away.)

Consequences

Since marriage and divorce is “what takes place between man and God” and is not related to social or legal sanction, so says the theorist, it is argued that the only marriage that counts (that is *actual*) is that which is *mental*, and the only *actual* divorce is the *mental* divorce. “Marriages” and “divorces” as recognized by society are merely “hollow” terms.

1. If a couple, in an emotional state, decide to be “husband” and “wife,” they may then engage in sexual intercourse with God’s approval. They are then and there actually married. “Hollow” licenses and ceremonies are superfluous.

If this be true, then most acts of “fornication” are not that at all. Invariably a seducer will promise a girl a “wedding,” but until then they may be sexually active as husband and wife. Anyone who has had any counseling experience at all knows how prevalent this is. But with the theorist, it was no seduction at all...they are honorably and lawfully *married* by God! This offers many impossible situations:

a. In the case of the “seducer,” what he considered seduction in mentally considering himself the “husband” and the girl “his wife,” was actually marriage. Therefore, even though he repents of what he thought was fornication, in marrying someone else he commits adultery and lives in that sinful relationship.

b. His present spouse, with all good conscience, is unknowingly living in adultery with no way of knowing the truth. There are no licenses to check, no records...the marriage was mental!

c. The “seduced” woman is now “married” (the theorist would say *accommodatively* speaking) to someone other than her seducer (*actual* “husband”), she is living in adultery. Her husband is living in adultery with no way of knowing the truth (the fact was a mental act).

d. If the “seducer” *mentally* did not marry (*actually*), the girl who *mentally* married him is not really married but does not know it, and has no way of determining it short of reading his mind (since it is a mental act).

(1) She may now be in agony, thinking she was married, when she is not. Her agony is compounded if she is now married to another.

(2) The seducer may now continue his seduction because she is convinced they are married, and she has no right to marry another. (In reality the relationship is fornication.)

e. If the man mentally married the girl, but she considered the sexual act fornication, then the man is in agony thinking he is *actually* married. But he cannot know for sure—he did not read her mind.

Really! How one can seriously espouse such a doctrine as “mental marriage” is an amazement. It is born out of a desire to circumvent the Lord’s will rather than out of sound exegesis.

2. If one’s mate is guilty of adultery, the “innocent” mate may “at any time,” we are told, put away the guilty. This is a mental act. Consider the impossible situation:

a. A man may forgive a guilty mate, and she may repent and be forgiven by God, and the man may receive her in a renewed sexual relationship. After some time, he may “exercise his right” and mentally put her away. Unknowingly, thereafter she is living in adultery.

b. Or he may put her away, but then desire his ex-wife sexually and commit adultery with her, while she thinks they are still married, which they are only *accommodatively* speaking.

c. A man may divorce, *accommodatively* speaking, but mentally remain married. Thus the woman may be living honorably before God with her husband, while in the eyes of society be living with a man from whom she is divorced.

Has God left so important and sacred relationship in so precarious a position that it may be made and broken by mental action unrelated to the regulations and sanction of society and state? No. It is a covenantal relationship before God in which society is respected. “Let marriage be held in honor among all...” (Heb. 13:4).

¹John M’Clintock and James Strong, *Cyclopedia of Biblica, Theological, and Ecclesiastical Literature*, vol. II, page 544.

²M’Clintock and Strong, *op cit.*, vol. II, page 543.

³Henry Thayer, *Greek-English Lexicon*, page 366.

⁴Thayer, *op cit.*, page 131.

The Case For “Mental Divorce”

“Let not the wife depart from her husband: but and if she depart, let her remain unmarried, or be reconciled to her husband: and let not the husband put away his wife.” (1 Cor. 7:10-11) The “departing” under consideration is obviously the consequence of divorce, wherein the marriage is dissolved, for she is to remain “unmarried.” She is not “free” to marry another: her only alternatives are to be reconciled to her husband, to whom she is “bound,” or remain unmarried. Since these are the alternatives, it is obvious that she has not been loosed because of fornication. Divorced without the cause of fornication, she is “unmarried” and is to “remain unmarried.”

The new school of “mental divorce” theorists replies that without fornication a divorce is not divorce at all and the parties are not “unmarried” but are still married. His advice to the departed woman would be: “remain *married!*” But Paul said, “remain unmarried.” He recognized the fact that the divorce leaves one “unmarried”!

