

**Marriage, Divorce and Remarriage.**

This document is a discussion paper. It is presented as a result of the commitment at the time of the Development Team Report to review our position papers. Members are invited to study it, to contribute to discussions that will be arranged in connection with it and to be involved in the adoption of a finally agreed position paper, possibly at the Church Meeting in November 2004.

A copy of the existing position paper on this subject has been issued in the Members' Handbook.

This paper addresses the following topics:

Marriage

Divorce

Remarriage

We are addressing important and sometimes difficult issues and expect that there will be sensitivity in how matters are discussed and debated. We have members of the church and those with family members who have been through the experience of divorce. Some have been remarried following divorce. This is not an abstract theological discussion.

There is a 'Frequently Asked Questions' section at the end of the paper. This format has been used to provide a means of addressing important issues in a succinct way while keeping the main section of the paper as accessible as possible.

A radical simplification and standardization of the arrangements for marriages in Northern Ireland has been introduced. One feature of the new law is that there will be no requirement for the registration of buildings for the purpose of marriage. All existing registrations will be disregarded and no legal obligation now exists to make a registered building available for a marriage to take place. The system of keeping official church registers of marriage has been discontinued.

**Marriage in scripture:**

Marriage is a creation ordinance. That is to say it was instituted by God at the beginning of human history as his decreed context for male and female companionship, sexual union, the birth and rearing of children (Matt.19:4-6). It is to be respected, promoted and honoured in all cultures among all peoples, not just Christians. (Gen.2:18-24. Prov.2:16-17. Heb.13:4)

Marriage is intended as a lifetime covenant relationship. That is to say that marriage is a life-long contract between husband and wife set in the context of family and community. Christians understand that the promises and vows made before God form the terms of the contract. The marriage relationship may be compared to the covenant between God and the nation of Israel and Christ and the church. (Ezek. 16:8; Mal.2:14; Eph.5:21-23)

Various cultural approaches to marriage are recognised and accepted in scripture – from the arranged marriages in Genesis to the apparent marriages of choice in the context of first century Corinth. We recognise a marriage as valid whether it is conducted in a civil or religious setting and whether the context is Christian, some other faith or secular.

A biblical understanding of marriage affirms the following:

- It is between a man and a woman - not two people of the same sex (Gen.2:24)
- It is to be monogamous (1Cor.7:2)
- It is a lifetime commitment requiring faithfulness and fidelity (Matt.19:6; Rom.7:2)
- It is to be contracted between two Christians and not with an unbeliever (1Cor.7:39)
- It is approached and contracted in different ways in different cultures. (Jewish & Gentile practices are accepted without judgement in the New Testament)
- It is affirmed and contracted on commitment based on love and respect. (Love and respect are commanded - Eph.5:21-33)
- It has important social implications and is not merely a private matter.

**Pastoral & Practical considerations:**

1. Pastoral pre-marriage guidance will be offered to those who are planning to marry. Couples are encouraged to seek pastoral guidance before becoming engaged.
2. Those requesting marriage in Windsor or by the pastor of the church elsewhere will be expected to commit themselves to pre-marriage guidance sessions.
3. The conduct of a service of marriage in Windsor will be agreed with the pastor/elders.
4. The church will seek to provide ongoing support for married couples.
5. Those who find themselves with difficulties in their marriage are urged to seek pastoral help at the earliest opportunity.
6. The church will not facilitate a marriage between a believer and an unbeliever.

## Divorce

Scripture states that God hates divorce (Mal.2:16). Just as Israel proved unfaithful to the covenant with God so, unfortunately, the marriage covenant can be broken (Deut.24:1-4; Isa.24:5; Jer.3:8; Mal.2:14). In Exodus 21:11 & Deut 21:10-11 failure to fulfil the obligations of marriage permitted a slave or foreign wife to go free – from slavery and from the marriage. In Ezra 10 people were instructed to divorce.

When addressing the Jewish crowds (Matt.5:31-32 & Luke 16:18) Jesus speaks strongly against the contemporary practice of men divorcing their wives as and when they wished. In Matthew's account an exception clause is included which restricts the grounds for divorce to sexual indecency (NIV, marital unfaithfulness). Significantly, immediately before speaking about divorce in Matt.5 Jesus redefines the accepted concept of adultery to embrace attitude as well as action (Matt.5:27-30).

When responding to questions about the interpretation of Deut.24, put to him by Jewish leaders (Matt.19:3-9 & Mark 10:2-12), Jesus reaffirms God's intention regarding the permanence of marriage. In this context he states that divorce was permitted because of the hardness of our human hearts and there is a strong statement to the effect that a man or woman who divorces their partner and remarries commits adultery. In the Matthew account there is again an 'except' statement that reiterates that divorce is properly restricted to the context of sexual sin.

