

DEALING REDEMPTIVELY WITH THE DIVORCED AND REMARRIED

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Introduction

The delegates to the 1966 General Conference of the Mennonite Brethren Churches accepted a recommendation which called for three study conferences to be held during this conference triennium. These study conferences were to be attended by delegates from the churches of the Canadian and United States Area Conferences. It was hoped that a number of the delegates would be non-ordained brethren.

The Board of Reference and Counsel was charged with the responsibility of planning these study conferences. The first Conference was held in Reedley, California, on November 23 and 24, 1967, with over one hundred delegates registered. Four study papers were read and discussed. These papers will form the basis of recommendations which will be presented by the Board of Reference and Counsel to the 1967 General Conference of Mennonite Brethren Churches.

The brethren who wrote the papers were asked to present their insights based on their study of the Word and their experience in the Church. It was suggested that they avoid presenting "a mosaic of quotations." These papers will now be presented to the constituency for further consideration and study.

The papers should not be considered as final. Some papers have led to further questions which will receive more study and discussion. However, the delegates felt that the papers should be made public at this stage so that the constituency could be adequately informed of the proceedings at Reedley.

The brethren writing the papers have done us a great service. It is not always easy to advance convictions with which others might disagree. However, God calls leaders to step forward and share their insights humbly but also courageously. On the other hand, the listener or the reader has a responsibility as well. He must listen or read as a brother.

The issues which the church faces in this our day are grave. However, we dare not retreat to safer ground lest history will some day mock us. Let us as a brotherhood go forward in faith and continue our discussions in love. The Word has the answer. Let us continue to read it.

The next study conference will convene in Winnipeg, Manitoba, in May, 1968. Assignments have already been made. I would invite our brotherhood to support these conferences by fervent prayer and encouragement. God is able to "do exceeding abundantly above all that we ask or think, according to the power that worketh in us"

Frank C. Peters,
General Conference of
Mennonite Brethren Churches



The Writer

Rev. Jacob H. Quiring pastors the Bakerview Mennonite Brethren Church of Clearbrook, B.C. With many years of teaching and pastoral experience behind him, Rev. Quiring writes with an understanding for the human element in the problem here under discussion. He has studied at Winkler Bible School, the University of Saskatchewan, Tabor College, the University of Manitoba and United College, graduating with a B.A. and B.D. He also taught in the Coaldale Bible School, the Dalmeny (Sask.) Bible School and the Mennonite Brethren Bible College. After instructing at the College for many years (1945-57), he accepted the presidency in 1963. Before assuming the presidency of the Bible College, Rev. Quiring pastored the Winkler (Man.) Church. On various occasions he has been moderator of both the Canadian and Manitoba conferences.

DEALING REDEEMPTIVELY WITH THE DIVORCED AND REMARRIED

The assignment to present this paper was accepted reluctantly and under some pressure after others had politely declined. It was the desire to work together with my brethren in seeking to help and to heal that prompted me to yield to their request. The topic calls for a constructive way of dealing with the divorced and remarried. Those who formulated the topic and gave the assignment have expressed a belief that this can be done. We want to share their optimism.

Although we have become aware of many marriage problems in our Mennonite Brethren constituency, we know only of relatively few cases of legal divorce and remarriage. While the problem seemed less acute, we felt that we could afford to deal resolutely with the isolated cases according to a rule which we held to be scriptural.

But the situation is different today. Cultural influences from a morally degenerating society, allied with the openly rebellious tendencies in our own hitherto protected group, have begun to take a heavy

toll and the list of casualties grows longer. We have had to awaken to the fact that it is easier to proclaim an ideal standard than to deal with the real situations in a sinful society in which the Church lives and serves. It is therefore expedient that we examine our practices again, in the light of the Bible as we understand it today, without casting a shadow upon our brethren of the past.

