New issues facing Christians

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Marriage, Cohabitation and Divorce

Marriage is in all societies a recognized and regulated human institution. But it is not a human invention. Christian teaching on this topic begins with the joyful affirmation that marriage is God’s idea, not ours. As the Preface to the 1662 Book of Common Prayer Marriage Service says, it was “instituted by God himself in the time of man’s innocency”; it was “adorned and beautified” by Christ’s presence when he attended the wedding at Cana; and it symbolizes “the mystical union betwixt Christ and his church”. In these ways God has shaped, endorsed and ennobled marriage. True, he calls some people to forgo it and remain single in this life (Matthew 19:11ff.; 1 Corinthians 7:7), and in the next world after the resurrection it will be abolished (Mark 12:25). Nevertheless, while the present order lasts, marriage is to be “honoured by all”; those who “forbid people to marry” are false teachers who have been misled by deceiving spirits (Hebrews 13:4; 1 Timothy 4:1ff.). Moreover, because it is a “creation ordinance”, preceding the fall, it is to be regarded as God’s gracious gift to all humankind.

THE PURPOSE OF MARRIAGE

Classical theology has followed the biblical revelation in identifying three main purposes for which God ordained marriage. It has also usually listed them in the order in which they are mentioned in Genesis 1 and 2, while adding that priority of order does not necessarily signify priority of importance. Firstly, the man and woman were commanded to “be fruitful and increase in number” (Genesis 1:28). So the procreation of children has normally headed the list, together with their upbringing within the love and discipline of the
family. Secondly, God said, “It is not good for the man to be alone. I will make a helper suitable for him” (Genesis 2:18). Thus God intended marriage (to quote the 1662 Book of Common Prayer again) for “the mutual society, help and comfort that the one ought to have of the other both in prosperity and adversity". Thirdly, marriage is intended to be that reciprocal commitment of self-giving love which finds its natural expression in sexual union, or becoming “one flesh” (Genesis 2:24).

These three needs have been strengthened by the fall. The loving discipline of family life has become all the more necessary because of the waywardness of children, mutual support because of the sorrows of a broken world, and sexual union because of temptation to immorality. But all three purposes existed before the fall and must be seen as part of God’s loving provision in the institution of marriage.

The higher our concept of God’s original purpose for marriage and the family, the more devastating the experience of divorce is bound to be. Marital breakdown is always a tragedy. It contradicts God’s will, frustrates his purpose, brings to husband and wife the acute pains of alienation, disillusion, recrimination and guilt, and precipitates in any children a crisis of bewilderment, insecurity and often anger. 2

The nearest the Bible comes to a definition of marriage is Genesis 2:24, which Jesus himself was later to quote as a word of God, when asked about permissible grounds for divorce (Matthew 19:4 – 5). Immediately after Eve has been created and brought to Adam, and Adam has recognized her (in an outburst of love poetry) as his God-given spouse, the narrator comments: “For this reason a man will leave his father and mother and be united to his wife: and they will become one flesh.”

From this we may deduce that a marriage exists in God’s sight when a man leaves his parents, with a view not merely to living apart from them but to “cleaving” to his wife and becoming one flesh with her. The “leaving” and the “cleaving” belong together and should take place in that order. They denote the replacement of one human relationship (child – parent) by another (husband – wife). There are some similarities between these relationships, for both are complex and contain several elements. These are physical (in one case conception, birth and nurture; in the other sexual intercourse), emotional (“growing up” being the process of growing out of the dependence of childhood into the maturity of partnership), and social (children inheriting an already existent family unit, parents creating a new one). Yet there is an essential dissimilarity
between them too, for the biblical expression "one flesh" clearly indicates that the physical, emotional and social unity of husband and wife is more profoundly and mysteriously personal than the relationship of children to parents.

So Genesis 2:24 implies that the marriage union is an exclusive man-woman relationship ("a man ... his wife..."); which is publicly acknowledged at some social event ("leaves his parents"); permanent ("cleaves to his wife"), and consummated by sexual intercourse ("they will become one flesh"). A biblical definition of marriage might then be as follows: "Marriage is an exclusive heterosexual covenant between one man and one woman, ordained and sealed by God, preceded by a public leaving of parents, consummated in sexual union, issuing in a permanent mutually supportive partnership, and normally crowned by the gift of children."

**CHANGING ATTITUDES**

Yet the number of divorces continues to be high. In 2001 in the US the marriage rate per thousand population was 8.4, with the divorce rate being 4.0. At the latter end of the twentieth century getting married was delayed for longer, marriages lasted for a shorter duration than earlier in the century and the possibility of divorce increased. One in every two of first marriages now ends in divorce. In England and Wales in 2002 there were 254,400 marriages; 59% of which were first marriages for both people. Remarriages for both parties accounted for 18%. There were 160,000 divorces, the highest number of divorces since 1997 but still fewer than the peak of 180,000 seen in 1993. This falling divorce rate has been attributed to fewer marriages and the fact that people are choosing to marry later in life. By 2002, 8.4% of the adult population were divorced, which is thirteen people per thousand married people.

Divorce can be correlated with many factors including income, education and religiosity, but among the reasons one must include the fact that women can now often support themselves financially and so are not dependent on their husbands; the stress that many dual-career marriages go through from pressure of work; pressure from unemployment and financial anxiety; and the more liberal attitude to divorce within society including the availability of "no-fault divorce". But undoubtedly the greatest single reason is the decline of Christian faith in the West, together with the loss of commitment to a Christian understanding of the sanctity and permanence of marriage, and the growing
non-Christian assault on traditional concepts of sex, marriage and family. A clear indication of secularization in this area is the fact that, whereas in 1850 only 4% of British marriages took place in a registry office (as opposed to a church, chapel or synagogue), by 2002, 66% of all weddings were civil ceremonies. This was a large increase even when compared to 1991, when less than half of all marriages were solemnized in a civil ceremony.7

Not only is the Christian view of marriage as a lifelong commitment or contract now a minority view in the West, but the church is in danger of giving in to the world. Among Christian people, too, marriages are no longer as stable as they used to be, and divorces are becoming almost commonplace. Even some Christian leaders divorce their spouses and remarry, while retaining their position of Christian leadership. The Christian mind is showing signs of capitulating to secularism. The dominant worldview seems to be one of selfish individualism.8

My concern in this chapter is limited to the Christian understanding of marriage as set forth in Scripture, together with the personal and pastoral issues arising from it. But of primary importance for the Christian mind are the biblical questions. Even the painful trauma of a failed marriage cannot be made an excuse for avoiding these. What has God revealed to be his will in regard to marriage and the possibility of divorce and remarriage? How can we frame our policies and practice in accordance with biblical principles? There are no easy answers. In particular, the church feels the tension between its prophetic responsibility to bear witness to God's revealed standards and its pastoral responsibility to show compassion to those who have been unable to maintain his standards. John Williams is right to bid us remember that 'the same God who said through Malachi 'I hate divorce' (2:16) also said through Hosea (whose partner had been blatantly immoral) 'I will heal their waywardness and love them freely, for my anger has turned away from them' (14:4)'9.