As we have pointed out, the theorist is confused because he fails to recognize the fact that “marriage” and “divorce” refer to the physical relationship, and he equates them with “bound” and “loose” which refer to the spiritual obligations and restraints imposed in the mind of God. The woman of 1 Corinthians 7:11 is obviously “bound” while “divorced” and therefore must *remain* “unmarried.” This is totally mind-boggling to the theorist. In equating “bound” to “marriage,” he wonders, “how can she be bound while divorced?” And so he reasons that since she is not free to remarry, she must still be married. Therefore, he concludes, Paul meant that she must *remain married*. But Paul says she is to remain *unmarried*. To reconcile his concept with what is said, the theorist must *assume* that Paul is speaking *accommodatively*: “She is not *actually* ‘departed,’ only *accommodatively* speaking, and she must remain ‘married’ *actually*, though said to be ‘unmarried’ *accommodatively*.” (I wonder what Paul would have said if he had *meant* “unmarried”?)

As we have observed, the theorist has great difficulty with *what is said* and presumes to tell us what the writer means: when he means what he says and when he does not mean what he says and is speaking *accommodatively*. Give a false teacher this prerogative—to tell when the Lord means what He says and when He doesn’t—and he can prove anything! This reminds me of the sectarian assumption in distinguishing between “essential” and “non-essential” commands. It is an assumption we will not grant.

Building His Case

The theorist builds his case through specious reasoning, relying heavily upon *equivocation*. Let’s follow his reasoning in **Matthew 19**.

Verse 6: “What therefore God hath joined together, let not man put asunder.” The theorist comments that “man has no *right* to put asunder.” All agree that man has no “right,” meaning “privilege to which one is entitled upon principles of morality, religion, law, or the like,”¹ to “separate, divide, part”² husband and wife. The theorist then shifts from the word “right” to “power,” which among definitions may be used to mean “right,” with reference to law.³ The word “power” also means “ability...capability of producing or undergoing an effect.”⁴ Shifting to this second definition he then contends that man *cannot* put asunder. Thus he leads one from an admitted conclusion through equivocation to a conclusion which is not true, but which one, unless he detected the fallacy of reasoning, would think he has already admitted as true. And this fallacious conclusion is the basis of his concept:

They cannot be put asunder. They cannot be severed no matter what they call it. We believe that what God hath joined together man should not, and really cannot, put asunder even though he tries.

Notice the steps of reasoning from “right” (should not) to “cannot.” The middle term is given two definitions upon which the theorist shifts:

Right: “man may not.”
┌ Power¹
└ Power²
Ability: “man cannot.”

And so the injunction “*let not* man put asunder” becomes “man *cannot* put asunder.” There is a difference between “let not” and “cannot.” Why would Jesus order man not to do what he cannot do? This puts Jesus in the absurd position of telling men not to do what they cannot do, try as they might.

The Jews understood that Jesus, in saying that a union God has joined together must not be divided by man, referred to the severing by divorce. And so they countered, “Why did Moses then command to give a writing of divorcement, and to put her away?” They countered on the basis of what was “lawful,” not what was *possible* (or impossible). They did not understand Jesus to say they *could not* separate a woman from her husband. They correctly understood Him to say that they *were not to do so*, and if they did the consequence upon remarriage is adultery! To reason that Jesus said they *could not*—it could not be *actually* done, try as they might—is to destroy the sense of the responsive argument. It has Jesus equivocating, using “let not” in an improper sense, knowing that the Jews understood it in its proper meaning and thereby deliberately misleading them.

Based upon the “cannot” conclusion, arrived at by the fallacy of equivocation, the theorist builds his whole case. To strengthen his position he resorts to further equivocation. He so uses the word “recognize.” Will God “recognize” an unlawful divorce, meaning “will God *acknowledge with a show of approval* an unlawful divorce?” All respond, no. Shifting from this definition to “avow knowledge of,” he then concludes that God does not *admit* that the unlawful divorce is a divorce at all. Therefore the unlawful “divorce” is not divorce at all and “divorce” is used only *accommodatively*! The theorist uses his equivocation to misrepresent the opposition. If one says that God recognizes (has knowledge of, views) a divorce as a putting away, even though He may not approve of it, the theorist will counter, “Then you are saying that God *approves*, honors, accepts all divorces!” And this is a false charge. But with those who do not detect his equivocation, the charge appears to be legitimate. Such subtlety is hardly honest, and exposes him as one who is set upon defending a prejudiced conclusion.

Verse 9: “And I say unto you, ‘Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery...’” The theorist sees *two* divorces in the word *apoluo* (Greek, “put away”). He understands, or rather misunderstands, Jesus to use “put away” *accommodatively* when the cause is not fornication, and again *actually* when the cause is fornication. The theorist is an amazing hermeneutical gymnast. Jesus uses the word *apoluo* (“put away”) the *one time* and means both *accommodatively* and *actually* at the same time!

