

4. IMPLICATIONS FOR TODAY

4.1 Marriage is an ordinance of God

Marriage is holy and binds for life. Therefore, death breaks a marriage (Romans 7:7). 1 Corinthians 7:39 reads:

A wife is bound to her husband as long as he lives. If the husband dies, she is free to be married to whom she wishes, only in the Lord.

Marriage is also a covenant for life which is to reflect the covenant of God with his people (e.g., Ezek 16:8ff; Hos 2:18f; Prov 2:17) or of Christ and his congregation (Eph 5:22ff.) God never gave up on his people. He even took his bride back after she had committed adultery with many lovers. He took her back even against the provisions of Deuteronomy 24 (Jer 3:1; 30:14ff.)!³⁰

Marriage is not to be broken. “What God has joined together, let man not put asunder” (Matt 19:6; Mk 10:9). This gives a heavenly dimension to marriage which must be retained. Marriage demands faithfulness of both partners. The consistent emphasis of the Scriptures is that marriages are to be maintained, not dissolved.

While this is all true, God recognized the brokenness of life and the hardness of sinful hearts and thus allowed the breakup of marriage under certain circumstances.

³⁰ For this summary see Douma, *Echtscheiding*, 87.

4.2 Grounds for divorce and remarriage

There are two widely recognized Biblical grounds for divorce:

1. marital unfaithfulness or adultery (Matt 5:31-32; 19:9)
2. desertion by an unbelieving spouse (1 Cor 7:15)

These grounds have long been acknowledged in the history of the Christian church, and are even listed in the Westminster Confession of faith as such.³¹ They have also been recognized in the Canadian Reformed Churches.³² Now to say that these are grounds for divorce does not mean that a divorce has to follow when adultery or desertion take place. Reconciliation should be attempted always! Think again of how the Lord God took back his adulterous people, even contrary to the provisions of his own law (cf. Jer 3:1; Deut 24:1-4).

Now when we say that adultery or marital unfaithfulness and desertion are grounds for divorce, we must work with that within the full light that Scripture sheds on these problems, that is, we must not conceive of this matter legalistically and rigidly. For example, if one of the parties of a marriage is a practising homosexual or lesbian, that could also fall under Matthew 5 and 19, although such sins are clearly not the first point of reference there. However, such sins could nevertheless fall under *porneia* and could certainly break up a marriage. Sexual infidelity is involved. However, here too reconciliation should be sought first, but there are limits, also to that in a broken world. If one considers Old Testament principles, then one realizes that in the Old Testament, the

³¹ See Calvin in his commentaries on Matt 19:9 and 1 Cor 7:15. The Westminster Confession of Faith reads in chapter XXIV.6, "Nothing but adultery, or such wilful desertion as can no way be remedied by the church or civil magistrate, is cause sufficient of dissolving the bond of marriage". Passages referred to are Matt 19:8-9 and 1 Cor 7:15.

³² For example, W. W. J. Van Oene, "Marriage and Divorce", *Canadian Reformed Magazine* 22:3 (1972) 1-3, 6; 22:4 (1972) 3-4, 7; W. Pouwelse, "Marriage and Divorce", *Clarion* 33 (1984) 412.

Lord God broke up such marriages himself by commanding the homosexual to be put to death (Lev 20:13; cf. 18:22).³³

Another example of not working legalistically in terms of “grounds of divorce” is this. Suppose a Christian husband or wife deserts his or her spouse and the family. It may even be that it is clear that both are at fault for the breakup. Does 1 Corinthians 7 have absolutely nothing to say here? One could say that according to the analogy of 1 Corinthians 7, this could lead to a permanent breakup. Of course everything must be done to work reconciliation. Two Christians cannot remain separated! In Christ there is every basis of reconciliation and that must be worked at. If it becomes apparent that there is unwillingness with one of the parties, then, in such a case church discipline would have to be applied. The end result may be that it becomes evident that one of the parties is not a Christian and then the principles of 1 Corinthians 7 could be applied, even though the situation that has unfolded is not exactly the same as that in 1 Corinthians 7.³⁴

It should be noticed that the unbelief of a spouse is no ground for divorce for the church today. In other words what was possible in the days of Ezra when divorces were pronounced and unbelieving wives and their children were sent away, finds no Biblical justification today. As a matter of fact, this sort of action is specifically forbidden in 1 Corinthians 7:12-13 and the children of a mixed marriage are to be considered holy (1 Cor 7:14).³⁵ Needless to say, the New Testament warns against mixed marriages and they should not be entered into (2 Cor 6:14-7:1).