COHABITATION

With the definition of marriage given above in our minds, we are in a position to evaluate cohabitation – that is, the practice of living together as man and wife without being married. This has become an increasingly popular lifestyle. The report of a Church of England working party entitled Something to Celebrate and subtitled “Valuing families in church and society” included
age and family. A ten-page section on this topic.10 It is a great pity that the media seized on the statement that the church should “abandon the phrase ‘living in sin’”, but failed to appreciate the reason for the recommendation, namely that the issues were complex and could not be reduced to a single pejorative phrase. The working party deserved better treatment, and in my view was right to listen open-mindedly, even sympathetically, to those who are unwilling to condemn cohabitation out of hand.

People may decide to cohabit for what they regard as the best of reasons. For instance, they may not wish to replicate the mistakes of their married parents, succumb to the materialism of expensive weddings or reduce their relationship to a marriage licence. It is certainly true that if a man and a woman find themselves marooned on a desert island, they can enter into a valid marriage in the sight of God, even though all the trappings of a traditional wedding are unavailable to them. What constitutes marriage before God is neither a legal document; nor a church service, nor an elaborate reception, nor a shower of gifts, but a reciprocal covenant pledging lifelong fidelity and consummated sexual union.

In the light of this, some cohabitation may almost be regarded as marriage by another name, since the essence of marriage (a covenant commitment) is there. Nevertheless, two essential elements are usually missing. The first is the promise of a lifetime commitment. To much cohabit also said through the provisional nature is bound to destabilize the relationship.

Cohabitation is unstable

Firstly, the period of cohabitation tends to be short-lived. According to an authoritative report published in the US in 2002, unmarried cohabitations overall are less stable than marriages. The probability of a first marriage ending in separation or divorce within five years is 20%, but the probability of a premarital cohabitation breaking up within five years is 49%. After ten years the probability of a first marriage ending is 33%, compared with 66% for cohabitations.11

Secondly, for all women the probability of a first premarital cohabitation leading to marriage is 58% after three years of cohabitation and 70% after five years of cohabitation.12 These figures, however, are different when work status,
educational background and ethnicity are included. In the UK around three in five cohabitations lead to marriage. Thirdly, the claim that a trial period will make a later marriage more stable is not borne out by the facts. "Those couples marrying in the 1980s, having first cohabited, were 50% more likely to have divorced within five years of marrying than those who did not previously cohabit."13

Fourthly, there is a greater likelihood within cohabitation that a partner, particularly a man, will have more than one sexual relationship.14 No relationship can be comparable to marriage which does not include the intention to be faithful to one another for life. "What God has joined together," Jesus said, "let nobody separate" (Matthew 19:6).

Fifthly, cohabitation is related to a series of dysfunctional indicators when compared to marriage. A study carried out in the US shows that the lifetime prevalence of alcoholism, depression and general mental illness is much higher for those who cohabit than for those who have an intact marriage.15

Cohabitation is informal

The second missing element in cohabitation is the public context in which marriage is undertaken. We have seen that the biblical definition of marriage (Genesis 2:24) includes the leaving of parents. In the culture of those days such a departure will not have been private, let alone clandestine, but public. In our day it cannot be applied to a casual leaving of home, as when a single student goes up to university. This is a public and symbolic move from dependence to independence, from the old to the new and from the home of one's parents to the establishment of one's own home. A public relationship like this (a man and a woman living together as partners) needs to have a public beginning. This would, of course, be impossible on a desert island, but in society family and friends have a right to know what kind of relationship exists, so that they can adjust to it. They would naturally also desire an opportunity to say goodbye, to celebrate and to promise support in the future. It is neither fair nor kind to leave families in the dark and in the cold.

It is not parents only, however, nor only a wider circle of family and friends, who have a right to know about and share in the new relationship, but also society as a whole. Sexual intimacy is, of course, essentially private, but not the relationship within which it takes place. Yet cohabitees do not make this distinction, and make the mistake of regarding their whole relationship as
an entirely private affair. Marriage, however, is public — both the event which initiates it and the relationship to which it leads. Although its due recognition by the law is not essential to the marriage itself (desert island marriages being registered in heaven but not on earth), its legal enactment is certainly advantageous. A solemn pledge can hardly be regarded as “binding” without the sanctions of law. Moreover, a couple who commit themselves to each other need the protection which the law gives them. The public context for marriage is important, as the community witnesses to the promises that the man and the woman make. They are understood to agree both to the definition of marriage and to the purpose of marriage. Each gives their consent freely in the eyes of the public. They are not coerced, they are accountable to one another, and this is witnessed by the community.

In the case of cohabitation, the relationship is ambiguous and the degrees of commitment between the two people may be unequal. Neither person has any public commitment to engender security. In a previous age, sexual intercourse had an iconic status and denoted lifelong, public, exclusive loyalty. Sex was far from casual and if a man made a woman pregnant, the local community regarded them as effectively married. Christopher Ash insists that “either cohabitants accept the obligations of faithfulness or their relationship is immoral; they cannot be at the same time moral and uncommitted to faithfulness”. He continues:

When a man and a woman wish to live morally together they owe each other exclusive lifelong faithfulness; this is the only moral context for sexual relations. God calls them to faithfulness, whether or not they recognize this. The one who walks out of a cohabiting relationship is not exempt from God’s condemnation simply because they never promised to stay. The public pledges are not an extra degree of commendable commitment volunteered by particularly virtuous couples, thus moving their relationship up to a higher ethical level. The public pledges admit and recognize the moral obligation that God has already laid on them by virtue of their existing relationship.

Cohabitation is inadequate

A church service is no more essential to a marriage in God’s sight than the corresponding secular formalities. Neither church nor registry office is to be found on a desert island. Nevertheless, since lifelong vows are solemn and should if
possible be made public, a church service is most appropriate, especially for Christian believers, for it sets the reciprocal pledges in the presence of God and his people. Although marriage is not a "sacrament" in the sense that baptism is, yet both include a public commitment, which should be made in the presence of chosen witnesses.

To sum up, we should be able to agree that a couple could marry validly in the sight of God on a desert island, provided that they make lifelong vows to one another, even though no representatives of family, law or church are present to witness them. But in the real world in which we live, a couple's commitment needs to be public as well as permanent, and the role of the family, the law and the church make the difference between marriage and cohabitation.

In my view, therefore, Something to Celebrate was unwise to take a "both-and" approach, and to recommend Christians "both to hold fast to the centrality of marriage and at the same time to accept that cohabitation is, for many people, a step along the way towards that fuller and more complete commitment". In their laudable desire to be sympathetic and non-judgemental, the authors of the report have blurred the distinction between marriage and cohabitation. It is more accurate and more helpful to speak of cohabitation as falling short of marriage than as a stepping-stone towards it. Our imaginary visit to a desert island should have helped us to clarify theologically what the essence of marriage is in the sight of God. But our responsibility is to stay in the real world and to maintain without compromise the biblical definition of marriage, including its public and permanent nature.