It is urgent that we face hard facts. In so doing we need to retain a biblical idealism and realism, overcome our initial shock, and rely on the enabling of the Holy Spirit. We will need understanding, love and divine grace to work redemptively in lives where marital infidelity, mutual distrust and discord have dimmed hopes and blighted happiness.

I sincerely hope that the discussions that will follow will lead to a consensus that will permit redemptive action in and through our churches. This attempt, however, will fail unless we realize that some tragic events in marriage cannot be erased from the

records once they've happened and that we cannot reverse the wheels of history. We must experience a breakthrough in our attitudes that will enable us to deal redemptively with the divorced and remarried.

Basic Presuppositions

I am working from the understanding that my assignment does not call for an extensive exegetical treatment of the subject of separation, divorce and remarriage. A paper on that subject was prepared a few years ago by the brethren B. J. Braun, G. W. Peters and A. G. Willems upon the request of the Pacific District (U.S.) Conference. I could not improve on their work. I merely wish to enumerate several presuppositions which in my opinion have found general acceptance within our ranks as being scriptural and may, therefore, serve as a basis from which to proceed:

(1) That marriage, as ordained of God, must continue to be monogamous and indissoluble. God creates one man and one woman who in marriage become one flesh (Gen. 2:24). One cannot relate in this way to more than one person at a time, nor with a reserve as to the length of time (Mal. 2:15,16; Matth. 19:5; Eph. 5:23-32).

(2) That polygamy and divorce as practiced in Bible times and recorded in Scripture were temporarily tolerated in a sinful society, but have never received the stamp of divine approval. Moses accommodated himself to the need of the hour because of the hardness of men's hearts. Christ, when challenged on this point, emphasized the sanctity of marriage and, ignoring Hillel and Shammai and bypassing Moses, went back to the foundation of an abiding principle.

"Have you not read that he who made them from the beginning made them male and female, and said, 'For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one?' So they are no longer two but one. What therefore God has joined together, let no man put asunder" (Matth. 19:4-6).

(3) That divorce in case of marital infidelity (adultery or unchastity) is legitimate and permissible according to the word of the Lord (Matth. 5:32; 19:9). This point may be challenged and debated. The arguments for this view will be presented in a subsequent paragraph.

(4) That divorce and remarriage for other reasons than fornication are sin, however sin which can be repented of and forgiven. Neither divorce nor remarriage constitute the unpardonable sin (John 8:3-11). However, they violate the biblical ideal and place the individuals concerned on a sub-scriptural ethical level.

(5) That the early church accepted divorced and remarried people into the fellowship after their conversion, apparently without requiring that they give up their present state (1 Cor. 6:9-11).

(6) That the Church is primarily a redemptive body keeping the door of fellowship open to all who repent and believe. Surely, there must always be a way back into the fellowship of the Church for those who do truly repent.

Prevention Better than Cure

The request was made that this paper should include a brief emphasis on how to help prevent tragedies in married life. The question is important. We recognize that marriage breakdown is a problem with national and universal dimensions. Sociologists and legislators are seeking to give wise counsel and to frame laws that will help regulate what has become a growing menace to the stability of our entire society. We share in this general concern, but we are specifically interested in the families of our church communities.

As Christians we feel an obligation to help build happy homes where love reigns and peace dwells permanently. Such homes cannot be taken for granted in a society in which ideas and practices are current that undermine the sanctity of the marriage relationship—people advocating free love, trial marriages and five-year contracts; legislators being pressured by clerics, churches and countrymen to extend the grounds for legal divorce.

The Church must be found building fences at the tops of the cliffs as well as hospitals at the bottom. The more protection we can offer where the danger is, the fewer the beds that will be required in the wards.

How can we help prevent tragedies? What can we do that has not been done? In what areas ought we to reinforce our work and our witness?

(1) We need to emphasize loyalty to the higher moral laws. God's sovereignty extends to the moral universe. I think we are basically agreed that God's moral laws are as valid and as operative as physical laws. Yet somehow we have not learned to respect them as highly. There is a tendency to operate on what is legally right rather than on what is morally right. If the law says you can obtain a divorce for any cause then most people consider it right, regardless of the Scriptures.

