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Varying Views of Divorce; First Presbyterian Church of Allegan. 10/7/2012

Deut. 24:1-5

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,² and if after she leaves his house she becomes the wife of another man,³ 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,⁴ 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.⁵ If a man has recently married, he must not be sent to war or have any other duty laid on him. For one year he is to be free to stay at home and bring happiness to the wife he has married.

Mark 10:2-16

Some Pharisees came and tested him by asking, "Is it lawful for a man to divorce his wife?"³ "What did Moses command you?" he replied.⁴ They said, "Moses permitted a man to write a certificate of divorce and send her away."⁵ "It was because your hearts were hard that Moses wrote you this law," Jesus replied.⁶ "But at the beginning of creation God 'made them male and female.'^[a]⁷ 'For this reason a man will leave his father and mother and be united to his wife,^[b]⁸ and the two will become one flesh.'^[c] So they are no longer two, but one.⁹ Therefore what God has joined together, let man not separate."

¹⁰ When they were in the house again, the disciples asked Jesus about this.

¹¹ He answered, "Anyone who divorces his wife and marries another woman commits adultery against her. ¹² And if she divorces her husband and marries another man, she commits adultery."

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We have a controversial topic for our sermon today: Divorce. One of my pastor friends told me that they wouldn't touch this topic with a 10 foot pole! "There is too great a chance that someone will misunderstand what I am saying and be hurt and offended." They said. So today, I would like to begin the sermon with a request and an invitation. If anything that you hear today bothers you, offends or hurts you or brings back something from your past; please talk to me. I am apologizing in advance and I invite any one of you into a conversation with me about this topic --or any other topic; either by email or in person. --this sermon is not meant to be the end of a discussion but a beginning.

When you look at the topic of divorce in denominations across the Christian spectrum, there are a great variety of ways which churches treat it. In the harshest and most demanding of congregations, divorce is simply not allowed in their church for any reason. --If you get a divorce, you are also required to leave the church, --period, end of discussion! In other churches, such as most Mennonite churches, divorce is usually a cause for termination of membership, but special exceptions may be allowed for severe cases of abuse or neglect. In the Oriental Orthodox Church, divorce is not allowed, except in cases of adultery. In the Eastern

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Orthodox churches, divorces and remarriages are allowed for members, but not for their clergy. --This is similar to some Baptist churches, where pastors can't get divorced, but in other Baptist denominations, it seems that the pastor is usually the one that has the most divorces and the most remarriages!

In the spirit of full disclosure, our denomination, the Presbyterian Church USA, treats divorce as a serious sin, but something that is forgivable. Right here in the leadership of this congregation, we have divorced and remarried elders and deacons. And while I am happy to report that Bill and I have been married for 21 years only to each other (working through some rough spots together), there are many Presbyterian pastors who have been divorced and remarried and who are still in the ministry.

Within the Catholic Church, there is some very interesting divorce theology. In our passage today, the scripture talks about the two people becoming one flesh. This is considered a sacramental, mysterious and holy event in Catholic theology. So if you are a Catholic, and your marriage fails, you can ask the Catholic church to go back and to annul the original marriage, with the reasoning that if the marriage didn't work to keep the two

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people together, that the marriage sacrament obviously didn't happen correctly in the first place!

Now, any sermon on divorce would not be complete without acknowledging the pain and the loss that comes with a divorce. No matter how agreeable the two parties are about ending their relationship, there is always some sadness there. A divorce is like a funeral because there has been a loss. There is a loss of all of the hopes and dreams that this marriage relationship would have been a source for love, companionship and happiness for both people for the rest of their lives. --In a divorce, those hopes and dreams are acknowledged as being destroyed. And if there are children involved, they frequently are the people who are most hurt by a divorce.

As I was sitting in a coffee shop working on this sermon, it just so happened that at the table right next to me, a pair of divorced parents were working out their child care schedule from now through Christmas. They had their calendars out and their list of issues that they needed to coordinate. But everyone around them couldn't help but overhear that an especially hot topic for this divorced couple was the question of who was going to have the kids this Christmas, because apparently promises had

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been made before which had been broken! As I sat there considering this sermon, I wondered to myself, if what those kids really wanted for Christmas was to wake up and to find out that their mom and their dad had somehow magically gotten back together again. I wondered how much unintentional hurt that divorce had caused in their children's world of limited relationships. --The seriousness with which we treat divorce needs to take into account all of the people involved and not only the adults. And it is with this sort of seriousness that we turn to Jesus words about divorce here in Mark 10.

In order for us here in the twenty first century to fully understand what Jesus words about divorce meant to his hearers in the first century, we need to go back and do a little research into what divorce meant in their context. It may be surprising to you that the Jewish theology of marriage and divorce had changed over the centuries.

In our first lesson today from Deuteronomy 24, we have some Old Testament instructions about divorce and marriage. In the Ancient Near East, marriage was NOT about finding your soul mate and loving and marrying your best friend. Marriage in the Ancient Near East was more like a contracted business relationship than a friendship. The purpose of

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marriage in the Ancient Near East was not for the companionship of two people as equals, marriage in the Old Testament was for **creating children**, especially boys, who would grow up to inherit the family lands and were needed to take over the family business. And in order to create and care for children, the men needed to locate a fertile woman and arrange for a marriage.

A potential groom would gather up the bride price and give that amount of money or goods to the woman's father. The father in turn would give a dowry to the newlywed couple of something that they could use to make a living from: perhaps an orchard, a vineyard or a flock of some kind. Within the rules of the marriage contract, whichever person broke the marriage contract would give up their rights to the dowry in the divorce.

