

# Marriage, Divorce and Remarriage

## Special Committee Report of the Reformed Church in the United States (1991)

For the sake of continuity, completeness, and the overall understanding of those who read this report, again we have included the recommendations which were adopted at the 1989 and 1990 meetings of Synod along with the recommendations being presented to the 1991 Synod. The position statements that are being recommended for adoption at the 1991 Synod are noted in the margin by R1, R2, R3, etc.

### A. MARRIAGE

1. Marriage was instituted by God at creation to be between one man and one woman (Gen. 2:18-24).
2. Lifelong, monogamous marriage with no divorce is God's ideal and creation institution (Matt. 19:3-6).
3. God's Word gives regulations concerning lawful marriage for all men (Lev. 18:1-30).
4. Yet for Christians, God's Word also states that marriage is to be only in the Lord. Therefore, Christians are not to be unequally yoked in marriage with any who show themselves by their confession and life to be unbelieving and ungodly (Heid. 80, 82; 1 Cor. 7:39; 2 Cor. 6:14-18). Items A1, 2, 3, and 4 were adopted 1989, take note.
5. In light of Ephesians 5:21-33, Christian marriages are to reflect the glorious relationship between Christ and His church. Therefore, it is the duty of Christ's undershepherds to promote, by adequate oversight, godly Christian marriages. Adopted 1990, take note.

### B. DIVORCE

1. Divorce became a reality because of sin and man's hardheartedness and always stems from sin (Matt. 19:8). Adopted 1989, take note.
2. Members of the church first must seek to settle marital problems in the court of the church (Spiritual Council) before seeking divorce. The court must determine whether or not biblical grounds for divorce exist in this particular case. Only if such grounds do exist may divorce be sought in a civil court. The church must not recognize the ethical legitimacy of a divorce on other than biblical grounds. Adopted 1990, take note.

The committee would list the following reasons for this recommendation. They are presented for support and not as part of the recommendation proper.

- a. 1 Corinthians 6:1-8 forbids a Christian to go to civil court against another Christian.
  - b. The sin(s) which occasion(s) the divorce must be judged by the Spiritual Council.
  - c. The Spiritual Council is responsible to vindicate a person with biblical grounds for divorce for the preservation of his/her good name (see Heid. 112).
3. The following constitute adequate grounds for legitimate divorce:
    - a. Sexual sin of various sorts (premarital unchastity discovered after marriage, adultery, sodomy, harlotry, incest, bestiality, etc.) constitutes adequate grounds, for it violates the "one flesh" aspect of marriage.
    - b. Desertion by an unbeliever constitutes an adequate ground as a violation of the "one flesh" and "cleaving" aspects of the marriage covenant (1 Cor. 7:15). Items 3a and 3b were adopted 1989, take note.
    - c. Actions which are tantamount to desertion constitute adequate grounds for divorce. Adopted 1990, take note. Examples might include the following (note that these are illustrative of this principle, are not intended to be exhaustive in covering every scenario, and are not part of the recommendation proper):
      - 1) The deliberate and unrepented withholding of food, clothing, and sexual relations (i.e., the purposeful failure of the husband to care for the bodily needs of his wife and defrauding her of her conjugal rights, Exod. 21:10-11) are examples provided in the Bible of behavior destructive of the marriage covenant.

NOTE that this must be deliberate action. Extreme poverty might preclude a husband from providing adequately for his wife's bodily needs, but that does not constitute grounds for divorce. Likewise, an invalid spouse, because of a debilitating disease or handicap, might be incapable of sexual intercourse. This does not constitute adequate grounds for divorce, even though this situation would work a severe hardship on the other mate. Couples marry "for better or for worse" which implies that they will accept God's providence in their marriage, including the "for worse" aspects.

2) By inference from Exodus 21:10-11, spousal abuse which is life-threatening or destructive of the "cleaving" aspect of marriage constitutes grounds. If lesser life-threatening measures such as withholding food and clothing could free a spouse, certainly a greater and more immediate attack upon one's personal safety would constitute legitimate grounds for divorce.

Note that the committee does not consider point 3c as an innovative departure from the Westminster Confession of Faith's position on adequate grounds for divorce. We believe that "desertion" biblically cannot be narrowly construed as being solely confined to the act of packing one's bags and leaving the domicile.

4. In the case of an existing marriage of a believer and an unbeliever, the Scriptures state that:

a. The believer is to remain within the marriage bond if the unbeliever consents to remain married (1 Cor. 7:12-14).

b. If the unbeliever deserts the marriage, the believing spouse is no longer bound to that marriage (1 Cor. 7:15). Items 4a and 4b were adopted 1989, take note.

5. In the case of a separation between two believers, they must seek reconciliation, for the marriage bond is not abrogated (1 Cor. 7:10-11). Adopted 1990, take note.

6. Divorce is not required even if there are legitimate grounds for divorce. Our pastoral concern is to preserve marriage wherever possible. Adopted 1990, take note.

### **C. REMARRIAGE**

R1 1. Remarriage is lawful for persons divorced on biblical grounds (cf. Deut. 24:1-4; Matt. 19:9; 1 Cor. 7:15).

R2 2. Persons unlawfully divorced may not remarry until the death of their former spouse (Matt. 5:32; 19:9; 1 Cor. 7:10-11). If, however, one spouse unlawfully remarries after an illegitimate divorce this would free the other spouse to remarry (Matt. 5:32; Deut. 24:1-4).

R3 3. A divorced couple may not remarry each other if there has been an Intervening marriage (Deut. 24:1-4).

D. Vance, W. Haddock, E. Trautman, A. Dockter, S. Schlei