Then we can affirm what Dr George Carey, then Archbishop of Canterbury, said during the General Synod debate on Something to Celebrate: "Cohabitation is not, and cannot be, marriage in all but name. Marriage is public and formal, whereas... cohabiting relationships... remain private and provisional in status... Marriage, not cohabitation, is the institution which is at the heart of the good society, and let us not be reluctant to say so. I do not say this in condemnation, I say it as an invitation to a better way..."

THE TEACHING OF THE OLD TESTAMENT

In the Old Testament teaching about marriage and divorce, Deuteronomy 24:1-4 is of particular importance because it is the only Old Testament passage which refers to grounds or procedures for divorce.
If a man marries a woman who becomes displeasing to him because he finds something indecent about her, and he writes her a certificate of divorce, gives it to her and sends her from his house, and if after she leaves his house she becomes the wife of another man, and her second husband dislikes her and writes her a certificate of divorce, gives it to her and sends her from his house, or if he dies, then her first husband, who divorced her, is not allowed to marry her again after she has been defiled. That would be detestable in the eyes of the LORD. Do not bring sin upon the land the LORD your God is giving you as an inheritance.

Three particular points need to be clarified about this legislation.

**Remarrying a former spouse**

Firstly, what is the thrust and purpose of the passage? It neither requires, nor recommends, nor even sanctions divorce. Its primary concern is not with divorce at all, nor even with certificates of divorce. Its object is to forbid a man to remarry his former spouse, since this would be "detestable in the eyes of the LORD". It is thought that the ruling was intended to protect the woman from a capricious and perhaps cruel former husband. At all events, the first three verses are all the protasis or conditional part of the sentence; the apodosis or consequence does not begin until verse 4. The law is not approving divorce; what it says is that if a man divorces his wife, and if he gives her a certificate of divorce after which she marries, they cannot marry again if her second husband dislikes and divorces her or dies.

**Divorcing because of indecency**

Secondly, although divorce is not encouraged, if it happens, the grounds on which it takes place is that the husband finds "something shameful" (NEB, RSV) or "something indecent" in his wife. This cannot refer to adultery on her part, for this was punishable by death, not divorce (Deuteronomy 22:20ff.; cf. Leviticus 20:10). So what was it? During the first century BC the rival Pharisaic parties led by Rabbi Shammasi and Rabbi Hillel debated this. Shammasi was strict and understood "something indecent" (whose Hebrew root alludes to "nakedness" or "exposure") as a sexual offence of some kind which, though left undefined, fell short of adultery or promiscuity. Rabbi Hillel, by contrast, was lax. He picked on the phrases which said that the wife "becomes displeasing" to her...
first husband (v. 1) or that her second husband “dislikes” her (v. 3), and interpreted them as including even the most trivial misdemeanours, for example if she spoiled the food she was cooking for him, or was quarrelsome, or if he came across a woman more beautiful than she, and so lost interest in her. In fact, according to Hillel, “anything which caused annoyance or embarrassment to a husband was a legitimate ground for a divorce suit.”

The woman’s freedom to remarry

Thirdly, if divorce was allowed, so evidently was remarriage. The text presupposes that, once the woman had been divorced, she was free to remarry, even though she was the guilty party, having done “something indecent”. In fact, so far as is known, the cultures of the ancient world all understood that divorce carried with it the permission to remarry. Dr James B. Hurley summarizes the marriage and divorce laws of the Code of Hammurabi, who was king of Babylon in the early eighteenth century BC when Abraham left Ur, and also the harsher Assyrian laws at the time of Israel’s exodus from Egypt. Dr Gordon Wenham has added information from the fifth-century BC papyri at Elephantine, a small Jewish garrison town in southern Egypt, as well as from Philo, Josephus and the Greek and Roman world. All these cultures supply evidence for divorce by the husband, and in some cases by the wife as well, with liberty to remarry. Usually the divorced wife had her dowry returned to her, and received some divorce money as well. If divorce was comparatively infrequent in the ancient world, it was because the termination of one marriage and the arrangement of a second would have been financially crippling.

THE TEACHING OF JESUS

Our Lord’s instruction on marriage and divorce was given in response to a question from the Pharisees. Mark says they posed their question in order to “test” him (Mark 10:2), and Matthew elaborates what the test question was: “Is it lawful for a man to divorce his wife for any and every reason?” (Matthew 19:3). Perhaps behind their question was the public scandal of Herodias, who had left her husband Philip in order to marry King Herod Antipas. John the Baptist had courageously denounced their union as “unlawful” (Mark 6:17ff.), and had been imprisoned as a result. Would Jesus be equally outspoken, especially when, as seems probable, he was at the time within the jurisdiction of Herod
Some Pharisees came to him to test him. They asked, “Is it lawful for a man to divorce his wife for any and every reason?”

Haven't you read," he replied, "that at the beginning the Creator 'made them male and female', and said, '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 man not separate.”

"Why then," they asked, “did Moses command that a man give his wife a certificate of divorce and send her away?”

Jesus replied, "Moses permitted you to divorce your wives because your hearts were hard. But it was not this way from the beginning:

The one who can accept this should accept it.”

It is clear that Jesus dissociated himself from the laxity of Rabbi Hillel. He had already done so in the Sermon on the Mount. His teaching on divorce in that passage was given as one of his six antitheses, introduced by the formula, “You have heard that it was said … but I tell you …” What he was opposing in these antitheses was not Scripture ("it has been written") but tradition ("it has been said"), not the revelation of God but the perverse interpretations of the scribes. The object of their distortions was to reduce the demands of the law and make them more comfortable. In the divorce antithesis the scribal quotation “It has been said, ‘Anyone who divorces his wife must give her a certificate of divorce’ ” appears to be a deliberately misleading abbreviation of the Deuteronomy 24 passage. It gives the impression that divorce was readily permissible, even for trivial reasons (as Hillel taught), provided only that a certificate was given. Jesus categorically rejected this. What did he teach?
The permanence of marriage

Firstly, Jesus endorsed the permanence of marriage. It is significant that he did not give the Pharisees a direct answer to their question about divorce. Instead, he spoke to them about marriage. He referred them back to Genesis 1 and 2 and asked incredulously if they had not read these chapters. He drew their attention to the two facts that human sexuality was a divine creation and that human marriage was a divine ordinance. He bracketed two texts (Genesis 1:27 and 2:24) and made God the author of both, for the same Creator who “at the beginning... made them male and female” also said (in the biblical text), “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,” Jesus went on, adding his own explanatory assertion, “they are no longer two, but one.” And, “Therefore,” he said, adding his own prohibition, “what God has joined together [literally “yoked together”], let man not separate.”

