

SECOND CHANCE

Other books by Ray Sutton

*Who Owns The Family?
God or the State?*, 1986

*That You May Prosper:
Dominion By Covenant*, 1987

SECOND CHANCE

**Biblical Blueprints for
Divorce and Remarriage**

Ray R. Sutton

Dominion Press
Ft. Worth, Texas

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Published by Dominion Press
7112 Burns Street, Ft. Worth, Texas 76118

Typesetting by Thoburn Press, Tyler, Texas

Printed in the United States of America

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Library of Congress Catalog Card Number 87-073502

ISBN 0-930462-49-1

**Dedicated To My Father-In-Law
and Mother-In-Law**

John and Evelyn Schaerdel

**Whose Unselfishness Has Made
My Ministry Possible**

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EDITOR'S INTRODUCTION

by Gary North

Whoever lies with a beast shall surely be put to death (Exodus 22:19).

There is a school of Biblical interpretation that says that unless an Old Testament law is repeated in the New Testament as legally binding, it is no longer legally binding. Such a doctrine is not explicitly taught in the New Testament; it is a generally unstated presupposition that commentators bring with them when they begin to study the Bible. They assume what they ought first to prove.¹

There is no mention in the New Testament of bestiality. This raises a significant problem of interpretation for those who argue that the Old Testament law system was annulled by Christ. On what basis is the civil government to prosecute bestiality? Natural law? But nature is hardly a guide in sexual matters, for it is under God's curse (Genesis 3:17-18). Animals do all sorts of things sexually that the Old Testament regards as an abomination. The Marquis de Sade, from whom we get the term *sadism*, was a great defender of natural law theory that is based self-consciously on nature, for nature is filled with murder and destruction. But if natural law theory is an unreliable foundation, then the question remains: What is the civil government to do about bestiality (or any other crime)? On what moral or legal basis?

Is bestiality legal ground for divorce in the New Testament

1. Gary North, *75 Bible Questions Your Instructors Pray You Won't Ask* (Ft. Worth, Texas: Dominion Press, [1984] 1987), Part II.

era, even though it is not mentioned in the New Testament? How can we be sure, if we do not operate under the assumption that God's Old Testament standards are still binding in the New Testament, unless specifically annulled through historical fulfillment? Does the innocent victim of a marriage partner who practices bestiality have the legal right before God to separate permanently from the sexually deviant spouse? Can the victim lawfully sue for divorce in the civil courts? Should a civil government declare as already divorced any couple when either partner has committed bestiality? Homosexuality? If so, on what basis? If not, how is the innocent party to be protected?

If the innocent party can lawfully receive a formal declaration of divorce from Church and State, what about remarriage? Is an innocent victim of a perverse marriage partner forever condemned to celibacy? If so, on what New Testament basis? If not, on what New Testament basis?

Under the Rug

These problems are indicative of a whole series of questions regarding divorce and remarriage. These problems cannot safely be swept under the institutional rug, either by Church or State. Yet this is exactly what is going on today. The rugs are visibly lumpy, so frequently have these questions been swept under them. People and congregations continue to trip over this lumpy ecclesiastical rug.

The civil government's rug is just as lumpy. The State has adopted no-fault divorce, thereby threatening the very foundation of Western civilization. The catastrophic rise in the number of divorces today is a national scandal. The Church has not officially adopted this no-fault view, but in effect it has adopted it, for it defers to the judicial decisions of the civil government. There are exceptions, of course. A church in the state of Oklahoma formally excommunicated an adulterous woman whose sin was well known in the community. She sued the church in civil court. This constituted a direct threat on the integrity of the church.

A homosexual Presbyterian pastor was arrested by a police

officer for soliciting in a public lavatory. When cleared of this charge by a civil jury because of a legal technicality made during his arrest, the man's presbytery threatened to try him in the church's courts. He then threatened the presbytery with civil action, and the presbytery fearfully dropped the case.² He remained an ordained pastor. Not full-time, however. He was a full-time public school teacher.

A married Presbyterian pastor in the same denomination admitted adultery with the wife of another church member. His punishment? He was transferred to another presbytery. "Keep him away from *our* wives," was the first presbytery's guiding principle. The receiving presbytery had no guiding principle. He later voluntarily resigned the ministry, showing far greater wisdom than either of the presbyteries. (I subsequently bought a part of his excellent library through a used book catalogue.)

Little or nothing is done by the churches to solve the divorce and adultery plagues, year after year, decade after decade. God will not be mocked. The Jim Bakker scandal rocked the American evangelical community in 1987, and it cost rival television ministries hundreds of millions of dollars in forfeited donations. Time bombs keep ticking. There is the AIDS time bomb, the herpes time bomb, and the Church-courts-without-any-sense-of-direction-or-perceived-authority time bomb. These time bombs are all beginning to explode at once. And as they go off, one by one, many innocent victims will see their lives devastated. Who will step in and offer them solace, guidance, and hope if the churches remain silent?