Paul, when writing to the Christians at Corinth from both Jewish and Gentile backgrounds, provides instruction as to the importance of marriage and states that a wife should not separate from her husband but if she does she should remain unmarried or be reconciled with her husband (1Cor.7:10-11). Paul also states that a husband should not divorce his wife (1Cor.7:11(b)).

Paul acknowledges that unbelieving partners may abandon their Christian spouse. In such circumstances the Christian spouse is not bound, i.e. divorce is permitted (1Cor.7:15).

In summary:

- It is clear that the highest standards of fidelity in marriage are expected among Christians
- While abhorrent to God divorce is permitted because of the consequences of our human fallenness
- Reconciliation and forgiveness are to be pursued in preference to divorce
- The New Testament permits divorce because of sexual immorality or desertion by an unbeliever.
- The Old Testament permits divorce on a number of other grounds as indicated in the passages above
- Divorce brings a marriage to an end whatever the grounds or circumstances
- Formal ongoing Separation is an acceptable alternative to divorce.

**Pastoral & Practical considerations:**

As a result of our human sinfulness there are times when a marriage relationship may be in difficulty. This can arise as a consequence of unfaithfulness or other serious offence or breakdown in trust. While there may be on occasions a guilty and an innocent party in a marriage breakdown it can be very difficult to make a clear judgement in some circumstances. Pastoral counsel will seek to facilitate and encourage reconciliation and forgiveness in situations of marriage difficulty. It is accepted that facilitating reconciliation may entail temporary separation.

The church shall seek to provide appropriate pastoral support for any undergoing divorce proceedings.

A person applying for membership of the church who is divorced, whether when an unbeliever or a professing Christian, will not be refused membership solely on such grounds.

All applications for membership involving persons who have been divorced shall be dealt with by the elders.

## Remarriage

The Old Testament permitted remarriage for those who had been divorced on legitimate grounds (Deut.24:1-4)

Jesus' teaching indicates that to divorce without good cause and to remarry is an adulterous action. Jesus puts no restriction on remarriage when divorce has good cause.

Paul's teaching in Romans 7:2-3 is sometimes understood to be a total prohibition on remarriage. However, Paul is drawing from marriage to illustrate the relationship between the Christian and the law in the context of the death of Christ and is not attempting to address any other aspects of divorce and remarriage.

Divorce and remarriage do not constitute the unpardonable sin. (Matt.12:31)

### **Pastoral & Practical considerations:**

As marriage is a creation ordinance the same biblical principles apply to the actions and behaviour of Christians and unbelievers in marriage relationships. A high and Godly standard is expected of those who are Christians and the church is expected to uphold those standards. However, both believer and non-believer require a similar attitude of repentance towards God following moral and marital failure.

Our policy in practice will be that remarriage following divorce or marriage to a divorcee shall be permitted where the grounds for divorce were sexual immorality or desertion by an unbelieving partner.

Remarriage of a divorcee whose circumstances do not fall clearly into either of the above categories may be permitted if after investigation of the circumstances the elders are satisfied that there is a proper attitude of repentance and the issues arising from the previous marriage have been fully addressed.

Pastoral involvement in the marriage that involves a divorcee shall be determined by the pastor and elders on a case by case basis.

A person divorced and remarried shall not be refused membership solely on such grounds.

All applications for membership involving persons who have been divorced and remarried shall be dealt with by the elders.

## **FAQs**

This section is included to provide a means of addressing common questions that arise in connection with marriage, divorce and remarriage. We want the church policy to be as concise as possible but at the same time want a mechanism to address question that arise from a discussion of the subject. You may have questions that are not dealt with below but it is our hope that as the issues are discussed before a policy is adopted the questions that are raised and addressed can be included in this FAQ section.

A person's view of the nature of marriage will determine their view of divorce and remarriage. There are, broadly speaking, two distinct foundational approaches to marriage within Christian thinking. One is to see marriage as an 'indissoluble union' created through a 'joining together' done by God beyond what a couple do in marriage. The other is to see marriage primarily as a covenant into which two people enter before God. The position paper assumes the latter approach. It is important to appreciate that the answers to the FAQs below are strongly influenced by this interpretation.. However, it is hoped that the answers will provide a reliable outline of alternative views from those of the elders.

### **What does 'become one flesh' mean?**

The term 'one flesh' first occurs in Gen.2:24 where the concept of marriage is being outlined for the first time in scripture. It doesn't occur anywhere else in the Old Testament but the text of Gen.2:24 is quoted in three other settings in the New Testament – Matt.19:5 & Mark 10:7-8; 1Cor.6:16; Eph.5:31.

