

Divorce & Remarriage

I will not go over the divorce statistics. They are frightfully high, but they are declining. Since the 1990s, the divorce rate in America has been on the decline so that there is somewhat of a recovery in terms of the idea of divorce not being the solution to what people thought it was. No-fault divorce was introduced in California in 1970. It got that label because no-fault insurance was pending at the same time. So divorce without grounds was introduced into law on the part of both or either party as no-fault divorce. Since 1985, that obtained an all United States jurisdiction so that is the case all along. The United States, along with Sweden and Canada, is somewhat set apart by the fact that the forms of divorce that we have adopted have altered the legal definition of marriage by making it a relationship terminable at will. That goes against our Judeo-Christian tradition, or particularly, our Christian tradition. So, we have a situation where divorce for no cause is readily available. This is not necessarily the fault of the law. You cannot coerce people to live together in a marriage relationship. However, the law can ensure there will be a waiting period lest things be done precipitously, and it can have various other ways of guarding marriage. Ultimately, the people refuse to be married. They can be divorced in terms of the effectiveness of civil law and disregard.

In this situation, the church does have a role. I relate it to the threefold mediatorial office of Christ. To reflect the prophetic role of Christ, our responsibility is to declare the revealed will of God concerning marriage. We are to declare the ideal even though in a fallen world human beings do not live up to it. Nevertheless, we have a prophetic role to declare the revealed will of God concerning marriage. I think that there is a priestly role to restore sinners through the Gospel of repentance and forgiveness of sins. Folks who have destroyed their marriages need the healing grace of Christ, the healing Word of Christ, and restoration to Him and the body of Christ. And I think there is a kingly role we relate to the office of eldership, particularly, that affects the general office of all believers. It is to nurture persons so that by God's grace they are disposed toward marital fidelity. If we think broadly about the church's role, we can keep in balance those three things—to declare the revealed will of God, to restore sinners through the grace of Christ, and to take the precautionary steps of nurturing people toward marital fidelity.

The Presbyterian Church in America (PCA) report on divorce and remarriage has a good section on premarital counseling as one of the keys toward securing greater fidelity to the ideal of marriage. Fidelity is the key. We went over earlier in the course faithfulness as one of the three weightier matters of the law, which reflects the character of God. In particular, with respect to the marriage covenant, we are called to fidelity. We think of fidelity too often in a static way of just remaining within the boundaries, not committing adultery, but fidelity is more than that. It is more than fidelity to avow, though fidelity is to avow. But what distinguishes the covenant idea of marriage from that of a contract is pledged fidelity. It is pledged fidelity to a person so that it is the other person for whose sake we maintain our vow. We call God to witness that we will be faithful as a supporting element recognizing the tendency of human nature to move in the direction of unfaithfulness. Fidelity is faithful to the calling of marriage and to the relationship. The way fidelity is worked out in a given marriage can be quite creative. It is one of those things that goes beyond what can be specified in terms of duty. There is the boundary in terms of duty, but within those boundaries there is a great deal of freedom for creative fidelity in terms of our marriage as the place where God intends for us to have the fulfillment of our sexuality as He has created us.

Sadly, in a fallen world, the ideal is broken. The ideal is stated in Genesis 2:24, "Man leaves his father and mother and cleaves to his wife. The two become one flesh." Divorce is not envisioned. That ideal before the Fall envisions a lifelong, open-ended relationship. Or I should say a permanent, open-ended

relationship. Not even death was in view in Genesis 2:24, but with the Fall, death dissolves the marriage bond. The question is whether there are other violations of the marriage covenant that so impinge upon the relationship that they also dissolve the marriage bond. There are a limited number of texts on divorce and remarriage in the Scriptures. The way to approach them is to begin with the teaching in the Gospels, then look at the epistles, and then derive some principles after putting them together. In the Gospels, let us deal first with Mark chapter 10. Mark chapter 10 will then take us back into the Old Testament and we will review the Old Testament teaching in connection with Mark 10. In Mark 10:2 it says,