We know that many of the laws on our statute books were not intended to prevent crime as much as to control it. They do not necessarily condemn evil but

seek to regulate it. Society calls for legislation that will legalize sin. We can legalize prostitution, abortion, divorce and remarriage and then sin within the framework of law. By our laws we set aside the laws of God. We need to emphasize more strongly that God's moral laws continue in force regardless of what the courts rule.

(2) We need to emphasize purity in the pre-marital state. Promiscuity in the pre-marital state does not contribute to permanency in the marriage relationship. When university chaplains advocate the use of the pill for students who show signs of serious intent, when gynecologists openly announce that they are prepared to give information and contraceptive materials to fourteen-year-old girls if they enquire, when clergymen openly predict that after a few years marriage will have become obsolete, then the barriers to promiscuity appear to be down. I am amazed at how vocal the proponents of such views have become, how neutral the news reporters aim to be and how silent we are who ought to protest against such evils. This is no good omen for the future. We need to become articulate.

(3) The Church must help build the homes out of which the new prospects for marriage will come. We can do this by nurturing the spiritual life of each individual. A high degree of spirituality guarantees greater resistance to the temptations that attempt to break down our moral fibre. The many problems and conflicts we meet in the process of family adjustment can be solved better when the soul is healthy.

We can also help by consciously supporting the home in a day when the focus is shifted to the individual or to society, and when such forces as industrialization and urbanization provide satisfying social contacts outside the home. Serious criticism is directed against an institutionalized church. By centering so many activities in one building we fail not only to reach an unsaved world but also to make the home the center of religious life.

(4) There is also a place for specific instruction for young people before they are engaged to be married. Opinions and attitudes are formed early in life in the midst of discussion and debate. The material for discussion frequently comes from unworthy sources. It is advisable that teen-agers meet with parents for positive instruction to be followed by free and open discussion under the canopy of Scripture and in an atmosphere of dignity and respect. In such a form of group counselling the individuals will select and assimilate those facts which are particularly applicable to their own lives.

(5) It would almost seem superfluous to advise pre-marital counselling. We are aware that some pastors have a counselling program and others do not. In order that a pastor might be helpful he must create confidence in himself as a counsellor. This requires that he manifest knowledge and understanding, skill in counselling, and that he convince his church members that he can be trusted. Books that have been published and courses that are being offered can be

most helpful to those who are willing to make use of them.

(6) This might be followed up with a family counselling service. It is astounding how many families break up after years of experimenting. Their method of trial and error in adjusting to new situations has not been successful. They need help. A feeling of shame inhibits them from talking to others about their domestic problems. On the other hand they may know of no adequate provision to share their needs with competent people. Might it not be advisable that the churches of a given community join in setting up a family counselling center to help those who are willing to solicit help?

Dealing Redemptively

We must now face the concrete situation in which two believing partners have not been able to surmount their marriage difficulties. Marriage has gradually deteriorated until it broke down. The divorce has been legally finalized and a second marriage consummated. How are we going to deal with the case? We cannot simply ignore those involved. We must not despise them. As a Church we must face the facts and act according to Scriptural principles. We must deal redemptively with them.

Some General Principles

(1) We must make an honest effort to understand them. The road that leads to a final breakdown in marriage is often long and fraught with much pain. The history of a marriage that ends in failure, particularly when it involves Christians who have been instructed, cannot fully be told simply by enumerating a series of cold and objective facts. The intense conflict of conscience that preceded the tragedy has usually been dominated by intense feelings of desire and disappointment, of guilt and of shame, of fear and of frustration. They were sincere when they exchanged vows, but for various reasons they have failed—and this hurts. Their sense of failure accompanied by a fear of public censure and possible social ostracism may give rise to other evils such as bitterness, despair or abandonment. It may not be possible for us to condone their action but we can seek to understand them. Even a little understanding sympathy will do much to pave the way for a redemptive ministry.