But the relationship between the man and the woman was not one of equals. While the wife was required to be faithful to her husband, her husband could take a second or third wife, and if he slept with another woman, it was not considered an affront to the first wife, it would be considered an affront to other woman's father or to the other woman's husband. The husband was required to provide raw food, wool and conjugal visits to his wife, and the wife was required to cook the food, make the clothes, care for the children and to never refuse his advances. The

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wives “happiness” that is referred to in our first scripture from Deuteronomy 24:5 is not referring to the wife’s mood. It is a euphemism for bearing children, especially boys. This was because in a time with no social security, a son was responsible for caring for his mother once his father was dead.

The reasons for divorce in the Old Testament were few and primarily were about preserving the male lineage. If the wife was caught in “indecent” behavior, --namely adultery, a husband could divorce his wife. Or if she was infertile, he could divorce her. Only the husband could write out a certificate of divorce, which would then allow the wife to be free to remarry someone else. If the wife left without the husband’s consent, there would be no divorce certificate and no right for the woman to remarry, she would be considered to be living in adultery. Also in order to keep the inheritance lineages clear, a man could not remarry his once divorced wife. --To do so could raise questions as to who was the actual father of a son and what lands he would be entitled to inherit. To summarize the Old Testament context of marriage, it was a contractual relationship designed to create children and make a clear male line for inheritance of their lands. A woman’s adultery and infertility were the main reasons for divorce. Remarriage of divorced people was not only allowed it was encouraged. --

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It was the responsibility of all Jewish people to increase their numbers and fill the land.

By the time that we reach the New Testament context, things had changed significantly. The Greek and Roman practice of having only one wife at a time was the new norm, and the Hebrew people's lands had been conquered and confiscated many times. Jewish divorce theology had also changed drastically. Instead of only divorcing for adultery or infertility, in Jesus day, a Jewish man could divorce his wife for any reason at all. According to the rulings of the Rabbi's of the Hillel School of thought, if a wife simply burned a man's supper, he could divorce her, or if the husband simply found another woman prettier. --The traditional rule that the husband was the one to write out the certificate of divorce to allow a woman to remarry was still in effect however, and more than one Jewish man had to be beaten or fined by the courts in order to encourage him to write out a certificate of divorce for his discarded mate.

It is within this easy divorce context then, that the Pharisees come to try to trap Jesus with a theological question about divorce. Jesus first response should not surprise us. He agrees that a divorce certificate allowing remarriage is the law of Moses, and speaks about how people's

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hardened hearts is the reason that such a thing is allowed. Jesus then affirms in beautiful language the equality and the companionship and the potential for unity in marriage that is God's intent for humans. This beautiful purpose of marriage from Genesis had been forgotten and lost through the centuries of contractual marriage. Instead of marrying a companion and a friend for life and making true commitments, Jewish marriage in the first century had become cheap and disposable. It is this throwing away of people for no good reason that Jesus is speaking against here in Mark 10:4-9. Jesus is telling people to value their marriages. This is the first part of Jesus message about divorce.

The last part of our passage today is the part that historically has caused churches to be so strict about remarriage after a divorce. Simply reading Mark 10 outside of its context, you could come to the conclusion that Jesus stating remarriage after divorce was never allowed. But if you take what Jesus says here in that context, you will see that it has a very different meaning.

Later on that day, when the disciples were alone with Jesus, he makes a second very startling and very egalitarian pronouncement that gives new rights to women. –Men could now commit adultery against their

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WIVES. In the Old Testament theology, a man could not commit adultery against his wife, because historically a wife did not have exclusive rights to her husband's body. If a man slept with another woman, that adultery was considered an affront against the other woman's husband or father. In a huge change from tradition, Jesus states that a man who left his wife for some other woman was guilty of adultery *against his wife*. In this pronouncement in Mark 10:11, Jesus gives to the wife the same rights as had been historically only given to the husband. Jesus was stating that now, there was the expectation that the husband was to be faithful to his wife, just as the historical rule was that a wife had to be faithful to her husband. Any remarriage of a man or a woman, without a certificate of divorce releasing them to remarry another would be considered adultery for both the man and the woman.

The reason that this statement of Jesus was remembered and recorded was **not** because remarriage after a properly certified divorce was now suddenly considered wrong. The reason that this statement was so important and was written down was because Jesus was giving women the same rights that men had enjoyed under Jewish law. The husband now belonged to his wife just as the wife had always belonged to her husband.

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In conclusion, our Mark 10 passage today has historically been used by churches to back up a variety of churches positions against divorce.

People all across the theological spectrum have been told that they couldn't divorce and that they cannot remarry. But if you look at these passages through the lenses of their historical contexts, the messages that we hear are very different. The first message that Jesus tells us is that marriages were designed to be a gift from God and a blessing of lifelong companionship to people. But because people are stubborn and broken, because our hearts are hard to our partners, marriage relationships sometimes end in divorce. A certificate releasing your spouse to remarry another was the standard way to peacefully terminate a marriage, and one which Jesus agreed with.

And secondly, Jesus words here in Mark 10:11, are not a blanket injunction against remarriage. Instead they are the giving a wife the same rights that Jewish law gave to her husband. Leaving your spouse for another person, without a certificate of divorce releasing you to do so, was now considered adultery on the part of men, just as it had always been considered for women. The surprising part of Mark 10:11 was not that remarriage without a divorce certificate was considered adultery, the surprising part was that it applied now to men as well as women.