Some Pharisees came, and to test him they asked, “Is it lawful for a man to divorce his wife?” [It sounds innocent enough, but for them, it is a test question. They have doubtless heard His teaching on marriage and divorce. In the Sermon on the Mount, Jesus touched on that. And so they come with a test question.] He replied, “What did Moses command you?” They said, “Moses permitted a man to write a certificate of divorce and send her away.” But Jesus said to them “It was because your hearts were hard that Moses wrote you this law. But at the beginning of creation, God made them male and female. For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh. So they are no longer two but one. Therefore what God has joined together let no man separate.” When they were in the house again, the disciples asked Jesus about this. He answered, “Anyone who divorces his wife and marries another woman commits adultery against her; and if she divorces her husband and marries another man, she commits adultery.”

Obviously the key statement that Jesus makes in this passage is “Therefore what God has joined together let not man separate.” The dominant concern is commitment to the permanence of marriage. The dominant concern of Jesus is the preservation of marriage, and that is highlighted by the very powerful statement, “What God has joined together, let not man separate.”

Sometimes when pastors marry, they join the hands of the couple and pronounce them man and wife. Then the pastor lifts his eyes to the congregation and says, “What God has joined together, let not man put asunder,” as though that statement is directed toward third parties. Well, that is a subordinate concern—do not interfere in this marriage. But the primary reference of that statement is to the couple. He is saying, “Do not put yourselves asunder when God has joined you together.” I said that because divorce under both Jewish and Roman law did not require the pronouncement of some third party, either civil or religious. The couple was no longer bound to each other. Divorce was a matter of repudiation of the marriage on the part of the husband under Jewish law and on the part of either husband or wife under Roman law. All that was required was evidence of intent. So the words (expressions of Jesus’ dominant concern that the marriage bond be maintained) are spoken to the couple. The dominant concern is preservation of the marriage, not prevention of remarriage. Rather, the focus is on preservation of marriage so that attitudes and actions that contribute to the breakdown of the relationship which God intended fall under this principle. Emotional removal from the marriage is already a step in the wrong direction. It is that wandering (typically on the part of men) that leads to emotional involvement outside the relationship with the wife that is already a step in the wrong direction. So Jesus’ dominant concern is with the preservation of the marriage.

Now the Pharisees ask Him (and this was the reason why they brought up the question), “What about the teaching of Moses?” Jesus refers them back to Deuteronomy 24. I will read it in today’s English version because I think that it captures the sense here. It is a long if/then clause, and the “then” does not occur until verse 4. It is case law, and it sets up a number of conditions and then it says what is to be done. Deuteronomy 24:1-4 says, “Suppose a man marries a woman and later decides that he does not want her because he finds something about her that he does not like.” We are used to “and she finds no favor in

his eyes because he has found, literally, nakedness of a thing about her. But that term “nakedness of a thing” is very general, and it is only used in one other instance in the Old Testament, in Deuteronomy 23:14, which is also vague. There it refers to something repulsive, something indecent. I think that the TEV gets the sense right. It says, “Suppose a man marries a woman and later decides he does not want her, because he finds something about her that he does not like. So he writes out divorce papers, gives them to her, and sends her away from his home. And then suppose she marries another man and he also decides he does not want her.” Literally, the Hebrew says, “he hates her,” meaning he dislikes her or he has some aversion to her. “So he also writes out divorce papers, gives them to her, and sends her away from his home. Or suppose her second husband dies. In either case, her first husband is not to marry her again; he is to consider her defiled. If he married her again, it would be offensive to the Lord. You are not to commit such a terrible sin in the land that the Lord your God has given you.” The thrust of this passage—the reason it is there—is to prevent remarriage to the husband who divorced her after she has become the wife of another man, whether he divorces her or dies. The first husband may not take her back again. That is to prevent something like wife swapping. Wife swapping is when you send your wife off for a period of time. Then when the other guy gets tired of her, he sends her back and you take her back again. There are all kinds of abuses that you can think of that would be regarded here. This verse provides some protection for the woman by making her status clear. It requires a certificate of divorce, a written bill of divorce. And with that bill of divorce, her status is at least clear now that she is not married to the first husband. That also provides some protection for her. A man determined to get rid of his wife might resort to murder. So this, at least, provides her with the protection of a bill of divorce.