The teaching is unambiguous. The marriage bond is more than a human contract: it is a divine yoke. The way in which God lays this yoke upon a married couple is not by creating a kind of mystical union, but by declaring his purpose in his Word. Marital breakdown, even the so-called “death” of a relationship, cannot then be regarded as being in itself a ground for dissolution. The basis of the union is not fluctuating human experience (“I love you, I love you not”), but the divine will and Word (they “become one flesh”).

The concession of divorce

Secondly, Jesus declared the Mosaic provision of divorce to be a concession to human sinfulness. The Pharisees responded to his quotations from Genesis by asking a second question: “Why then did Moses command that a man give his wife a certificate of divorce and send her away?” To this Jesus replied, “Moses permitted you to divorce your wives because your hearts were hard. But it was not this way from the beginning.” Thus what they had termed a “command” Jesus called a “permission”, and a reluctant permission at that, due to human stubbornness rather than divine intention.25

Since Jesus referred to the Mosaic provision as a concession to human sin, which was also intended to limit its evil effects, it cannot possibly be taken as indicating God’s approval of divorce. To be sure, it was a divine concession, for according to Jesus whatever Moses said, God said. Yet the divine concession of divorce was contrary to the divine institution of marriage “from the
beginning”. The rabbis’ error lay in ignoring the distinction between God’s will (Genesis 1 and 2) and his legal provision for human sinfulness (Deuteronomy 24). “Human conduct which falls short of the absolute command of God is sin and stands under the divine judgement. The provisions which God’s mercy has designed for the limitation of the consequences of man’s sin must not be interpreted as divine approval for sinning.”

Remarriage as adultery

Thirdly, Jesus called remarriage after divorce “adultery”. Putting together his teaching from the Synoptic Gospels and leaving aside for the moment the exceptive clause, we may summarize it as follows: a man who divorces his wife, and then remarries, both commits adultery himself (Matthew 19:9; Mark 10:11; Luke 16:18) and, because it is assumed that his divorced wife will also remarry, causes her to commit adultery as well (Matthew 5:32). A woman who divorces her husband and remarries similarly commits adultery (Mark 10:12). Further, a man (and presumably a woman too) who marries a divorcee commits adultery (Matthew 5:32; Luke 16:18). These are hard sayings. They expose with candour the logical consequences of sin. If a divorce and remarriage take place, which have no sanction from God, then any new union which follows, being unlawful, is adulterous.

DIVORCE ON THE GROUNDS OF IMMORALITY

Jesus permitted divorce and remarriage on the sole ground of immorality (porneia). It is well known that Matthew 5:32 and 19:9 both contain an “exceptive clause”, whose purpose is to exempt one category of divorce and remarriage from being branded “adultery”. Much controversy has raged round this clause. I do not think I can do more than indicate three conclusions which I have reached about it.

It is an authentic utterance

Firstly, the exceptive clause should be accepted as an authentic utterance of Jesus. Because it does not occur in the parallel sayings in Mark and Luke, many scholars have been too ready to dismiss it. Some suggest that it was an early scribal interpolation and no part of Matthew’s original text. But there is no manuscript evidence that it was a gloss; even the alternative reading of Codex
Vaticanos, retained in the rsv margin, does not omit the clause. Other scholars attribute the clause to Matthew himself, and/or to the church in which he was writing, but deny that Jesus ever spoke it. But its omission by Mark and Luke is not in itself a sufficient ground for rejecting it as an editorial invention or interpretation by the first evangelist. It is perfectly possible to suppose that Matthew included it for his Jewish readership who were very concerned about the permissible grounds for divorce, whereas Mark and Luke, writing for Gentile readers, did not have the same concern. Their silence is not necessarily due to their ignorance: it may equally well be that they took the clause for granted. Pagan cultures regarded adultery as a ground for divorce. So did both the Jewish schools of Hillel and Shammai, in spite of their disagreements on other points. This was not in dispute.

It needs appropriate definition

The word porneia means sexual immorality. In deciding how to translate porneia, we need to avoid both extremes of laxity and rigidity.

Several "rigid" views have been held, which identify porneia as one particular sexual sin - either "fornication" in the sense of the discovery of premarital immorality, or a marriage within prohibited familial relationships, or postmarriage adultery. The main reason for rejecting any of these translations is that, although porneia could mean all of them, it would not be understood as referring to any one of them if there were no further qualification. Porneia was, in fact, a generic word for sexual infidelity or "marital unfaithfulness", and included "every kind of unlawful sexual intercourse" (Arndt-Gingrich).

The "lax" view is that porneia includes offences which may be regarded as broadly "sexual" in psychological rather than physical terms and so embraces even a basic temperamental incompatibility. It may be possible to use other arguments for the legitimacy of divorce on such grounds as these, but it is not possible to do so from the meaning of the word porneia. Porneia means physical sexual immorality; the reason why Jesus made it the sole permissible ground for divorce must be that it violates the "one flesh" principle which is foundational to marriage as divinely ordained and biblically defined.

It is allowed but not encouraged

Divorce for immorality is permissible, not mandatory. Jesus did not teach that the innocent party must divorce an unfaithful partner, still less that sexual
unfaithfulness ipso facto dissolves the marriage. He did not even encourage or recommend divorce for unfaithfulness. On the contrary, his whole emphasis was on the permanence of marriage in God's purpose and on the inadmissibility of divorce and remarriage. His reason for adding the exceptive clause was to clarify that the only remarriage after divorce which is not tantamount to adultery is that of an innocent person whose partner has been sexually unfaithful, for in this case the infidelity has already been committed by the guilty partner. Jesus' purpose was emphatically not to encourage divorce for this reason, but rather to forbid it for all other reasons. As John Murray wrote: "It is the one exception that gives prominence to the illegitimacy of every other reason. Preoccupation with the one exception should never be permitted to obscure the force of the negation of all others." 27

After this long excursion on the meaning of the exceptive clause and the permissible ground for divorce, it is important to come back to where we began. Although Jesus knew the realities of the fall and of the hardness of human hearts, he recalled his contemporaries to the norm of the creation and the unchanging purpose of God. He stressed reconciliation not separation: marriage not divorce. We must never move out of earshot of his ringing cry: "What God has joined together, let no one separate."

THE TEACHING OF PAUL

The teaching of Paul which we have to consider occurs in 1 Corinthians 7:10-16, and concerns in particular the so-called "Pauline privilege":

To the married I give this command (not I, but the Lord): A wife must not separate from her husband. But if she does, she must remain unmarried or else be reconciled to her husband. And a husband must not divorce his wife.

To the rest I say this (I, not the Lord): If any brother has a wife who is not a believer and she is willing to live with him, he must not divorce her. And if a woman has a husband who is not a believer and he is willing to live with her, she must not divorce him. For the unbelieving husband has been sanctified through his wife, and the unbelieving wife has been sanctified through her believing husband. Otherwise your children would be unclean, but as it is, they are holy.

But if the unbeliever leaves, let him do so. A believing man or woman is not bound in such circumstances; God has called us to live in peace.
How do you know, wife, whether you will save your husband? Or, how do you know, husband, whether you will save your wife?