Gen.2:24 states 'for this reason a man will leave his father and mother and be united to his wife, and they will become one flesh.' Some writers speak of the becoming one flesh as a mystical divine unification of two people brought about by God. Andrew Cornes considers it to be the most important phrase in regard to marriage and says:

"...I believe ...the phrase 'they become one flesh' shows that something happens to a man and woman when they are married; a transformation takes place of which they are the passive recipients, even though their choice and action set the transformation in motion ...it takes place at the deepest and most elemental level: they become a unity.' (Cornes p.61)

Cornes' view is that however a marriage is entered into, in whatever circumstances, God does something that creates an indissoluble unity. Cornes argues the point from the Matthew and Mark passages in which Jesus quotes Gen.2:24 and then adds, 'So they are no longer two, but one. Therefore, what God has joined together, let not man separate'. Cornes understands the 'what God has joined together' as expressing the additional dimension to marriage, the 'something that happens to a man and a woman when they are married.' Following this line of reasoning it is obvious why while divorce may be permitted under certain circumstances remarriage is never permissible because the union made, the 'becoming one flesh', cannot ever be undone.

Others take the view that becoming 'one flesh' is descriptive of what is created and develops in a marriage as opposed to a separate action effected upon the couple. David Atkinson puts it this way:

'It refers to the personal union of man with woman, woman with man, at all levels of their lives, which is expressed in and deepened through the sexual relationship.' (Atkinson p.76)

No one suggests that the 'one flesh' concept should be reduced to meaning simply sexual union but the 1Cor.6:16 passage strongly links the implications of sexual union with a prostitute with the idea of becoming 'one with her in body' and Paul quotes the Gen.2:24 text to make his point, 'The two will become one flesh'. Paul is not saying that having sex with a prostitute constitutes marriage. Sex does not make marriage though it is an important constituent part of marriage, but sex does, according to Paul, establish a 'one flesh' relationship. For this reason the understanding adopted in this paper is that 'becoming one flesh' is descriptive of what takes place as the consequence of a marriage, which is essentially two people 'leaving' father and mother and 'cleaving' to one another in the context of which sexual union is appropriate. We do not share Cornes' view, which in our opinion, carries more of a mystical/sacramental content than we feel the text implies.

### **What does Jesus mean by the phrase 'God has joined together'?**

Jesus uses this phrase when answering the question put to him by the Pharisees (Matt.19 & Mark 10). The Pharisees are trying to draw Jesus into one of the big debates of the day. Two powerful Rabbis had conflicting views on divorce. One saw Deut 24:1-4 as permitting

divorce for just about any reason and the other took a much stricter reading of the text and taught that divorce was permissible where there was some sexual immorality. This was an exclusively male concern. Men 'owned' their wives, they paid good dowries for them(!), and could divorce them by simply giving them a letter of divorce (such as Joseph planned to do with Mary the mother of Jesus – Matt.1:19). Divorce was not a matter for courts or government – men tended to be able to do as they pleased in this matter. Jesus responds to their query, not by answering the question about Deut. 24 but by taking them back to first principles and asking them if they've bothered to read Gen.2:24? Marriage was never intended to be about men buying wives and disposing of them as they pleased. God's intention for marriage was two people being united together and becoming one flesh. Marriage is not to be about male whims and pleasures but God's ordained means of two people becoming one. Jesus' reply rebukes them sharply for playing about with God's creation ordinance. Marriage is God's intention for men and women, both of whom are made in the image of God, who form a new unit together and become one flesh. This is God's doing and men shouldn't be taking it apart.

### **What does the term 'porneia' mean?**

The term '*porneia*' occurs in Matt.5:32 and Matt.19:9 as the key term in what are referred to as the 'exception' clauses. The term does not appear in exactly the same way in each passage but its use is similar.

*Porneia* is used to refer to incest, adultery, prostitution and sexual immorality in general. There is a separate Greek word for adultery '*moicheia*' and it is generally accepted that the term used in Matt. would incorporate adultery but can not be limited to adultery. The NIV seeks to address this using the term 'marital unfaithfulness'. It is not really possible to limit the term within the context of the Matthew passages and say that it means this or that form of sexual immorality. It seems to refer to any and all unlawful sexual activity. Without it being qualified R.H. Stein argues that 'Matthew's audience would have interpreted this term broadly as 'sexual immorality' and included not only adultery, incest, premarital infidelity, but also homosexuality, bestiality and any other sexual conduct condemned in the OT.' (Stein p.195)

### **What does it mean to speak of marriage as a covenant?**

The concept of covenant is central to the Old Testament scriptures defining the nature of God's relationship with his people. It is first used in Genesis 6:18 when God is speaking to Noah and later developed in Genesis 9 and also Genesis 17 as God establishes his covenant with Abraham. It is how Jesus describes what is to be achieved in his death and resurrection when speaking to his disciples in the upper room: 'This cup is the new covenant in my blood, which is poured out for you.' Luke 22:20.