A legitimate divorce, legitimate in God’s eyes, means that the marriage is broken, dissolved. The parties of the former marriage are

³³ See above § 2.2.2. Also see Douma, *Echtscheiding*, 101-102.

³⁴ See Douma, *Echtscheiding*, 103-104.

³⁵ See Grosheide, *Ezra-Nehemia*, 269. There is no direct line from Ezra 10 to 1 Cor 7 (contra Van Oene in *Canadian Reformed Magazine*, 21:4 [1972] 4, 7).

thus not prohibited from remarrying. As we have seen, this was the case in both the Old Testament and New Testament.

Today there is a vigorous body of opinion that denies that remarriage can ever take place after divorce, regardless of the grounds. This is based on a superficial reading of passages like Mark 10:11-12.

11. Whoever divorces his wife and marries another, commits adultery against her;

12. and if she divorces her husband and marries another, she commits adultery.

We have already shown how this view is untenable on the basis of the larger context of Scripture. I would now like to add some observations.

In support of the view that remarriage can never take place, the writings of the early church are often appealed to. The idea is that they were strict in those days, and we should be too. Several things should be noted.

i. There was no unanimity about the issue of remarriage in the early church. Even though the church officially did not allow remarriage by any partner as long as the original partners were still alive, not all were convinced that this was Biblical.³⁶

ii. The early church was influenced negatively by asceticism by which virginity and the unmarried state were highly rated and marriage was in essence seen as second rate.³⁷

iii. At the same time, the thinking developed in the early church that marriage was a sacrament which has an indelible character and thus cannot be broken. Marriage is a sign of a higher reality.³⁸

We should not come under the influence of asceticism or Roman Catholic sacramentalism when discussing these matters, but we should let ourselves be guided with the fullness of Scripture.

³⁶ Douma, *Echtscheidung*, 48-50.

³⁷ See further Douma, *Echtscheidung*, 52.

³⁸ Douma, *Echtscheidung*, 51.

4.3 Office Bearers and divorce and remarriage

Unlike the Old Testament which made a special rule for the priests, forbidding them to marry a divorced woman (Lev 21:7), the New Testament contains no such regulation for the offices in the New Testament church. This is not so surprising when one considers that the office of priest does not continue in the New Testament church.³⁹ Indeed, in spite of the fact that many priests believed in the Lord Jesus Christ and became members of the New Testament congregation (Acts 6:7), their office did not continue. The entire congregation was a nation of priests who shared access to the heavenly sanctuary in Christ.⁴⁰ Christ has fulfilled the office of priest (cf. Heb 7). This does not mean that there are no priestly aspects to the office of minister, elder, and deacon. There are, as there are priestly aspects to every Christian's calling before God and his neighbour.⁴¹

³⁹ Another issue is whether a minister who has committed adultery can be reinstated into the ministry. Cf. R. Kent Hughes and John H. Armstrong, "Why Adulterous Pastors Should not be Restored", *Christianity Today*, April 3, 1995, pp. 33-36. For a discussion on such a related issues respecting office bearers, see Douma, *Echtscheiding*, 126-127.

⁴⁰ E. P. Clowney, "A Brief for Church Governors", in M. R. Brown, *Order in the Offices* (Duncansville, PA: Classic Presbyterian Government Resources 1993), 53. Also see Gispén, *Leviticus*, 299.

⁴¹ On the priestly aspect of the office of preacher of the gospel see Rom 15:16 (cf. Isa 66:18-20) and J. Murray, *The Epistle to the Romans* (NICNT; Grand Rapids: Eerdmans 1968) II, 210-211. Murray also makes it clear that the task of gospel proclaimer is rather different from that of priest, although priestly terminology is used to explain the gospel preacher's task.

4.4 The State and church, and divorce and remarriage

If we compare the divorce legislation in the Old Testament, specifically Deuteronomy 24, with what the New Testament teaches us, then it is clear that God has moved further with his people. Essentially there are now only two legitimate grounds for divorce: firstly, adultery and marital unfaithfulness, and secondly, desertion by an unbelieving spouse. If a divorce is obtained on other grounds, then there should be no remarriage for the marriage has not been terminated in a Biblical manner (1 Cor 7:11). Of course, if there is remarriage, then the original marriage is finished indeed.⁴²

This new situation in which we as New Testament church find ourselves contrasts with the somewhat greater latitude in the Old Testament as seen especially in Deuteronomy 24 where a divorce could be effected for “an indecency”, something other than adultery. As the Lord Jesus put it, this was because of the hardness of the human heart. Although such divorce was factored into the law and tolerated by God, yet it was clearly not pleasing to him. Marriage had not been instituted for that. One could also put it this way. The civil laws of the Old Testament needed to reckon with the reality of the hardness of heart in the population, even if they were all God’s people and members of his church.