The rabbis argue over the meaning of the phrase “nakedness of a thing.” The school of Shammi (I am reading from the Mishnah) says a man may not divorce his wife unless he has found a naked thing in her. For it is written, “Because he has found in her indecency in anything [laying the stress on “indecency”].” The school of Hillel says he may divorce her even if she spoils a dish for him because it is written, “He found in her indecency in anything.” Rabbi Akibah says even if he found another fairer than she because it is written, “And it shall be if she finds no favor in his eyes.” Now, I think that what we call the liberal interpretation actually fits the Deuteronomy role. The Hillel’s ground and also Akabah’s ground is entirely subjective: repulsiveness is in the eye of the beholder or the attractiveness of someone else is in the eye of the beholder. It is subjective. This legislation does tolerate arbitrary divorce on the part of the man. I think that is especially clear in the ecclesiology of the second husband who dislikes her, and that is the only reason that has to be given. He has to give her a certificate of divorce, but he has only to dislike her to be rid of her. And understandably, given the sin of men, the liberal exegesis became the dominant view.

In Mark 10 (and also Matthew 19 that we will look at in a moment) it challenges the assumption that was common to both Rabbinic schools, namely that the passage was intended to give grounds for divorce. That is the assumption because this is in case law. They must be talking about grounds for a divorce. Well, what are the grounds? If it is talking about grounds for divorce, then the liberal interpretation is correct, it seems to me, in terms of the exegesis. Even Shammi is liberal in terms of allowing divorce for indecency short of adultery. Something that was embarrassing to the husband is much lesser than what the biblical requirements actually are. So it rather regulated an existing situation of divorce for lesser reasons than adultery. Adultery was a capital offense according to Deuteronomy 22. It allowed it to be done but did not approve it. It allowed it to be done, Jesus says, for the hardness of men’s hearts. “It is because your hearts were hard” that you have this case law which allowed divorce requiring written documentation rendering the husband’s intent and the ex-wife’s status clear.

In the traditional formula, the bill of divorce read, “Lo, thou art permitted to any man.” You have a reflection of that in Hosea 2:4 where the Lord divorces Israel for spiritual adultery. He said, “She is not

my wife neither am I her husband.” So, the fact that the Lord divorces Israel for the sake of adultery is also in the background. But I have to remember what Jesus says about the Mosaic provision. It was given for the hardness of men’s hearts. From the beginning it was not so. He collates Genesis 1 and 2, “For this reason God made them male and female” and “for this cause a man shall leave his father and mother and cleave to his wife and the two will be one flesh.” They are no longer two, but one. And then Jesus said, “What God has joined together let not man put asunder.” You do not have any exceptions in Mark or Luke 16:18. There are specific statements from the Gospels, some of which are unqualified. Mark 10:11-12 and Luke 16:18 are unqualified. Mark 10 makes no mention of an exception, but I think we should understand that such a radical breach such as adultery—as I have said in fact was a capital crime, though the death penalty was not enforced at this time—was not in question as grounds for divorce. That was assumed in the argument. So, when the Jews read Mark 10, they would understand that this forbids divorce in the arbitrary way of Deuteronomy 24, but the question of adultery is aside. You could have inferred that from just the Old Testament teaching on divorce. I should include Malachi 2:16. We are used to Malachi 2:16 saying, “I hate divorce,” says the Lord God of Israel,” but the rest of the verse does not make much sense when it is construed that way. Actually, the Hebrew says, “For He hates divorce,” so there is a bit of a problem with the translation of Malachi 2:16. I have worked on this and particularly worked on it in light of the Septuagint, which has been ignored. But if you take Malachi 2:16 as an if/then clause (as the Hebrew can be taken and the Septuagint definitely takes it that way) then this would be the reading: “If you divorce your wife for hatred”—that is, for dislike, for aversion, for what is tolerated in Deuteronomy 24—“says the Lord God of Israel, ‘then you cover your garment with violence and injustice. The one who divorces his wife out of hatred covers his garment with injustice.’” What is the garment? It is the betrothal garment. Remember Ruth and Boaz and in Ezekiel where the Lord puts His garment over Israel as He claims her for His betrothed. So it is figurative for the betrothal pledge, which established a permanent commitment. “That garment (or betrothal pledge) is now stained with injustice,’ says the Lord God of Hosts.” That has become a standard understanding of Malachi 2:16. It is reflected in a number of the more recent translations.