When the prophets address Israel's unfaithfulness to God and their abdication of covenant faithfulness they sometimes illustrate the problem by referring to unfaithfulness in marriage. Ezekiel 16:8, Hosea 2:2-5 and Malachi 2:10-16 are prime examples. In Proverbs 2:17 there is an indication that marriage is understood in terms of a covenant, though some commentators think that the verse is referring to the breaking of the seventh commandment (Ex.20:14).

Some bible scholars think that the nature of God's covenant with his people determines the nature of the human covenant of marriage while others take the view that the covenant that God makes with people is of a different order from that made between people. All agree that marriage is a covenant made between people before God and is therefore to be considered a binding agreement the perfect model of which is God's covenant with his people. This covenant is characterised by 'faithful love', an important Old Testament concept. Clearly the same kind of faithfulness is called for from a man and a woman in a marriage. The position paper assumes an understanding of marriage as a binding covenant made between a man and a woman before God and the community; that the model for the conduct of relationships within the marriage covenant is provided by God's faithful love for his people; that, unlike the covenant God makes and into which he draws people, as a consequence of human sinfulness the marriage covenant may be broken or abandoned and is recognised as broken when divorce occurs.

### **Why did Jesus say remarriage after divorce constituted adultery?**

There are three possible answers to this question.

1. The first is that Jesus is saying that divorce is wrong therefore remarriage is adultery.
2. The second is that Jesus is saying that divorce may be permissible on the grounds of 'porneia' but remarriage is not permissible and is therefore adultery.
3. The answer assumed by this paper is that divorce without just cause is wrong and the remarriage of either party in such circumstances (Matt. 5 deals with the woman, Matt. 19 the man) is an adulterous act.

### **Is divorce the worst or an unforgivable sin?**

No. Scripture is clear as to the nature of the unforgivable sin (Matthew 12:31-32). It is wrong for Christians or the church to treat divorcees or those who have remarried as if they had committed an unforgivable sin and may no longer be fit for membership of the church. Malachi 2:16 makes it clear that God hates divorce. However, Ezra 9&10 make it clear that God also hates Israel's unfaithfulness expressed in the intermarriage with foreign women. The remedy for such unfaithfulness is the 'putting away' – literally divorcing – of the foreign wives who are sent away with their children. Divorce is sinful. It is the consequence of sinfulness. It cannot be treated lightly but it is not unforgivable.

### **Why did Joseph plan to divorce Mary if they weren't married?**

'Because Joseph her husband was a righteous man and did not want to expose her to public disgrace, he had in mind to divorce her quietly.' Matt. 1:19

Joseph and Mary (mother of Jesus) were 'pledged to be married', which in 1<sup>st</sup> Century Judaism, as in many cultures today, was a marriage arrangement contracted but not yet celebrated and consummated. Joseph is referred to as a 'righteous man', a reference not only to his decency but also to his high view of the Law of God. As a 'righteous man' he intended to divorce Mary but intended to do so quietly rather than have her (and her unborn child) stoned to death or publicly shamed. God intervenes in the situation, not to rebuke Joseph for considering divorce but to allay his fears and inform him that the pregnancy was of the Holy Spirit.

Some people think that the exception clauses in Matthew 5 & 19, or indeed the provisions of Deut. 24, refer to betrothal arrangements before a marriage is celebrated and consummated. There does not seem to be evidence to support this assumption regarding Matt. 5 & 19 and it is clearly not the assumption being made by those who questioned Jesus.

### **What do we make of 'separation'?**

1Corinthians 7:10-11 makes it clear that a Christian wife should not leave her husband but if she does (for whatever reason) she should remain unmarried or else be reconciled to her husband. In a culture where the power tended to lie with men who would not have thought about 'leaving' their wives – they would simply have divorced them – Paul reiterates the Lord's teaching that men should not divorce their wives. (What follows in 12-16 indicates that where one party is not a believer the situation and options may be different.)

Separation is not a desirable long term arrangement for Christians. The potential difficulties of a couple living in separation in the context of local church life (the context to which Paul is writing) are all too obvious. However, when dealing with marriage difficulties it may be wise for a couple to separate for a time as reconciliation is sought. Clearly a woman leaving her husband in such circumstances is not ground for divorce.