Actually Jesus speaks of *one* “putting away.” The divorce is divorce. Under one condition, where exercised for just “any case,” God does not approve and does not “loose” the parties (as we noted in Romans 7:2-3). Under the condition of putting away because of fornication, God “looses” and allows the one who put away the unfaithful mate to marry another. These are not *two divorces*—one actually a divorce and the other not actually a divorce—but divorce under two conditions.

Mark 10:11

“Mental divorce” theorists make a big play on the statement of Mark 10:11, that in a second marriage the resulting adultery is “against the first mate.” It is implied that this indicates they are still married. No. Jesus says that the wife is “put away” (divorced), and He does not indulge in the theorist’s game of “accommodatively divorced.” The man *marries* another, so Jesus says. The theorist says, “No, Lord, not *actually*.” In this second marriage, the man commits adultery. Why? Because he is still “bound” (though not married). This *moichatai ep outen*, “adultery against her,” is “in reference to her.” Expositors say the expression may mean either “to the prejudice of, her (the first wife), or with her (the second).”⁶ Whichever, it is against the rights and interests of the first which are involved in the *bond* (the obligations and restraints). The expression does *not* mean he is still *married to the first*. Jesus plainly says he married another. Whom do we believe: the Lord or the theorist with his hermeneutical gymnastics?

A Figurative Case

The “mental divorce” theorist thinks he has a case in the situation he argues: one puts away a mate and then marries another. This marriage results in adultery. The one who was put away now puts away (mentally) the one who put him away and marries another. This is approved of God.

The argument is based on the book of Hoshea, principally.

1. The Jews were *married* to God.
2. The Jews *put away* (divorced) God.
3. The Jews *married idols*.
4. God then *put away* (divorced) the Jews.
5. God *married* another.

“If He did it and these things are written for our example, why cannot we do it?”

Let us see if the argument is true.

1. The Jews were *married* to God. This figure is used often in the Old Testament. God took Israel when as a newborn infant she was immediately cast away, unwashed and uncared for. Israel under God’s care became a beautiful woman, and He clothed her and adorned her richly. He delivered her from her rejected state and “entered into a covenant” with her and she became His. (Ezekiel 16:4-14)

2. The Jews *put away* (divorced) God. This the Bible does *not* say. Hoshea says that Israel “played the harlot,” that she had “her lovers” (plural), 2:5, 7, 10, 12, 13, etc.

The word *zanah* (Hebrew) means “*to play the whore or harlot*.”⁷ An *ahab* (Hebrew) was “a lover...a paramour, debauchee.”⁸

Israel had lovers, not husbands. She played the harlot.

God said of Israel, “But thou didst trust in thine own beauty, and played the harlot because of thy renown, and pourest out thy fornications on every one that passed by; his it was.” He names Egypt Assyria, Chaldea. (Nations commit spiritual fornication with nations.) “But as a wife that committeth adultery, which taketh strangers instead of her husband!” (Ezek. 16:15, 32)

But what of the statement: “she is not my wife, neither am I her husband” (Hoshea 2:2)? Israel was not a wife to Jehovah: she was cavorting with lovers. God was not a husband to her: Israel rejected His love and attention. Israel had forsaken her marriage with the Lord; “and the inward, moral dissolution of the covenant of grace would be inevitably followed by the outward, actually dissolution, viz, by the rejection of the nation.”⁹ For this reason the people were to “plead” with the nation of Israel “lest I strip her naked, and set her as in the day that she was born” (Hoshea 2:2-3).

The Scriptures do not teach what the theorist asserts, that Israel divorced God. He further falsely asserts that:

3. The Jews *married* idols. Here the theorist identifies “join” with marriage: “Ephraim is joined to idols” (Hoshea 4:17). But “join” is not “marriage.” One joined to a harlot is not married to her. (1 Cor. 6:16) The word *chabar* (Hebrew) means “‘to join or unite’ two or more things.”¹⁰ Idols is plural: Israel adhered to idolatry. Nothing is said of marriage. The desire of the theorist is the father of the claim, not the language of Scripture.

“But doesn’t reference to ‘first husband’ imply a second (Hoshea 2:7)?” No. God had already stated that He was no longer in the role of husband, that role being filled by “lovers,” “hired lovers.” (Hoshea 8:9) Yet, following her abandonment, she would decide to return unto Him who was first her husband. There is nothing in the context of Hoshea to indicate that she divorced God and married others. Had she done so, she could not have come back to God. (Deut. 24:4) Though God would punish her and send her into captivity—“I will even deal with thee as thou hast done, which has despised the oath in breaking the covenant” (Ezek. 16:59)—God says, “Nevertheless I will remember my covenant with thee in the days of thy youth, and I will establish unto thee an everlasting covenant” (Ezek. 16:60).