The most recent thing that I have seen on that is this book by Gordon Hugenberger. He is a professor of Old Testament at Gordon-Conwell. The title of the book is *Marriage as a Covenant*, subtitled *Biblical Law and Ethics as Developed From Malachi*. It was first published in hardback in 1994, but it is now available from Baker in paperback published in 1998. If you want a full defense (on the basis of the Hebrew) of the covenant idea in Malachi and this translation of verse 2:16, you can get it there. Hugenberger translates Malachi 2:16 as “‘If one hates and divorces,’ says Yahweh God of Israel, ‘he covers his garment with violence,’ says Yahweh of Hosts.” He defends taking that as an if/then clause, which is the way the Septuagint takes it.

I taught a semester seminar on divorce and remarriage in which we went over all these verses. As I tried to put together Malachi and as I read some commentaries on it, I had a problem with the way they were dealing with Malachi. So I went to a New Testament colleague with my Septuagint and said, “Help me with this” and began to read. He discovered that the Old Testament commentary tradition has not parsed the Septuagint correctly. There are two readings of the Septuagint. The critical reading says, “If you divorce out of hatred, you cover your garment with violence.” The variant reading says, “If you hate her, divorce her,” which is totally out of the context of Malachi. The first time I went to Ukraine, I had students in the class with Russian Bibles and Ukrainian Bibles. When I told the translator to read Malachi 2:16, he read it in Russian, and those who were following the Ukrainian Bibles were all excited. They said, “No, no, that is not right” because the Russian Bible follows the inferior reading of the Septuagint, “If you hate her, divorce her.” Basically, it was saying, “You do not have to put up with her,” which is totally against the context of Malachi. It was likely developed to bring it in harmony with Deuteronomy 24 when actually it is a protest against Deuteronomy 24. The Ukrainian Bible, which is a

more recent translation, had it right. It is an if/then clause. In our common translation we read it, “‘For I hate divorce,’ says the Lord God of Israel.” Then it does not match the rest of the text. The NIV has to have a paraphrase for that because it changes the subject. But actually, the Hebrew does not say, “I hate divorce,” it says, “He hates divorce.” You can also render that, “He hates the one who divorces out of hatred.” That is the way the Septuagint took it. As a matter of fact, correctly parsed, it gives the latter translation. Malachi recognizes that arbitrary divorce, such as tolerated in Deuteronomy 24, is infidelity.

The point of Malachi chapter 2 is covenant fidelity expressed in two ways: first, marrying within the covenant, and second, not divorcing your wife—the wife of your youth, though she is your partner and your wife by covenant. Arbitrary divorce is a radical breach of covenant fidelity. So, the Old Testament teaching on divorce is complicated by the fact that you have Genesis setting the ideal, Deuteronomy 24 regulating a situation that is a consequence of the Fall, and Malachi protesting against taking advantage of the legislation in terms of one’s personal interests. In Matthew 19 you have an excepted clause. It is in both Matthew 5 and Matthew 19. Since Matthew 19 is directly parallel to Mark 10, I will read it in Matthew 19. It says, “Jesus said to them, ‘For the hardness of your heart, Moses allowed you to divorce your wives, but from the beginning it was not so. And I say to you, whoever divorces his wife, except for *pornea* and marries another, commits adultery.’” Here you do have the excepted clause. *Pornea* originally meant “prostitution,” but it came to mean “unlawful sexual intercourse” generally. It is wider than the term adultery, which technically involves a married person, but it is also used of immoral sexual intercourse on the part of a married person. *Pornea* is the general term for all immoral sexual intercourse. Sometimes you can give it a specific name by context. If payment of wages is going on, you call it prostitution, not fornication. If it involves very close relatives, you call it incest, not fornication. If it involves persons of the same sex, we call it homosexuality. If it involves an unmarried couple, it is unchastity, although we still retain the term fornication for the sexual sin of an unmarried couple. In the Greek, it covers both the married and unmarried. If it involves a married person, it is adultery.