(2) We must deal with each circumstance as a special case. Each marriage breakdown has its own history, which, though similar to others in many ways, is in some respect different from all others. It involves different people and most certainly different

reasons. It has taken a unique course. And so we will discover that 'book' rules may not be equally applicable and effective in all cases.

(3) We must deal with them as people who may have had some spiritual problems first. Most marriages are marked by some conflict and need for mutual adjustment. But where there is an harmonious relationship with Christ and a life of fellowship with him, the resources for overcoming the trials are usually adequate. But to try to adjust to a marriage partner while living out of fellowship with God and in inner conflict with self is difficult.

(4) We must deal with the broken marriage in such a way that we do not minimize nor condone the sin and thus give encouragement to others to resort to divorce as an easy and permissible way out of difficulty. We cannot afford to create the impression that we are willing to compromise biblical standards; neither can we afford to create the impression that we have nothing but a cold shoulder to offer and that the Bible has no healing remedy. We must assure people that there is a balm in Gilead.

(5) We must deal with them in such a way that we safeguard the honor of the Church of Jesus Christ. For some the only solution seems to be to ex-communicate the offender and thus keep the Church pure and save its reputation. But the honor of the Church may even be enhanced by helping the people concerned to a life of victory and service and true happiness, for where sin abounded, grace did much more abound.

(6) We may also have to deal with the problem in a social context when the blame for failure cannot be placed exclusively on those who have been publicly declared guilty. In part, at least, a spiritual community shares in the responsibility of maintaining the sanctity of marriage and the happiness of the home. When the marriage of believers ends in failure the whole church may have to repent under the feeling that somehow they share in the guilt.

Some Pertinent Questions

At this point we need to raise a few pertinent questions which have a bearing on the topic under discussion:

(1) Does the exception clause ("except on the ground of unchastity" RSV or "saving for the cause of fornication" KJV) of Matthew 5:32 and 19:9, establish the scriptural right for the divorce and remarriage of the innocent party? We are well aware that Mark (10:11-1) and Luke (16:18) record the absolute prohibition. The question is: Does the exception of Matthew modify the absolute statements of Mark and Luke, or do Mark and Luke deny the truth of Matthew's exceptive clause? This question has been debated for centuries and no absolute agreement has been reached thus far.

At last five different approaches have been made to the statement of our Lord: These have been listed by Braun, Peters and Willems:

a) that the clause "saving for the cause of fornication," and "except it be for fornication" are interpolations rather than the words of Christ;

b) that the quoted clauses are in effect for the period of the Law but not for the dispensation of Grace;

c) that the word 'fornication' must be distinguished from 'adultery,' the former indicating illicit pre-marital sexual misconduct, the latter illicit post-marital sexual misconduct and that only fornication permits divorce;

d) that fornication in a general sense justifies the 'putting away' of the wife, but that such permission does not constitute actual divorce and therefore cannot imply the privilege of remarriage;

e) that fornication does justify divorce and definitely implies the privilege of remarriage to the innocent party.

It is apparent to me that nowhere do the Scriptures insist on divorce even in case of marital unfaithfulness. From this I conclude that the duty of the Church is to work in the direction of reconciliation of estranged partners of the marriage covenant.

Although the references given above clearly teach the sanctity and permanence of the marriage relationship, they also point up the awful sin of contracting physical union outside of marriage and that such an act has the same effect on the marriage bond as death. With due respect to those who hold other views, I am inclined to accept the interpretation that will permit the innocent party to divorce and remarry.

Permit me to present to you here in somewhat abbreviated form the facts which led the brethren (Braun, Peters and Willems) to accept a similar view:

(a) The distinction between 'fornication' and 'adultery' cannot be maintained so as to build solidly and safely upon it.