**Paul teaches with authority**

We need to observe, firstly, that Paul is giving authoritative, apostolic instruction. The antithesis he makes between verse 10 – “I give this command (not I, but the Lord)” – and verse 12 – “To the rest I say this (I, not the Lord)” – has been much misunderstood. It is quite mistaken to imagine that he is setting Christ's teaching and his own in opposition to each other, with the further implication that Christ's has authority, whereas his has not. No, his contrast is not between divine, infallible teaching (Christ's) and human, fallible teaching (his own), but between two forms of divine and infallible teaching, the one dominical (the Lord's) and the other apostolic (his own). There can be no doubt that this is correct, for Paul continues to use the authoritative apostolic ego “I” in this chapter, in verse 17 (“This is the rule I lay down in all the churches”), verse 25 (“I have no command from the Lord”, i.e., no recorded saying of Jesus, “but I give a judgement as one who by the Lord's mercy is trustworthy”) and verse 40 (“I think that I too have the Spirit of God”). Later and similarly, he puts his authority above that of prophets and declares his instruction to be the Lord's command: “If anybody thinks he is a prophet or spiritually gifted, let him acknowledge that what I am writing to you is the Lord's command” (14:37).

**Paul affirms Jesus' teaching**

Secondly, Paul echoes and confirms Jesus' prohibition of divorce. In verses 10 and 11, as in his teaching in Romans 7:1 – 3, and as in the Lord's teaching recorded by Mark and Luke, the prohibition of divorce is stated in absolute terms. “A wife must not separate from her husband… And a husband must not divorce his wife.” This is because he is expressing the general principle. It is not necessary to suppose that he knew nothing of the Lord's exceptive clause. In verse 11 he adds an important parenthesis to the effect that if a wife does “separate” from her husband, “she must remain unmarried or else be reconciled to her husband”. Now the verb Paul uses for separate (chôrizō) could refer to divorce and was so used both in marriage contracts in the papyri and by some early church fathers (Arndt-Gingrich). But the context suggests that Paul is not referring to divorce. He seems rather to be envisaging a situation in
which the husband has not been sexually unfaithful and the wife is, therefore, not at liberty to divorce him. Some other reason (unstated) has prompted her to "separate" from him. So Paul emphasizes that in this case she is not free to remarry. Her Christian calling is either to remain single or to be reconciled to her husband, but not to remarry.

The case of desertion

Thirdly, Paul permits divorce after a believer has been deserted by an unbelieving partner. He addresses three successive paragraphs "to the unmarried and the widows" (vv. 8-9), "to the married" (vv. 10-11) and "to the rest" (vv. 12-16). The context reveals that by "the rest" he has in mind a particular kind of mixed marriage. He gives no liberty to a Christian to marry a non-Christian, for a Christian woman "is free to marry anyone she wishes, but he must belong to the Lord" (v. 39). The converse is equally true of Christian men (2 Corinthians 6:14ff.). Paul is rather handling the situation which arises when two non-Christians marry, one of whom is subsequently converted. The Corinthians had evidently sent him questions about this. Was the marriage unclean? Should the Christian partner divorce the non-Christian? What was the status of their children? Paul's reply is clear.

If the unbelieving partner "is willing to live with" the believing, then the believer must not resort to divorce. The reason given is that the unbelieving partner "has been sanctified" through his or her believing spouse, and so have the children. The "sanctification" in mind is clearly not a transformation of character into the likeness of Christ. As John Murray puts it, "The sanctification of which Paul speaks ... must be the sanctification of privilege, connection and relationship".28

But if, on the other hand, the unbelieving partner is unwilling to stay, and decides to leave, then "let him do so. A believing man or woman is not bound in such circumstances". The reasons given are that God has called us to live in peace, and that the believer cannot guarantee to win the unbeliever by insisting on perpetuating a union which the unbeliever is not willing to continue.29

It is important to grasp the situation which the apostle envisages, and not to draw unwarrantable deductions from his teaching. He affirms that, if the unbeliever refuses to stay, the believer "is not bound" – that is, bound to hold on to him or her, indeed, bound to the marriage itself.30 Several negative points need to be made about the freedom which the believing partner is here given.
It is not due to the believer’s conversion

The believer’s freedom is not due to his or her conversion, but rather to the partner’s non-conversion and unwillingness to remain. Christians sometimes plead for what they call “gospel realism”, arguing that because conversion makes all things new, a marriage contracted in pre-conversion days is not necessarily still binding and in its place a new beginning may be made. This is dangerous reasoning, however. Are all pre-conversion contracts cancelled by conversion, including all one’s debts? No. Paul’s teaching lends no possible support to such a view. Rather, he contradicts it. His teaching is not that after conversion the believing partner is defiled by the unbeliever and should, therefore, extricate himself or herself from the relationship. It is the opposite; that the unbelieving partner has been “sanctified” by the believer, and that, therefore, the believer should not seek to escape. Further, Paul urges in verses 17-24 that Christians should remain in the state in which they were when God called them, and that we are able to do so because now we are there “with God”.

It does not result from the believer’s initiation

The believer’s freedom is not due to any resolve of his or her own to initiate divorce proceedings, but only to a reluctant acquiescence in his or her partner’s “desertion” or unwillingness to stay. The initiative must not be the believer’s. On the contrary, if the unbelieving partner is willing to remain, “he must not divorce her” and “she must not divorce him” (vv. 12, 13). The furthest Paul goes is to say that if the unbeliever insists on leaving, “let him do so” (v. 15). Perhaps this is the way to reconcile the apparently inconsistent statements that (a) Jesus permitted divorce on one ground only and (b) Paul added another. The first is a case of divorce; the second is an acquiescence in desertion.

It is founded on the pain of rejection

The believer’s freedom is not due to “desertion” of any and every kind, nor to desertion for any form of unbelief (e.g., the Roman Catholic Church’s view that marriage is not ratum if a partner is unbaptized), but only to the specific unwillingness of an unconverted person on religious grounds to continue living with his or her now-converted partner. The “Pauline privilege” provides no basis, therefore, for divorce on the general grounds of desertion; this is not a Christian option.
Summing up what Scripture teaches in the passages so far considered, we may make the following three affirmations.

- God created humankind male and female in the beginning, and himself instituted marriage. His intention was and is that human sexuality will find fulfilment in marriage, and that marriage will be an exclusive, loving and lifelong union. This is his purpose.
- Divorce is nowhere commanded, and never even encouraged, in Scripture. On the contrary, even ifbiblically justified, it remains a sad and sinful declension from the divine norm.
- Divorce and remarriage are permissible (not mandatory) on two grounds. Firstly, an innocent person may divorce his or her partner if the latter has been guilty of serious sexual immorality. Secondly, a believer may acquiesce in the desertion of his or her unbelieving partner, if the latter refuses to go on living with him or her. In both cases, however, the permission is given in negative or reluctant terms. Only if a person divorces his or her partner on the ground of marital unfaithfulness is his or her remarriage not adulterous. Only if the unbeliever insists on leaving is the believer “not bound”.