The thing that is crucial for the right interpretation of the exceptive clause in Matthew 19 is the observation that Israel’s covenantal infidelity leading to her divorce by Yahweh is alternatively described as fornication and adultery. The Lord divorces Israel for fornication and for adultery—both *pornea*. The term for “adultery” in Greek is used by Septuagint translations. So you have explicitly in Matthew 19 the inclusion of what was clear in the Old Testament that divorce had become legitimate in the case of adultery. And the paradigm for that is the Lord’s own activity in light of Israel’s adultery. He divorced her. He said, “You are no longer my wife. I am no longer your husband.” God retrieves His sinful, adulterous wife, pursues her through the remnant, and brings her back after the exile. So there is more going on than just the divorce, but it establishes the principle of an exception of what appears at first in Mark and Luke as absolute. The principle is that if you remarry following divorce, you commit adultery. But if adultery is the cause of the divorce, then remarriage following divorce is not adultery.

This goes back, by the way, not to Erasmus (sometimes this exegesis is connected with Erasmus) but it has always been the position of the Eastern Orthodox Church. It has always held the view that divorce with a right of remarriage is appropriate on the grounds of adultery on the basis of Matthew 5 and Matthew 19. It has been kind of pejorative to describe what becomes the position of the Reformers and The Westminster Confession as Erasmian. Actually, it is very ancient interpretation in the church that was known to be a point of contention between East and West in the 15th century. They were talking about reuniting the branches of East and West. There is an historic difference between the two branches of the church East and West. You could have understood Mark. Mark and Luke circulated apart from Matthew at first. Folks reading the Gospel of Mark would have known, if they had paid attention to the Old Testament, that there is an exception with respect to adultery because it was a capital crime and because the Lord divorced Israel for adultery. So it was not as absolute as it seems on the surface.

Thinking exegetically in terms of the whole of Scripture, you could have come to that conclusion. But I thank the Holy Spirit for making it explicit in Matthew 19. We do not have to argue that because there is no textual variant to Matthew 19. There is no supposition that somebody manipulated the teaching of Jesus to lessen its strictness in some way. It is there, and it is because the frame of the question in Matthew 19 is a little different. It is more precise. In light of the way in which it is set up, the exception that is implicit in Mark 10 is explicit in Matthew 19.

When we come to the epistles, the first thing to say is on Romans 7:2-3. That principle still holds. To use the words of John Murray, “The contingency of perverse and wanton violation of marital sanctity need not be taken into consideration when appeal is made to the law that governs marriage.” Paul uses this as an illustration. His point in Romans 7 is not to teach the whole teaching about marriage, divorce, and remarriage. All of his readers know that there are exceptions. This is not intended to say everything. He talks about marriage law in general. So I think that that is the way in which you can harmonize Romans 7 with Matthew 19 in the same way that Mark and Luke are harmonized with Matthew 19.