While at times a distinction between the two evils, 'fornication' and 'adultery,' seems to be indicated, the former pointing to antenuptial and the latter to post-nuptial illicit sexual behavior, it must be admitted that such a distinction is difficult to maintain throughout the Scriptures, as the following references show: Ex. 20:14, Isa. 23:17, Ezek. 16:26, 2 Chron. 21:11, Acts 15:29, Rom. 1:29, 1 Cor. 5:1,9,11, 10:8, 1 Thess. 4:3-6, 1 Cor. 6:12-18, 1 Tim. 1:10, Jude 7, Rev. 21:8, and Gal. 5:19.

The references justify the conclusion that fornication is rather a general term describing every type of illicit sexual evil.

(b) The possibility of the disruption of the marriage bond is definitely indicated by the Apostle Paul in 1 Cor. 6:16, where he warns that the prostituting party who is joined to a harlot becomes one flesh with her. The biblical ideal of monogamy makes it impossible for a husband to become one flesh with two women.

(c) By implication the possibility of the disruption of the marriage bond is also expressed in the precept of the Lord: "What therefore God hath joined together, let no man put asunder." The ideal and the precept of God stand for the permanency of the marriage bond, but the severance of this bond is within the power of sinful man. Just as there is **one sin** that cannot be forgiven, just as there is **one sin** unto death, so there is **one sin** that disrupts the most sacred and most basic human relationship, the sin of fornication.

(d) The words, 'put away,' definitely mean divorce.

(e) The permission to divorce implies the permission to remarry. The remarriage question does not enter into the discussion of our texts. It is clearly understood from the Old Testament background (compare Deut. 2:1-4) and from historical practice that remarriage is permissible if divorce is legitimate. The question of the remarriage of the innocent party is bound up with the answer on divorce. The two are inseparable.

We are led to the conclusion that fornication is a sin of such a serious nature that it disrupts the marriage bond and severs the marital relationship to the point that the two are no more one flesh and divorce is permissible. With the permission to divorce for the sin of fornication, remarriage of the innocent party is justified.

(2) Do the divorced that have consummated a second marriage, regardless of the reason for their divorce, continue to live in adultery as long as their first spouse is still alive?

This view has been and is being held by some. According to those who hold it, no genuine repentance is possible which does not involve breaking up a second marriage in order to be open to re-establish the first. This pretty well closes the door of hope for any of those who seek to re-enter into the fellowship of the church.

Or take the case of those divorced for any cause and subsequently remarried. Here it makes no difference whether the sin of adultery was committed before or after conversion. Paul, after including adulterers in the list of those who will not inherit the kingdom of God, says in 1 Cor. 6:11. "And such were some of you, but you were washed, you were sanctified, you were justified in the name of the Lord Jesus Christ and in the Spirit of our God." Now if it may be assumed that those who had been adulterers were permitted to continue in the state in which they were, it is difficult to think that they were still addressed as adulterers. Paul refers to them as saints. I must hold to the view that when the marriage of divorced people is legally performed and registered and consummated by the parties concerned, then the former marriage has ceased to exist. We have a second marriage to deal with and cannot brand the children of this union as illegitimate offspring.

Another question closely related to the former, is **(3) may those who have been divorced and remarried be reunited to their former marriage partner?**

I want to refer to Deuteronomy 24:1-4:

When a man takes a wife and marries her, if then she finds no favor in his eyes because he has found some indecency in her, and he writes her a bill of divorce and puts it in her hand and sends her out of his house, and she departs out of his house, and if she goes and becomes another man's wife, and the latter husband dislikes her and writes her a bill of divorce and puts it in her hand and sends her out of his house, or if the latter husband dies, who took her to be his wife, then her former husband, who sent her away, may not take her again to be his wife, after she has been defiled; for that is an abomination before the Lord, and you shall not bring guilt upon the land which the Lord your God gives you for an inheritance.