**IRRETRIEVABLE BREAKDOWN**

My position, as defined above, was criticized by Dr David Atkinson in his book *To Have and To Hold* (1979). He called it “legislative” and expressed his uneasiness in the following terms: “The difficulty with this view is that in pastoral practice it can lead to the sort of casuistry which can become negatively legalistic. It concentrates on physical adultery but neglects other ‘unfaithfulness’, and can mean that the Church’s blessing for second marriage is reserved only for those who are fortunate (!) enough to have had their former partner commit adultery against them. It raises the question as to what breaks the marriage bond.”

It is, indeed, because of the practical problems which beset us when we insist on a “matrimonial offence” as the only legitimate ground for divorce, that an alternative and more flexible approach has been sought. In the UK, the Church of England report *Putting Asunder* (1966) recommended the concept of “irretrievable breakdown” as an alternative, and the 1969 Divorce Reform Act was based upon it. It nevertheless required that irretrievable breakdown
be proved by one of five evidences, three being faults (adultery, desertion and unreasonable behaviour), and two indicating de facto separation (for two years if the couple agree to divorce, and for five years if they do not). Then the Church of England Commission which was presided over by Canon Professor Howard Root, and which reported in Marriage, Divorce and the Church (1971), investigated further the concept that some marriages “die” even while both married partners are still alive. A few years later the Commission chaired by Bishop Kenneth Skelton of Lichfield, which reported in Marriage and the Church: Task (1978), took a similar line.

Since 1 March 2001, the grounds for divorce are such that couples who wish to divorce must satisfy one of the criteria on jurisdiction that has been standardized throughout the European Community. The grounds for divorce are that the marriage has irretrievably broken down and the person filing for divorce (the petitioner) must prove one of five facts.

- The spouse has committed adultery and the petitioner cannot be expected to continue living together.
- The spouse has exhibited unreasonable behaviour and the petitioner cannot be expected to continue living together.
- The spouse has deserted the petitioner for a period of two years.
- The petitioner and the spouse have been living separately for more than two years and both parties agree to a divorce.
- The petitioner and the spouse have been living separately for more than five years, whether or not the spouse agrees to a divorce.

In practice, however, it is often possible to get around some of these criteria by couples agreeing to cite unreasonable behaviour in order to get a quick divorce. “Quickie” divorces are also available via the internet. Such practices undermine the seriousness of divorce, as well as the period of reflection and the possibility of reconciliation which is owed to a marriage in difficulties.

The 1996 Family Law Act proposed to bring in irretrievable breakdown without the necessity of citing any of the five criteria listed above. This was due to come into effect in 1998. The General Synod debated the issues and approved the proposals, but although some of the Family Law Act 1996 has come into effect, the UK government announced in 2000 that many of its proposals would be delayed for several years.

One can understand the desire to avoid the need to establish culpability. But the arguments against it do not seem to have been adequately considered.
The concept of "irretrievable breakdown" has undesirable consequences. (1) It makes divorce too easy; it virtually opens the door to divorce on demand. (2) It represents marriage in terms of self-fulfilment, instead of self-giving. If it does not deliver what we had expected, then, instead of working at it, we declare that it does not work for us. (3) It gives the impression that marriages break down by themselves. It makes marriage the scapegoat and exonerates the married partners. But if the essence of marriage is a commitment of love and faithfulness, then only a failure in these will threaten it. By adopting the secular approach of no-fault breakdown, Dr Alan Storkey has written, the churches have locked themselves into a contradiction, "affirming ... one view of marriage, while accepting a completely different dynamic behind divorce reform". (4) It is an expression of secular pessimism. If two persons are "incompatible", and a breakdown is "irretrievable", what has become of the grace of God and the gospel of reconciliation?

Here, then, are two different approaches to the vexed question of divorce – "fault" and "no fault", human culpability and irretrievable breakdown. Are we obliged to choose between them? Or is there a third way which embraces the best in both concepts? Perhaps the answer lies in the biblical notion of "covenant" and "covenant faithfulness". It could be described as a third way in the sense that the ground for divorce is neither a breakdown for which nobody accepts responsibility, nor a particular individual fault which has to be proved, but rather a culpable breach of the marriage covenant.

It is clear that Scripture regards marriage as a covenant, indeed – although between two human beings – as a "covenant of God" (Proverbs 2:17, literally); instituted and witnessed by him. In a letter which I received some years ago, Roger Beckwith, warden of Latimer House, Oxford, summarized what he saw to be the five terms of the marriage covenant: (1) love (as in every covenant), but married love involving specific obligations; (2) living together as a single household and family; (3) faithfulness to the marriage bed; (4) provision for the wife by the husband; and (5) submission to the husband by the wife.

In his book To Have and To Hold, subtitled "The marriage covenant and the discipline of divorce", David Atkinson develops the covenant idea further. He defines a covenant as "an agreement between parties based on promise, which includes these four elements: first, an undertaking of committed faithfulness made by one party to the other (or by each to the other); secondly, the acceptance of that undertaking by the other party; thirdly, public knowledge of such an undertaking and its acceptance; and fourthly, the growth of a personal
relationship based on and expressive of such a commitment”. It is not difficult to apply such a definition of “covenant” to marriage, especially because human marriage is used in Scripture as a model of God’s covenant with his people, and God’s covenant as a model for human marriage. David Atkinson goes on to quote Professor G. R. Dunstan’s development of this analogy, in that God’s covenant and human marriage both have (1) an initiative of love, inviting a response, and so creating a relationship, (2) a vow of consent, guarding the union against the fitfulness of emotion, (3) obligations of faithfulness, (4) the promise of blessing to those who are faithful to their covenant obligations, and (5) sacrifice, the laying down of life in death, especially in this case death to the old independence and self-centredness.

David Atkinson goes on to argue that “the covenant structure of marriage lends weight to the view . . . that marriage is not a metaphysical status which cannot be destroyed; it is rather a moral commitment which should be honoured”. Yet a covenant can be broken. “Covenants do not just ‘break down’, however, “they are broken; divorce expresses sin as well as tragedy”. So then, “from a biblical moral perspective, we cannot dissolve the category of ‘matrimonial offence’ without remainder into the less personally focused concept of ‘irretrievable breakdown’”. Instead, “The covenant model for marriage places the question of divorce in the area of moral responsibility”. His conclusion is that “any action which constitutes unfaithfulness to the marriage covenant so persistent and unrepentant that reconciliation becomes impossible may be sufficient to break the bond of marriage and so may release the other partner from their covenant promise”.