The major place in the epistles where divorce and remarriage are presented is in Paul’s teaching in 1 Corinthians 7:10-11. Paul says, “To the married, I give charge (not I, but the Lord).” When Paul says “not I, but the Lord,” he is not depreciating his authority as an apostle of the Lord. It is simply referring to something that Jesus taught while he was on earth as recorded in the Gospels. So Paul says, “To the married I give charge (not I but the Lord), that the wife should not separate from her husband.” The word that is used for “separate” is a divorce term. From the woman’s point of view, it was separating out of the domicile. From the man’s point of view, it was sending her out from the domicile. So we are not talking about legal separation. We are talking about a divorce here. He repeats the teaching of the Lord that “the wife should not separate from her husband, but if she does let her remain single”—*agamos* (unmarried, not strictly)—“or else be reconciled to her husband and that the husband should not divorce his wife.” In the Greco Roman World, the distinction from the Jewish world, wives did have the right to divorce their husbands. And “*chorizo*” was the term that was used for that action on the part of a woman. Paul is telling them to remember the teaching of Jesus, and do not do it. Neither the man nor the woman should divorce the other. He is speaking to believers in 1 Corinthians 7:10-11. He does include the thought that a woman might go ahead and divorce in spite of what the Lord says. Sometimes Christians fail to live up to what the Lord teaches and so he very quickly says, “Let her remain unmarried.” You do not divorce and marry somebody else. You hold open the possibility of reconciliation to your husband. Under certain circumstances, a person might divorce but Paul’s rule is to hold open the possibility of reconciliation. How open-ended is this? We do not know. There comes a point where church discipline might have to intervene. To be a marriage requires cohabitation, and this is not a concession that frees a person totally from church concern and church intervention. Apparently, the woman stays within the fellowship, at least for the time being, because even Christian marriages fall short of the ideal. So Paul says in those cases, let there be no remarriage. What the husband may do after a significant period of time goes by is a subsequent question that Paul does not deal with nor does he deal with its implications for church discipline down the road.

To again quote Murray, he said, “Paul recognizes human nature is perverse.” Even Christians struggle against the perversity of our nature. Paul does not mention the exceptions here. “When teachers,” Calvin says, “intend to deal with something briefly, they teach in a general way and exceptions are dealt with in a detailed as well as more inclusive and yet precise discussion.” Paul goes on to say in verses 12-15, “To the rest I say (I, not the Lord)” —Paul, up to verse 12, has been speaking of a couple, both of whom are believing. Paul says that he is saying this, not the Lord. He is not saying this to reduce his authority because when he speaks as an apostle, he speaks with the authority of Christ. When he gives his opinion, he says it is an opinion. When he gives a concession, he says it is a concession. Otherwise, he is using

his apostolic authority to lay out the Christian position. And so this expression, “I, not the Lord,” refers to something the Lord did not specifically address.

In the missionary situation, where one partner becomes a Christian and the other one does not, how should believers proceed? They might think, on the basis of Ezra, that they should divorce their unbelieving partner, but Paul says, “No, if anyone has a wife who is an unbeliever and she consents to live with him, he should not divorce her. If any woman has a husband who is an unbeliever and he consents to live with her, she should not divorce him.” So, incompatibility of religious faith is not grounds for divorce. One should not contract such a marriage. Paul says, “Do not be unequally yoked with unbelievers.” It is like when the Lord said to Israel in entering the land not to make any covenants with the Gibeonites. However, the Israelites bought into this story that Gibeonites were from a distant land, and they did not consult the Lord. That phrase, “Do not make any covenants,” is very significant in that narrative. The Israelites made this covenant with the Gibeonites, and the Lord held them to it. Once you make a covenant, you are held to it. The sin was in entering into covenant with them. But once the covenant was made, they were bound to keep it. The same is true for believers who marry unbelievers. They ought not to do it, but having done it, it is a marriage. And when we find ourselves in a marriage in which one becomes a believer and the other remains in unbelief, it is not grounds for the believer to divorce.

There is, however, this provision in verse 15 of 1 Corinthians 7: “If the unbelieving partner separates [*coridzo*]”—you have the same verb there—“let it be so. In such a case, the brother or sister is not bound for God has called us to peace.” Here, Paul deals differently than he does in verses 10 and 11. You are recognizing the hardness of heart on the parts of unregenerate people that leads to a situation where there is no realistic hope for reconciliation. The phrase “is not bound” implies the freedom to remarry because divorce is that by which all marital duties come to an end. Willful, irremediable abandonment of the marriage, like adultery, is just cause for dissolution of the marriage bond. There may be a reflection of that in 1 Corinthians 7:27-28. The phrases “Are you bound?” and “Are you loosed?” mean “Are you unmarried or are you divorced?” If you are bound to the marriage, you should not seek to change it. Paul, when he says, “Are you loosed,” could mean either “Are you unmarried?” or “Are you divorced?” I think that it applies to those who are divorced that to remarry is no sin. However that may be, where the marriage ceases it is dissolved, and it is dissolved on these two grounds in Scripture: adultery and willful desertion. Those two conditions prevail. I appended the definition of “desertion” from the Oxford Companion to Law. This is the sense in which the Westminster Confession uses the term “desertion.” It goes back to the 17th century. That has been traced out. It says that desertion is “in matrimonial law, the separation of one spouse from the other with the intention of bringing cohabitation to an end without legal justification nor the consent of the other spouse. It may be done by leaving or physically departing from the other spouse or constructively by one spouse so treating the other that he or she is driven to and held justifiably to leave the deserting spouse.” That is the understanding of desertion and in the late 16th century and into the 17th century that is the context in which the Westminster Confession talks about adultery and willful desertion as being grounds for divorce.