If it were true, as the theorist asserts, that Israel divorced God and married another, then God could not have taken Israel back. Was God willing to violate His own law (Deut. 24:4), to take back a divorced and remarried Israel? Yet God besought Israel to return. She could because she had not married another. This is the argument stated by Jeremiah:

“They say, if a man put away his wife, and she go from him, and become another man’s, shall he return unto her again? Shall not that land be greatly polluted? But thou hast played the harlot with many lovers: yet return again to me, said the Lord.” (Jer. 3:1)

This passage alone thoroughly refutes the fallacious argument of the “mental divorce” theorist.

4. God *divorced* the Jews. God divorced Israel for *harlotry*, not for adultery committed in a second marriage. (Ezek. 3:6) If it had been because Israel had remarried, then the Jews could not return. Yet in the very context of “put away,” God said, “Return thou backsliding Israel... Turn, O backsliding children, saith the Lord: for I am *married unto you...*” (Ezek. 3:12, 14) He did not consider the relationship irrevocably broken, which would have been the case if Israel had divorced God and remarried. God could take the people back; He still held in remembrance the relationship: “I will remember my covenant with thee in the days of thy youth, and I will establish unto thee an everlasting covenant” (Ezek. 16:60). God had not put away Israel because He rejected the relationship (Isa. 50:1)—Israel suffered because of her own sins. Yet, of Israel and Judah, as many as would repent, God would renew the relationship. (Ezekiel 37.)

5. God *married* another. No. God still remembered His marriage commitment to the Jews: “I am married to you” (Ezek. 3:14). He did not refuse to take back the penitent people. Israel was called upon to *return* to God which she could not do if she had divorced and married another. (Hos. 14:1-2, 4).

If the theorist is thinking about the people of God under the new covenant, we would remind him that Israel is not rejected, for Jews as well as Gentiles may be saved in Christ. The Jews may be married to Christ without committing spiritual adultery (with reference to the law), by reason of *death* to the law—*not* because of divorce! (Rom. 7:4)

The argument that God did what the theorist is trying to justify is just *not so!* The argument is a perversion of the Scriptures. The theorist argues from what he thinks is “implied” in defiance of what is *said*. The argument, as with the concept, is born of a desire to circumvent the Lord’s teaching. It is the product of wishful thinking rather than of sound exegesis.

¹ Webster’s **New International Dictionary**, 2nd ed., page 2147.

² Henry Thayer, **Greek-English Lexicon**, page 674.

³ Webster's, **op cit.**, page 1936.

⁴ **Ibid.**

⁵ Webster's, **op. cit.**, page 2079.

⁶ Kenneth S. Wuest, **Wuest's Word Studies**, vol. I (Mark), page 198.

⁷ William Gesenius, **Hebrew-English Lexicon** (tr. by Edward Robinson), page 283.

⁸ Gesenius, **op. cit.**, page 17.

⁹ C.F. Keil and F. Delitzsch, **Commentary on the Old Testament** (ten vol. set), vol. 10, page 52.

¹⁰ R. Laird Harris, ed., **Theological Wordbook of the Old Testament**, vol. I, page 260.

“Mental Divorce” Versus “What Jesus Said”

“But I say unto you, That whosoever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery: and whosoever shall marry her that is divorced committeth adultery.” (Matthew 5:32)

This is what Jesus said. Without qualification, whoever shall marry her that is divorced committeth adultery. All agree that “Christ *said* that the put away party could not remarry without adultery taking place.” Literally the text reads:

<i>Hos ean</i>	<i>apolelumenen</i>	<i>gamese</i>	<i>moichaitai</i>
Whoever	a dismissed (woman)	marries	commits adultery

Whoever marries a divorced (person) commits adultery. There is no problem with what Jesus *said*.

The new school of “mental divorce” theorists agree that this is reasonable. If one is guilty of fornication and is divorced, the consequence he brought upon himself is by reason of his own infidelity. Or, if the one divorced wanted to be released from the marriage, he is responsible for the consequences. These ought, and must, remain “unmarried.” But what of the person who desired to keep the marriage intact, and who, despite every effort, is put away? Must he bear the consequence of remaining “unmarried”? Here the “mental divorce” theorist allows his emotions to take over. Surely some way can be found to get around what Jesus *said* so that such a divorced person may marry again! But how? “Christ said that the put away party could not remarry without adultery taking place,” he notes. As a “put away” (or “divorced”) person, no allowance is made for a second marriage. The only way to get around what Jesus *said* is to somehow change the “divorced” person into the one who “divorces.” *Is there any way for this put away person to change his/her state so that he is no longer considered the put away person?*

The marriage theorist thinks that he has found a way. He reasons that (1) death frees the one “put away,” looses the bond. Thus his status is changed. And (2) if the two are reconciled, the marriage is restored, then the one “put away” is no longer divorced. He then concludes, “If Matthew 19:9 allows for these for which it says nothing, why will it not allow a party who has tried to maintain a marriage, but was refused by an ungodly companion, the right to put away for fornication?” And so he invokes his “mental divorce” concept: the one divorced may (mentally) divorce, and the second divorce will change the state of the one divorced into the category of one who divorces! How is this possible? On the basis that Matthew 19:9 allows for (1) death and (2) separation “for which it says nothing,” and so it ought to allow for (3) mental divorce *of which it says nothing!* Authority is found in the silence of the Scripture!