This passage does not teach that God favors divorce when a man finds something offensive in his wife, but it recognizes that a sinful people will divorce and remarry. God seeks to regulate divorce and remarriage in a sinful society. Before a man divorces his wife he must consider seriously what he does. A woman cannot become a toy of a man's caprice. The divorce of a woman must be deliberate and final. God absolutely prohibits a husband from remarriage his divorced wife after she has remarried, regardless whether that second marriage ends in divorce or by the death of the second husband. The reason given is that "this is an abomination before the Lord." The re-marriage to a woman who was divorced was pronounced immoral. "She has been defiled." Unless we are thoroughly convinced that this prohibition is not binding for all time, we may do well to let it stand.

Repentance and Restoration

Let us assume that the church has consistently upheld the scriptural teaching on the sanctity of marriage and on the evils of divorce and remarriage, and has been faithful in exhorting and warning those who contemplated such action. If such teaching is not accepted and heeded, the church must still continue in its redemptive ministry. The real aim then must be to lead people to genuine repentance and restoration.

The church may find it expedient and mandatory to adopt disciplinary measures. Under extreme circumstances this may include excommunication. Discipline has a redemptive purpose and if carried out on the basis of scriptural authority and in love for the offending person, it can be a means of God to bring about restoration.

A very pertinent question for us in this matter is: What constitutes repentance in such a case and what works of repentance can we expect? Let me emphasize three things:

(1) There must be an honest admission of guilt accompanied by a sense of regret. We expect the contrite confession, "I have sinned."

(2) We would expect a readiness to return to the former state where this is possible on moral, legal and practical grounds. I do not see, however, how we could insist that a remarried person break up the second marriage and either return to the former companion or live a separated life. Such action would not only require another legal divorce and break up another home, but also violate Deuteronomy 24:1-4. Such demands seem to me unscriptural, unreasonable and unpractical.

(3) We would expect an honest pledge to continue faithful in the present state. The divorced person, if a guilty party and still alone, would promise to remain unmarried until the death or remarriage of the former marriage partner. The remarried would pledge to remain faithful to the present marriage partner. Here we can apply the words: "Go and sin no more."

In my opinion, such evidence of repentance should satisfy the church and be sufficient to forgive, release and receive back into the church fellowship.

Now the question arises: **May such members hold office in the church?** There is some good reason why the church feels hesitant about putting the divorced and remarried into public office. The Christian world is still governed by a conscience which attaches seriousness to divorce and churches need to be on guard lest their action be interpreted as an endorsement or condonement of divorce and remarriage. No doubt it is because of such considerations that the Board of Reference and Counsel recommended to the General Conference in 1966 that "Such members shall not be eligible for any office which requires ordination."

Such a rule may seem wise. The question is whether it is adequate and just, and whether it should be binding in all cases and for all areas. We know that certain offices in our church for which we require no ordination carry more responsibility than some of those for which we have ordained people. This holds true especially in the teaching ministry of the church.

We also recognize that there are differences in divorces. There are the guilty, the less guilty, and even the innocent.

May we not expect that only a very few such cases will come up for consideration and that in general the truly repentant will be willing to remain more in the background of public life if this is deemed advisable, without being forced to that place by church resolution? Can we not place confidence in the local church to find a satisfactory solution?

Certainly we cannot expect the restored to sit as drones in the church. We may not know exactly how the Spirit of God would like to use such vessels in his service, and so we should be less inclined to apply too many restrictions. God has raised other great offenders who repented of their sins to render notable public service in his Church. Should we not be cautious in circumscribing how such members of his body may or may not be used?

After all has been said and done, we will have to admit that we are dealing with a very complex matter and that we have neither all the questions nor all the answers. Since we cannot probe the depth of conscience, nor measure fully the degree of repentance, nor understand fully the mind of God in all matters, we are not qualified to pass the final judgment. Nor must we think that God is obligated to rubberstamp every decision of the church. God deals with individuals through the church, but he also deals with them directly, both inside and outside of the church. Is it not advisable that we give repentant sinners the benefit of our doubt and commit them to the soul-care of him who searches man's hearts, who forgives them and who loves them freely and then welcome them into our fellowship with such privileges as we can conscientiously give?