The next issue to discuss is the analogy of faith. I sometimes call it the analogy of Scripture. The analogy of faith seeks the theological rationale that unites the two exceptive passages. We have two exceptive passages: Matthew 19, which says “except for *pornea*” and 1 Corinthians 7, which says that desertion is cause for divorce. I was asked why adultery is a sufficient cause for dissolving the bond of marriage. I would say because it is a radical breach of marital fidelity. It violates the commitment of exclusive conjugal love. Why does the departure of the unbeliever in a mixed marriage leave the believer free to remarry? It is because it is a radical breach of marital fidelity, violating the commitment of lifelong companionship. I look at that in terms of the exceptional circumstance that is common to

both of those instances, which is the willful and radical violation of the marriage covenant. And with that violation, the marriage cannot continue. The marriage has already been irretrievably broken. In the case of adultery, however, that is not always the case. We say it is cause sufficient for dissolving the marriage, but adultery does not in itself dissolve the marriage; it is grounds for it. The exceptional circumstance that is common to both of those is willful and radical violation of the marriage covenant. It means that when Jesus says, “except for *pornea*,” He is not presenting every case but is talking about something that radically breaks the marriage bond. Paul expands on that in terms of the relationship of a believer and an unbeliever. When an unbeliever leaves a believer and there is no hope of reconciliation, that also is a radical violation of the marriage covenant.

These two exceptive clauses for adultery and desertion illustrate the sinful possibility of marriages being destroyed. It would be perverse to study arguments unduly to put asunder those whom God has joined together in marriage. I think that that is the pull of sin. Sometimes you take a principle and run with it, and pretty soon you divorce. You are back to Deuteronomy 24 where divorce is arbitrary. Ridderbos made the statement, “But divorce is permitted in cases where one of the two partners, by radically betraying the marital bond, has already irreparably broken the marriage in fact.” I think that sometimes we lay too much emphasis on divorce when we ought to look at what led to the divorce as being the ravages of sin upon the marital relation. While divorce is always an abnormality arising out of human sinfulness, it is nevertheless divinely sanctioned in circumstances of grave infidelity. And though it is unwise to draw up an exhaustive list of such sins, it is clear that some violations of the marriage covenant are of equal gravity of adultery: a husband who forces his wife to have an abortion, a wife who has an abortion without the knowledge of her husband, a husband who habitually beats his wife or children. All these actions strike at the heart of the marriage relationship. And by their actions, they willfully repudiate the one flesh union of marriage. The PCA took the case of spousal abuse and fit it under the principle of desertion. We must understand that desertion is not just when a person leaves. When a person forces a partner to leave that also amounts to the same thing, and that is embodied in the understanding of desertion by law. Then we will understand that persistent spousal abuse is grounds for divorce. It falls under that category of imposing intolerable conditions that make the marriage impossible to continue.

The question has been raised, “Is emotional adultery also grounds for divorce?” Well, I think that we have to be careful about our understanding of emotional adultery. In terms of *pornea*, that term may be sufficient in describing behavior patterns that destroy the sexual side of the marriage, such as addiction to pornography. Our presbytery sadly had to deal with a case where one of our ministers became addicted to pornography and it destroyed his marriage. It just ruined the sexual component of their marriage, but he persisted in it. I do not know that it actually led to divorce in that case. The woman would have had grounds for divorce, but I do not know if she pursued it. We have pursued it with the man in terms of the discipline of the presbytery because it was a marriage-destroying behavior pattern. I think that an impenitent addiction to pornography is a definitive kind of thing. It is considered *pornea* if it persists after attempts to provide counseling in order to overcome it and it is destroying the sexual component of the marriage.