In the first place, Matthew 19:9 does not allow for things of which it says nothing. In the second place, the Scriptures are not silent as to death and reconciliation. (1) Death releases (looses) one from the bond (bound by law) so that “if her husband be *dead*, she is free from that law; so that she is no adulteress, though she be married to another man.” (Rom. 7:2-3) (2) If one is divorced, “let her remain unmarried, or be reconciled to her husband” (1 Cor. 7:11). What we know about marriage after death and about reconciliation we know from statements of Scripture, and not from the silence of Matthew 19:9. Now if (3) a “mental divorce” changes the state of one divorced, then let the theorist find the statement that so affirms! Authority for his theory is not found in the silence of Matthew 19:9.

This is the fallacy of the “mental divorce” concept: it presumes to speak where God is silent. It reads into the text. Beginning with what Jesus *said* (“Christ said that the put away party could not remarry without adultery taking place”), the theorist invokes the silence of Matthew 19:9 (“for which it says nothing) and winds up with a *conclusion that contradicts what Jesus said*, viz. the put away party may indeed remarry without committing adultery! Amazing, indeed.

1 Corinthians 7:15

That the silence of Matthew 19:9 does allow for the “put away person to change his/her state,” the theorist contends is demonstrated in 1 Corinthians 7:15. “If,” he reasons, “an unbeliever (this may be anyone who is disobedient) departs, the brother or sister is not under bondage in such cases.” The theorist broadens the term, “unbeliever,” to include all persons who violate the marriage contract—if “anyone” departs so as to make all divorce situations covered. He changes the context from a particular situation where faith is the question involved to a context of divorces in general where faith in Christ is not the issue. His interpretation demands that “departs” involves divorcement. Having doctored the context, he can now assume that if “anyone” departs, then the “believer” (the one who wants to keep the marriage) is not under “bondage,” which he now conveys to mean “*not bound* to render the services of the marriage.” The conclusion is that he may now “mentally put away” the departed mate who has divorced him. Hence a divorced person now becomes the one who divorces! His status is changed so that he can escape from what the Lord *said* in Matthew 19:9. And 1 Cor. 7:15 is supposed to demonstrate this!

The flaw with all theorists who seek an “escape route” in 1 Cor. 7:15 is that they equate “bondage” with “bound.” The words are not the same in either the English or in the Greek. “Bondage” (*douloo*) is transitive which “signifies to make a slave of, to bring into bondage.”¹ The tense is perfect passive indicative which “implies a past action and affirms an existing result.”² The negative qualification is to say that the subjection in marriage (past action) does *not* require “absolute subjection or loss of authority”³ so as to require the believer to renounce his faith in submission to his marriage partner. Note that “bondage” is with respect to one’s mate. “Bond” (*deo*), however refers to the imposition of obligations and restraints by God. It is a patent fallacy to equate the terms.

1 Corinthians 7:15 does not encompass the leaving of “everyone” from a marriage relationship. It deals specifically with an unbeliever’s antagonism to the Christian’s faith. The “bondage” is the subjection to one’s mate—not a “mental state” that “takes place between man and God.” The release from bondage is not “a mental act of divorcement,” nor is it a release from the “bond” (*deo*). It thus may be observed that every essential element of the “mental divorce” concept is read *into* the text. It is a case of eisegesis, not exegesis, and is born of emotion rather than of respect of authority.

Play Upon Emotions

Of course, we all are sympathetic with those who are in violation of God’s will and must suffer the consequences. This includes the person put away for his infidelity. Repentance and great remorse, however, do not negate God’s law. Neither does sorrow for them. If respect for God’s will was subject to human emotions, God in effect would have no law. Our sympathy is also with those who put away without cause, and those so divorced, who must “remain unmarried or be reconciled.” (1 Cor. 7:11) But, again, our feelings do not constitute the laws of God.