Today, our civil government has to hem in evil as much as possible. However, like Moses they cannot do that in full agreement with the Word of God. Civil laws adjust themselves to the population, but God’s people must heed God’s will. This will bring tension.

If a separation has taken place, the consistory will do all it can to work reconciliation, even if there are legitimate reasons for divorce according to Scripture. Reconciliation should be sought first before one resigns oneself to a divorce. But note clearly, a consistory can resign

⁴² See Douma, *Echtscheiding*, 114, 130.

itself to a divorce effected on Biblical grounds. Then one cannot say “God hates divorce” (Mal 2:16) and make life impossible for those affected. That is taking the text of Malachi 2:16 out of context and dealing unjustly with those involved. Thus a divorce on Biblical grounds can be accepted in the church and a remarriage cannot be forbidden. After all the first marriage has been dissolved. However, if there is no Biblical reason for divorce, then the consistory should insist on reconciliation. If full reconciliation with a coming together again as married partners under one roof seems impossible and yet the lives of both concerned are otherwise Christian and upright, the consistory may have to leave it at insisting that no divorce be entertained and that no remarriage is possible (cf. 1 Cor 7:10-11). If there is no willingness to go into that direction then the consistory has no choice but to move to applying church discipline. Ultimately that could lead to excommunication and an application of 1 Corinthians 7:15 for a Biblical divorce.⁴³

But what if someone has gone ahead and before the consistory could intervene secured a divorce which is not justified by Scripture? When a civil judge declares that a legal divorce has broken a marriage, the church may still attempt reconciliation and not consider the judge’s verdict final. In other words, the church can ask the people involved not to consider this as final since it is not pleasing in God’s eyes and to try to undo it.⁴⁴ If this fails, the church has no choice but to acquiesce in the law of the land and accept the divorce.⁴⁵ But the church must also warn against a subsequent remarriage because the divorce was not

⁴³ For this example, see Douma, *Echtscheiding*, 128-130.

⁴⁴ See Douma, *Echtscheiding*, 110; Adams, *Marriage, Divorce, and Remarriage in the Bible*, 88-90.

⁴⁵ See Synod of Utrecht 1923 (of the Reformed Churches in the Netherlands) on Marriage and Divorce as relayed in Douma, *Echtscheiding*, 79 (pt. 4) and p. 84 (where he notes that no church protested the liberalization of marriage laws in the Netherlands in 1971. The implication is that the church must now live with these laws).

according to God's Word. There should be reconciliation or no remarriage (1 Cor 7:11).

The difficulty however is that also in the church there is hardness of hearts. Reconciliation fails and an unjustified divorce takes place. What should be done if one of the parties of the marriage that has just been broken up in a Biblically unjustifiable manner suddenly remarries? This course of events is not unheard of. According to the Synod of Utrecht (1923) of the Reformed Churches in the Netherlands which dealt with such matters,⁴⁶

5. if such an unbiblical divorce is followed by a new marriage, the church must condemn such a marriage as a sinful act and must not in any way cooperate with this remarriage, even though the state does recognize it

6. however, the church cannot forbid such a couple sexual intercourse for that would bind the consciences beyond Scripture and open the door to worse sins.

The Synod then went on to say (under the heading of Discipline After an Unjustified Divorce) that

1. the church is called to exercise discipline against members who obtain a divorce in an unjustified way, also when they enter into a new marriage

2. but, when the accused wishes to return to the church, the church can only set as demand that this sin be confessed and evidence of sorrow for it be shown.

3. the church can only have reason to doubt the sincerity of this sorrow if the same sin of unjustified divorce and remarriage repeats itself.

The matter of divorce and remarriage is an intricate matter, especially since the laws of the land are far more tolerant than the Scriptures are and the Scriptures are normative for members of the church. Many problems can be avoided if at an early stage office bearers are involved in marriage problems and church discipline is faithfully applied to give access to the full treasures of the gospel, also to those

⁴⁶ See Douma, *Echtscheiding*, 79-80. The numbering is from the Synod.

who have marriage problems. The timely application of church discipline will also place members of the church, the marriage partners, before clear choices early on, namely the choice whether to serve the true God or the gods of this world. Much misery can be prevented and sometimes 1 Corinthians 7:15 can become applicable.⁴⁷

⁴⁷ See Adams, *Marriage, Divorce, and Remarriage in the Bible*, 87-91 for telling examples.