Emotional attraction to someone other than one’s wife is more of a shaky thing. A person can be recalled from that, and there is a need for counseling. I would move very slowly in both emotional disaffection from the marriage and emotional abuse within the marriage. There are situations where the emotional abuse is so extreme that it is the equivalent of making the condition so intolerable that the marriage cannot continue. So, it is not just physical abuse, though it is more definitive when it is physical. I would say in all of these cases, the biblical premium is on maintaining the marriage and reconciliation. We are dealing with sinners who destroy their marriage through infidelity. Our goal

should be reconciliation—to deal with these things through counseling, pastoral care, and the support of the church. At some point you have to make a decision as to whether there has been such a violation of the covenant in terms of what it is in its heart. At the heart of the covenant is sexual intercourse and cohabitation. That is what being one flesh is. It is living together as man and wife. If you willfully destroy the sexual or the living together aspect, it is malicious desertion. Some people are separated by war and many other things against their will, and that is not grounds for divorce. We think of desertion popularly as somebody moving out, and that is one form of it. But it is also causing the other person to move out or not filing for the divorce papers although you have no intention of continuing the marriage. So, the key should not be who filed the divorce papers. You have to look more at the total situation in order to determine whose fault it is. There may be fault on both sides. There is always some fault, obviously, on both sides. The persons are more or less innocent or guilty in terms of causing the disruption and refusing to continue to work on the relationship.

I have several summary principles. Let me just touch on them briefly. The first principle is that marriage is a covenant witnessed by God whereby He joins the couple in a relationship in terms of it being a permanent, sexually exclusive union. We get the idea that it is more than the will of the parties involved. God's will is involved here. Divorce is not a solution for marital disappointment or difficulty. That is why premarital counseling is so important so you get a realistic view of what marriage is before you enter into it. And where that is adopted, the divorce rate is declined. There are some communities where the whole pastoral component of the town says, "We will not marry without premarital counseling," and the divorce rate in those towns has gone down significantly. It is empirical evidence that there is a correlation there. Most PCA churches that I know of now adopt that as a standard policy. We do not marry without weeks of pastoral counseling. We are encouraged to believe that we have resources by God's grace to make our marriages work, to face up to responsibility, and to believe that to endure hardship and suffering is preferable to disobeying a clear command of Christ. It is not that marriages should be easy and there should be no difficulty. We suffer a lot because of the premium the Bible places on reconciliation. We have to recognize that some marriages are destroyed by radical breaches of covenant fidelity. The wrong in such cases is the destruction of the relationship so that the covenant cannot be fulfilled. Divorce is the public and legal attestation. It follows the destruction of the marriage. I do not use the term "breakdown of the marriage" as though something happened to it. It was sinfully destroyed. People do sinfully destroy their marriages. The idea of a covenant does not set up a metaphysical bond but rather a moral bond. It is pledged fidelity, but people can break covenants. They ought not to break them. But when covenants are broken, it should be recognized that they are broken and that there is fault involved. Whether a given case of marital violation is both radical and irremediable can be judged only in the particular circumstances. We are called to exercise judgment here. I know we would prefer it not to be that way. We would prefer it to be death only because death is clear-cut. (It used to be. It is a little complicated now with all the equipment that we have to sustain breathing and so forth.) There is a tendency to want everything to be clear-cut. A couple comes wanting to get married, and one of the partners was divorced before. Typically, the pastor will ask, "Was there adultery involved in your previous marriage?" The hopeful answer is yes because if that is the cause of the divorce, it is clear-cut. Well, things are not always that clear-cut, particularly when you get into the issue of applying the desertion principle. The PCA did apply it to justify divorce on the basis of spousal abuse, but the abuser is held accountable. It is not that there is no church discipline involved. It is recognizing that sometimes Christians do not act like Christians, and they sinfully destroy their marriages.