“But,” one may counter, “it doesn’t seem fair that one who wants to do right must suffer for the wrongs of others.” Life here and now isn’t always “fair.” The innocent often suffer for the guilt of others. Innocent children suffer for the iniquities of their fathers. (Ex. 20:5, 1 Kings 21:29) The innocent family suffers the loss of a father and provider who is senselessly murdered. Victims in automobile accidents suffer the consequences of drunkenness. Victims of rape suffer the consequences of unbridled lust. Property owners suffer the consequences of theft. Et cetera. “It is not fair! He didn’t want to be murdered. He didn’t want to die in an accident. She didn’t want to be raped. They didn’t want their father killed. Etc.

It isn't fair!" Records will be set right after a while. In this life, however, the innocent often suffer from the sins of others.

"But God will not allow suffering by an innocent person *as a consequence of His law* being violated by another. In the case of divorce, the innocent 'put away' person has to suffer because of the one who put him/her away." Again, if God built a hedge around the innocent so that they never suffered, then men would serve God, not out of love or respect, but for temporal security and blessings. Only evil would suffer. This is not God's way. He allows men to choose between right and wrong without immediate retribution. Judgment God has reserved for the last day. Most see this to be the case in every realm...except marriage.

Does God allow the innocent to suffer because of the demands of His law, when men violate it?

"And among the sons of the priests there were found that had taken strange wives...and they gave their hands that they would put away their wives...and some of them had wives by whom they had children." (Ezra 10:18, 19, 44)

These marriages were contracted in ignorance, but in violation of God's law. The women were not put away because they wanted to be divorced. To the contrary. Yet they suffered the loss of their husbands. And the children suffered. Yet God's law demanded it. Here is an example of innocents suffering as a result of God's law concerning marriage.

"But doesn't God say that 'to avoid fornication, let every man have his own wife, and let every woman her own husband?'" The old-school of "mental divorce" theorists wrest this scripture (1 Cor. 7:2) to justify all remarriages: to avoid fornication, every man has the right to have a wife, even though it be his second, third, fourth, or more! Every man does have the right to have his *own wife*, but he doesn't have the right to *another's* or two *wives* (plural)! Such an application by theorists makes void Gods' marriage laws and is a contradiction of Matthew 19:9. If one divorced has the right to ignore Matthew 19:9, what about one whose mate is incapacitated, or is institutionalized, or is cold and unresponsive? There are many cases where one is deprived of loving companionship besides the one divorced. If sentiment is to rule, and subjectivism to make the judgment, for all practicality God has no law of marriage.

After all of our human reasoning, involving our emotions, it remains that Jesus *said*, "whoever shall marry her which is divorced committeth adultery." (Matt. 5:32) "Yes, but this is not what He means!" This finally is the issue. Do we accept what Jesus said, or are we to be "wise" above that which is revealed to guess at what He meant? (1 Cor. 4:6) It is here that our ways part. Those who are determined to justify all marriages after divorce, or in particular cases attempt to evade what He says, will devise one theory after another, ever searching and never arriving at a position that is satisfactory even to those of mutual desire, while those who respect the Lord's authority are satisfied to take Him at His word. We believe that Jesus *said* what He *means*, and means what He says. Our deepest sympathy for those whose lives are sadly affected cannot change one word. Truth is the truth, and we dare not tamper with it.

¹ W.E. Vine, **Expository Dictionary of N.T. Words**, vol. I, page 139.

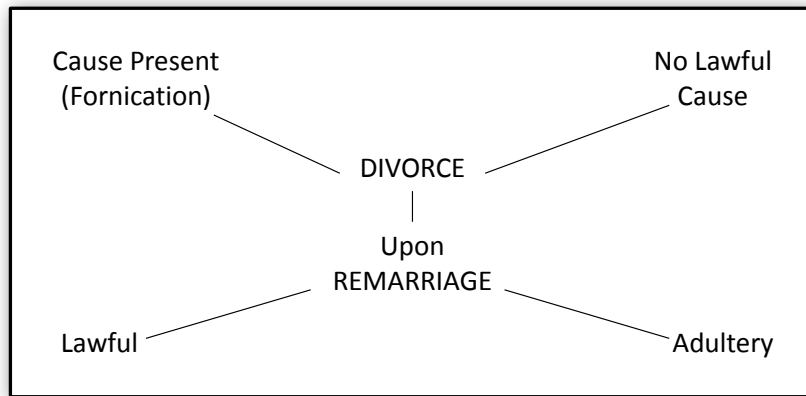
² Ernest DeWitt Burton, **Syntax of the Moods and Tenses in N.T. Greek**, page 6.

³ Karl R. Rengstorf, **Theological Dictionary of the N.T.** (Gerhard Kittel, ed.) vol. II, page 279.