There is much in the covenant model of marriage which is compelling. To begin with, it is a thoroughly biblical notion. It also emphasizes the great solemnity both of covenant-making and of covenant-breaking — in the former case emphasizing love, commitment, public recognition, exclusive faithfulness and sacrifice, and in the latter the sin of going back on promises and rupturing a relationship of love. I confess, however, that my problem is how to fuse the concepts of covenant loyalty and matrimonial offence. I can understand the reasons for not wanting to build permission to divorce on two offences. But if Scripture regards the marriage covenant as capable of being broken in several ways, how shall we explain the single offence mentioned in our Lord’s exceptional clause? Certainly the covenant relationship envisaged in marriage (the “one flesh” union) is far deeper than other covenants, whether a suzerainty treaty, a business deal or even a pact of friendship. May it not be, therefore, that nothing
less than a violation (by sexual infidelity) of this fundamental relationship can break the marriage covenant?

God's marriage covenant with "Jerusalem" (personifying his people), described at length in Ezekiel 16, is germane to this issue. God says to her, "I gave you my solemn oath and entered into a covenant with you ... and you became mine" (v. 8). But Jerusalem "played the harlot" (RSV), or rather (because she gave hire rather than receiving it) was a wife guilty of promiscuous adultery (vv. 15–34). Therefore, God said he would sentence her to "the punishment of women who commit adultery" (v. 38). Nevertheless, although her behaviour was worse even than her "younger sister Sodom" (vv. 46–52), and although she had despised God's oath "by breaking the covenant" (v. 59), yet God said, "I will remember the covenant I made with you in the days of your youth, and I will establish an everlasting covenant with you" (v. 60), bringing forgiveness and penitence.

It seems to me that we must allow these perspectives of God's covenant to shape our understanding of the marriage covenant. The marriage covenant is not an ordinary human contract which, if one party to it reneges, may be renounced by the other. It is more like God's covenant with his people. In this analogy (which Scripture develops), only fundamental sexual unfaithfulness breaks the covenant. And even this does not lead automatically or necessarily to divorce; it may rather be an occasion for reconciliation and forgiveness.

PERSONAL AND PASTORAL REALITIES

This has been a long chapter. Some readers will have been provoked by it, finding it drily academic, or unfeeling towards the profound sufferings of those whose marriages break down, or remote from the realities of the contemporary Western world, or all three. I can understand their reactions. Yet it has been necessary to give the biblical material a thorough examination, for this book is about developing a Christian mind on current issues. Conscientious disciples of Jesus know that Christian action is impossible without Christian thought; they resist the temptation to take short cuts. At the same time, the process of "making up one's mind" means reaching a decision which has practical consequences. What, then, are these likely to be? Because of the great seriousness with which Scripture views both marriage and divorce, I conclude with four urgent pastoral needs.
Firstly, there is the need for thorough biblical teaching about marriage and reconciliation. Pastors must give positive instructions on both these subjects. In sermons, Sunday school and confirmation classes we have to hold before the congregation we serve the divine intention and norm of exclusive, committed, lifelong faithfulness in marriage. We ought also to give clear and practical teaching on the duty and the way of forgiveness, for reconciliation lies at the very heart of Christianity. For some years now I have followed a simple rule, that whenever anybody asks me a question about divorce, I refuse to answer it until I have first talked about two other subjects, namely, marriage and reconciliation. This is a simple attempt to follow Jesus in his own priorities. When the Pharisees asked him about the grounds for divorce, he referred them instead to the original institution of marriage. If we allow ourselves to become preoccupied with divorce and its grounds, rather than with marriage and its essentials, we lapse into pharisaism. God’s purpose is marriage not divorce, and his gospel is good news of reconciliation. We need to see Scripture as a whole, and not isolate the topic of divorce.

Secondly, there is the need for preparation for marriage. Couples preparing for marriage usually cherish high ideals for the future, and are ready, even anxious, for help. Yet hard-pressed clergy can often manage to give each couple no more than a single interview, and even then legal and social questions sometimes crowd out the spiritual and moral dimensions of marriage. Some clergy arrange courses for groups of engaged couples or encourage them to attend appropriate weekend conferences. Others give couples a book or a short annotated list of recommended reading. Best of all, perhaps, is the resolve to harness the services of mature lay couples in the congregation, who would be willing to spend several evenings with an engaged couple, meet them again after the wedding, and continue to keep in touch with them during the early days of adjustment.

Thirdly, there is the need for a reconciliation ministry. In the UK during the 1980s, both in-court and out-of-court conciliation services were developed, and there has been a growing desire to see conciliation attempts built into the initial stages of legal proceedings, so that an adversarial approach is avoided. There are also voluntary organizations like RELATE, Marriage Care (formerly the Catholic Marriage Advisory Council), Care for the Family, and Marriage Resource (a network of Christian marriage support groups, which sponsor National Marriage Week). I wish the churches were yet more actively involved in this ministry, especially at the local level. Christians are supposed
to be in the reconciliation business. Many more people would seek help, and seek it early when it is most needed, if they knew where they could turn for sympathy, understanding and advice. Sometimes expert marital therapy will be necessary, but at other times a listening ear may be enough.

Fourthly, there is the need for pastoral ministry to the divorced. Because marriage is a "creation ordinance", God's purposes for it do not vary; they are the same for the world as for the church. The non-Christian world will often be unable and unwilling to fulfil them because of the hardness of human hearts, and so is likely to have its own legislation for divorce. It is right, however, to expect higher standards in the new community of Jesus. He repeatedly told his followers not to follow the way of the world. "It shall not be so among you," he said (Mark 10:43 RSV). In marriage, therefore, the church's calling is not to conform to popular trends, but to bear witness to God's purpose of permanence.

Nevertheless, "hardness of heart" is not confined to the non-Christian world. As with the Old Testament people of God, so with the people of the new covenant, some concession to human fallibility and failure will be needed. What institutional arrangements should the church make? Professor Oliver O'Donovan writes: "The primary question is how it may find some arrangement that will give adequate form both to its beliefs about the permanence of marriage and to its belief about the forgiveness of the penitent sinner." It could express this ambivalence either by permitting the remarriage in church (emphasizing the gospel of redemption), while adding some kind of discipline (recognizing God's marriage norm), or by refusing the remarriage in church (emphasizing the norm), while adding some expression of acceptance (recognizing the gospel). I myself incline to the former. But before any church service for the marriage of a divorced person is permitted, the church must surely exemplify its adherence to the revelation of God in two ways. It must satisfy itself, firstly, that the remarriage comes within the range of the biblical permissions, and secondly, that the couple concerned accept the divine intention of marriage permanence.

The sustained policy of the Church of England for several decades has been to refuse to marry in church any person who has a previous spouse still living, while at the same time seeking to offer a ministry of pastoral compassion and care to those who have been divorced. After more than twenty years of debate, however, the Church of England's General Synod gave its blessing to the marriage of divorced people, under exceptional circumstances, on 14 November 2002. Nonetheless, this decision did create problems for local clergy, many of
whom felt that a burden had been placed on their shoulders of deciding between couples as to which situations were worthy of remarriage and which were not. They had been told that a primary consideration was whether the marriage would cause hostile public comment, scandal, consecrate a long-standing infidelity or undermine the church’s credibility. No vicar would be compelled to conduct a service, yet it was recognized that some remarriages have been quietly taking place while services of blessing after civil ceremonies have also taken place. Out of around 7,500 church marriages a year in the UK, 11% of the total already include at least one divorced partner. Those who opposed this decision felt that such pressure may mean clergy begin to give in to the demand for remarriage and will eventually say “yes” to all applicants. It was also felt that it is extremely important to continue to affirm marriage as a permanent, public and exclusive relationship, while at the same time emphasizing God’s forgiveness and the possibility of a fresh start. Jesus and his apostle Paul did allow divorce and remarriage in certain circumstances, and this permission of a new beginning needs what Professor O’Donovan has called “institutional visibility”.