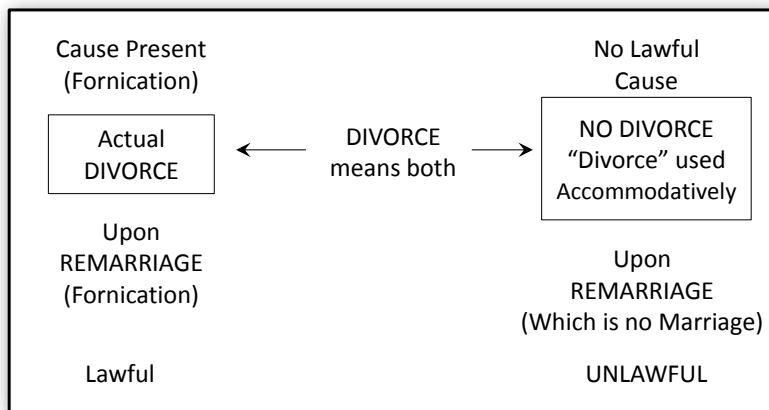
Accommodative Divorce

Whoever 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. (Matthew 19:9)

Jesus used the word “divorce” only *once* to cover two contingencies: where there is a lawful cause (being fornication) and where there is no lawful cause. It should be obvious that “divorce” in the one instance is “divorce” in the other. Whatever He meant by “divorce” in the one case He meant in the other.



Yet, according to the “mental divorce” advocates, when Jesus referred to “divorce” for the cause of fornication (invoking the exception clause), that divorce is actual, literal; but when the divorce is for another cause, that divorce is not actually, literally divorce, in which case He was speaking accommodatively.



There are problems with the “mental divorce” approach. First, the use of the word “divorce,” though used just the once, is given two definitions: (1) actual, literal *divorce*, and (2) *no divorce*, only accommodatively so-called. They have Jesus speaking of one who “divorces” when He means one who

does *not* divorce. In this latter case, Jesus is guilty of deception. The hearers understood Jesus to mean by “divorce” what they meant when raising the question. Jesus did not inform the hearers that He was shifting between *both* literally and accommodatively, and He meant both. They asked about actual, literal divorce, and if Jesus equivocated, and used the same word in two senses, He deceived the audience. I don’t believe it; I don’t accept the theorists’ explanation.

Second, to claim that Jesus gave two differing senses to this one and the same instance of the word “divorce” involves Jesus in a fallacy of syntax. There is a rule of literary interpretation that *a word can have but one fixed meaning in the connection in which it occurs*.¹ Yet, the “mental divorce” proponents have Jesus in violation of this canon, using the same word with *two* meanings! Jesus is not guilty. The fallacy is in the argument of the “mental divorce” theorist and not in what Jesus said.

Third, the approach arbitrarily assumes “divorce” to be non-literal simply to accommodate the “mental divorce” concept. The concept, not the *usus loquendi*, is the father of the exegesis. Yet, it is a general rule that all words and sentences should be taken literally, unless for sound reasons they cannot be.² One does not have the right to assign a figurative usage to a word simply to accommodate his theology. (Grant this prerogative and one can prove most any doctrine. Sectarians have been using this ploy for years: whenever a word or sentence is contradictory to their position, they arbitrarily call it figurative.)

How can we determine whether the Lord was speaking literally, actually or figuratively? D.R. Dungan, in his book on *Hermeneutics*, lists 8 rules by which we “can know figurative language”³:

1. The sense of the context will indicate it, i.e. the passage must demand it, not the will of the exegete.
2. When the literal involves an impossibility.
3. If the literal interpretation will cause one passage to contradict another.
4. When the literal demands actions that are wrong, or forbids those that are good.
5. When it is said to be figurative.
6. When the definite is put for the indefinite.
7. When said in mockery.
8. When statements obviously are in excess of the facts.

There is nothing in the context of Matt. 19:9 that demands that the word “divorce” be taken in an accommodative sense. This idea has not been derived from the context, but has been injected by the will of the exegete in order to sustain a prejudiced conclusion. For Jesus to have meant divorce when He said “divorce” is not impossible nor contradictory of what He says elsewhere about the subject. His usage, with a literal sense, is consistent in all records. There is no reason, no appeal to the canons of hermeneutics can be made, to assign anything less than *actual divorce* to Jesus’ references to “divorce.” To the contrary, to assign a sense other than its natural and obvious meaning is to violate sound exegesis.

Further, contextually it is incongruous that Jesus should speak of divorce in any sense other than its literal import, even as His hearers had introduced it. The Jews had raised a legal question, and Jesus responded to it. The very nature of the setting demanded a clear, unequivocal discussion. We have no reason to believe that Jesus did otherwise.