Whether the current position maintains the necessary faithfulness to Scripture together with the need for pastoral sensitivity remains to be seen.

In this case the church service could not with integrity be identical with a normal marriage ceremony. Some expression of penitence should be included, either in a private preliminary (as suggested by the Root Report in paragraphs 143–47), or in the public service itself. Either way would be an acknowledgement that every divorce, even when biblically permissible, is a declension from the divine norm. This is not to stand in judgement on the people concerned in any proud or paternalistic way, but to admit that we, as well as they, are sinners.

In all this we continue to be caught in the tension between law and grace, witness and compassion, prophetic ministry and pastoral care. On the one hand, we need the courage to resist the prevailing winds of permissiveness and to set ourselves to uphold marriage and oppose divorce. The state will continue to frame its own divorce laws, but the church also has its own witness to bear to the teaching of its divine Lord, and must exercise its own discipline. On the other hand, we shall seek to share with deep compassion in the suffering of those whose marriages have failed, and especially of those whom we cannot conscientiously advise to seek an escape by divorce. We may on occasion feel at liberty to advise the legitimacy of a separation without a divorce, or even a divorce without a remarriage, taking 1 Corinthians 7:11 as our warrant. But we
have no liberty to go beyond the permissions of our Lord. He knew his Father’s will and cared for his disciples’ welfare. Wisdom, righteousness and compassion are all found in following him.

NOTES

1 Those wishing to examine the biblical theology surrounding the purpose of marriage will find that Christopher Ash’s book Marriage: Sex in the Service of God (Leicester: InterVarsity Press, 2003), chapters 6–10, looks at this issue in some detail.

2 See Judson J. Swihart and Steven L. Brigham, Helping Children of Divorce (Downers Grove: InterVarsity Press, 1982).

3 www.census.gov/prod/2003pubs/02statab/vitstat.pdf. It is difficult to put actual figures on the number of divorces as several states do not report their figures. The number of marriages in the US in 2001 was 2,327,000.


6 UK Statistics on Families (Mothers’ Union, March 2004).

7 Not all civil marriages now take place in registry offices, as many venues are licensed as suitable for weddings.

8 For a lyrical meditation on married love and its call to self-giving, see Mike Mason, The Mystery of Marriage (London: Triangle, SPCK, 1997). He writes: “Love is an earthquake that relocates the centre of the universe” (p. 26).


12 Ibid., p. 12.


15 On alcoholism, see Lee Robbins and Darrel Regier, Psychiatric Disorders in America: The Epidemiologic Catchment Area Study (New York: Free Press, 1991), p. 64. On depression, see ibid., p. 64. On general mental illness, see ibid., p. 334.

16 Ash, Marriage: Sex in the Service of God, p. 222.
17 Ibid., p. 224.
18 Ibid., p. 224.
19 Something to Celebrate, pp. 115–16.
21 The details may be found in the tract Gittin in the Babylonian Talmud. See also Ecclesiasticus 25:26.
25 It is true that in Mark 10:3ff. Jesus is recorded as having used the verb "command", but there he seems to have been referring either to the Mosaic legislation in general or in particular to the issuing of the divorce certificate.
27 John Murray, Divorce (Committee on Christian Education, Orthodox Presbyterian Church, 1953), p. 11. It is only fair to add that the moderate position developed in these pages, although based on careful exegesis, has not been acceptable to all. Some understand Jesus is having been more lenient than I have suggested, and others as more strict. The more lenient view was expressed by Ken Crispin, an Australian lawyer, in Divorce: The Forgivable Sin? (London: Hodder & Stoughton, 1989). Incensed by "callous and irresponsible" church leaders, he interpreted porneia so broadly as to include every kind of misconduct which undermines a marriage. The stricter position was presented by William A. Heth and Gordon J. Wenham in Jesus and Divorce (London: Hodder & Stoughton, 1984). They argued from Scripture and church history that Jesus placed an absolute ban on divorce and remarriage. Andrew Cornes, in Divorce and Remarriage (London: Hodder & Stoughton, 1993), takes a similarly strict position. He concedes that Jesus permitted divorce in the case of a serious sexual offence, and that Paul permitted a Christian to acquiesce if his/her non-Christian partner insists on leaving. But, he urges, Jesus did not permit a remarriage to the divorcee. This is "not because he is divorced but because he is still married. It is because God yoked him and his original partner together. It is because in God's eyes they became, in marriage, no longer two but one" (pp. 307–8). Although I am not myself convinced about the total ban on remarriage, Andrew Cornes combines biblical scholarship and pastoral experience, courage and compassion. His book will provoke some furious rethinking: it is indispensable reading for those anxious to develop a Christian mind on these topics. I have not been able to read David Instone-Brewer's scholarly work Divorce and Remarriage in the Bible (Grand Rapids: Eerdmans, 2002), but it comes highly recommended by many scholars in the debates as a significant contribution.
28 Murray, Divorce, p. 65.
29 RSV and NIV translate “How do you know... whether you will save your wife/husband?” understanding the question to express doubt, even resignation. It may well be, however, that the apostle is rather expressing hope. The GNB renders the verse: “How can you be sure... that you will not save your wife/husband?” The NEB is even stronger: “Think of it: as a wife you may be your husband’s salvation...” As F. F. Bruce comments, “A mixed marriage had thus missionary potentialities” (New Century Bible, 1971, p. 70). So the Christian partner must do his/her utmost to preserve the marriage.

30 In The Teaching of the New Testament on Divorce (London: Williams & Norgate, 1921), R. H. Charles argued that, since in 1 Corinthians 7:39 the opposite of “bound” is “free to marry”, therefore in verse 9, “the right of remarriage is here conceded to the believing husband or wife who is deserted by an unbelieving partner” (p. 58).


32 In America grounds for divorce vary from state to state. Irretrievable breakdown is commonly accepted and other grounds might include habitual drunkenness, impotence, insanity, intolerable cruelty or adultery.


34 Atkinson, To Have and To Hold, p. 70.


36 Ibid., pp. 75–76.

37 Ibid., p. 91.

38 Ibid., p. 151.

39 Ibid., p. 152.

40 Ibid., p. 154.


42 www.relate.org.uk/

43 www.plymouth-diocese.org.uk/organisations/marr_care.htm

44 www.care-for-the-family.org.uk

45 www.marriageresource.org.uk


47 Ibid., p. 20.