The Basis of Argumentation

Why do some charge the Lord with equivocating, of using “divorce” in two senses (actually and accommodatively)? It is so that they can contend that when one is divorced, without being guilty of fornication, that this is no divorce at all and the couple are still married in God’s sight. Then, when the one who “divorces” (accommodatively speaking) remarries, the former mate may now “mentally divorce” and remarry with God’s approval. It is claimed that when one who “divorces” (accommodatively

speaking) remarries, he commits adultery against the first mate, and that this could not be unless the marriage was still intact. Hence, the “divorce” was not a divorce actually. Appeal is made to Mark 10:11:

Whosoever shall put away his wife, and marry another, committeth adultery against her.

It is *assumed* that the “her,” against whom adultery is committed, is the “divorced” wife and not the “another,” whom he married. No proof that this is so has been forthcoming. It is not certain: expositors say the expression may refer to either to the prejudice of her (the first wife) or with her (the second).⁴ Obviously no case can be made, which leaves the “mental divorce” proponent without the *proof* he must have to establish his case. His “proof text” is Mark 10:11, but it does not establish his case.

On the other hand, there are “good reasons for understanding the verse thus, *auten* referring to the last women mentioned (*allen*).”⁵ Nigel Turner, writing in *The Bible Translator*, makes this observation:

On the other hand, this is not Mark’s usual employment of *epi* with accusative, and when he does use it for *against*, he does not mean it in a sense like *sinning* against, but always of *violence* against (Satan divided and rising against his own kingdom; nation rising against nation; children rising against their own parents; with swords and staves against a robber).

It is possible that a clue to Mark’s meaning will be found in the *Psalms of Solomon* 8:7, where we have *moichaomai* with accusative, but the phrase is actually borrowed from the Septuagint of Jeremiah 5:9; *moichaomai* is substituted for *chremetizo epi*. It would seem that some in the early Christian period regarded the verbs *moichaomai* and *chremetizo* as practically synonymous, and that therefore Mark’s use of *epi* in this context bears the same meaning it does in Jeremiah 5:9, i.e. *unto* or *with*, and the thought behind the phrase is that of immorality *going after* her, for the action of *neighing to* (*chremetizo epi*) was equivalent to that of committing adultery with.

This is the more probable meaning, and it has the advantage of involving the application of *auten* to the last woman mentioned in the previous clause; this is better than referring *auten* to the more distant object.

Applying *auten* to the last woman, the *her* with whom adultery is committed, is in agreement with what Jesus says as recorded in all other instances. (1) The one who divorces without cause and remarries commits adultery. (Matt. 19:9, Luke 16:18) (2) Whoever he (she) marries commits adultery. (Matt. 19:9) (3) The one who is divorced, upon remarriage commits adultery. (Matt. 5:32) (4) And whoever he (she) marries commits adultery. (Matt. 5:32, 19:9, Luke 16:18) The “mental divorce” proponents try to establish a fifth position: (5) whoever is divorced (accommodatively speaking) is sinned against (adultery) when the mate remarries (accommodatively speaking), and now may divorce (mentally,

One Who Puts Away	One Who Is Put Away
<p style="text-align: center;">Matthew 5:32</p> <p>“That whosoever shall put away his wife, saving for the cause of fornication,”</p>	<p>Causeth her to commit adultery, and whosoever shall marry her that is divorced committeth adultery.”</p>
<p style="text-align: center;">Matthew 19:9</p> <p>“Whosoever shall put away his wife, except it be for fornication, and shall marry another committeth adultery:</p>	<p>And whoso married her which is put away doth commit adultery.”</p>
<p style="text-align: center;">Mark 10:1</p> <p>“Whosoever shall put away his wife, and marry another, committeth adultery against her. And if a woman shall put away her husband and be married to another, she committeth adultery.”</p>	
<p style="text-align: center;">Luke 16:18</p> <p>“Whosoever putteth away his wife, and marrieth another committeth adultery:</p>	<p>And whosoever marrieth her which is put away from her husband committeth adultery.”</p>
<p>Observe that whoever puts away and marries again commits adultery—with one exception: if he puts away.</p>	<p>Observe that whoever marries one who is put away commits adultery—there is no exception.</p>

actually) and marry (actually) without sin. This conclusion is born, not of sound exegesis, but out of one's desire to find justification for some (whom they would arbitrarily severely limit) who are divorced to remarry with God's approval. However, it remains that the Lord said, and consistently so recorded, that whoever marries a divorced person commits adultery.

¹ Louis Berkhof, **Principles of Biblical Interpretation**, p. 75.

² Robert Milligan, **Reason and Revelation**, p. 332; et al.

³ D.R. Dungan, **Hermeneutics**, pp. 195-202.

⁴ Kenneth S. Wuest, **Word Studies** (Mark), Vol. 1, p. 198.

⁵ Nigel Turner, **The Bible Translator**, October 1956, pp. 151-152.