Yet they do remain nearly silent. At best, they whisper. And what they whisper comforts very few.

A Theocentric, Covenantal Universe

When Christians face difficult social or theological problems, they should discipline themselves to look to the Bible for answers.

2. He should have been excommunicated for having threatened the Presbytery with civil action—a case of obvious contumacy.

They must begin their search with these questions:

- What is the character of God?
- How does He relate to the creation?
- How does He deal with man?
- How is man supposed deal with other men?

We must start with God and God's legal relationships with mankind. Only then can we safely begin to look for Biblical solutions to the social problems of any era. Man is made in God's image. God's covenantal relationships with men, both redeemed and fallen, provide us with models of how we are to deal with each other, both redeemed and fallen.

Throughout the Bible, God's people are described collectively as God's bride. The marriage covenant becomes the model of the God-Church covenant. Ezekiel 16 is a classic passage in this regard; so is Ephesians 5:22-33. If marriage is the model, then what about divorce?

God divorced Israel when Israel revolted by crucifying Christ. This was the last straw. Israel had committed spiritual adultery repeatedly, from the golden calf forward. God soon remarried; He gained a new bride, the Church. Jesus Christ is the bridegroom of the Church, not of Israel. The legal basis of this marriage was a prior divorce. If God had not lawfully cast off Israel, the Church could not legitimately be called God's bride. God is not a bigamist. Divorce and remarriage: without both of these covenantal actions on God's part, there could be neither Church nor salvation in New Testament times.

If this is how God has dealt with mankind, then how are we to deal with each other? If God established the Church on the basis of covenantal divorce and remarriage, are we to use this as our example? If not, why not?

The Covenant

To understand the basis of divorce and remarriage in both the Old and New Testaments, we must first understand the covenant. Pastor Ray Sutton, after many years of marriage counseling,

stumbled across the long-neglected Biblical covenant model. His book, *That You May Prosper*, is the classic formulation of this five-point model, the first developed expression of it.³ It serves as the structure of this book, as well as most of the others in the Biblical Blueprints Series. The covenant model provides specific answers to five inescapable and crucial personal and institutional questions:

Who's in charge here?
To whom do I report?
What are the rules?
What do I get if I obey (disobey)?
Does this outfit have a future?

Marriage is governed by the Biblical answers to these five questions. It is one of God's three ordained covenantal monopolies: Church, State, and Family. Thus, to discuss the legal basis of divorce and remarriage without first understanding that the Bible's answers are governed by the five-point Biblical covenant model is to embark on a fog-shrouded journey without a flashlight. However complete the map (the Bible), it will not lead you to your desired destination. Without a flashlight, you can't read it at night, nor can you see the path in front of you.

Covenantal Death and Adoption

The Blueprints section of *Second Chance* is divided into two parts, each of which is based on a fundamental Biblical principle. The first principle, covenantal death, governs covenantal divorce. The second principle, covenantal adoption, governs marriage and remarriage. Because Bible commentators have failed to see that these two Biblical principles—death and adoption—apply specifically to divorce and remarriage, their commentaries have not provided adequate guidance to Christian pastors and marriage counselors. Sutton's application of these two principles is nothing short of a theological breakthrough, a minor breakthrough com-

3. Ray R. Sutton, *That You May Prosper: Dominion By Covenant* (Tyler, Texas: Institute for Christian Economics, 1987).

pared with *That You May Prosper*, but a major one in terms of practical Christianity.

When besieged pastors recognize the magnitude of what Sutton has accomplished, they will feel as though an enormous burden has rolled from their shoulders. Their own doubts regarding practical advice to confused and desperate victims of evil marriage partners will begin to disappear. They will have a set of criteria for dealing with divorced people in their churches. Church members will at last find practical ways of coping with and overcoming legitimate guilt, or escaping from illegitimate guilt. The covenant is practical.

The various crises of the late twentieth century are being borne disproportionately by the family. The family is incapable of dealing with these crises autonomously. No single institution is capable. Families have turned increasingly to the civil government as the primary source of relief, but this parasitic agency has been stretched too thin economically and too thick bureaucratically to deliver the hoped-for relief. If the churches fail to offer Bible-based guidance to families in this era of crisis, then the ministry of the gospel will be set back, perhaps by several generations. The Church does not operate to its full cultural capacity in concentration camps or in hospices for the terminally ill.

The churches seem incapable of restoring broken marriages or replacing broken marriages with guilt-free working ones. Why not? Because churches have ignored the ethical and legal requirements of the Biblical covenants: Church, State, and Family. Until they once again begin to pay attention to the terms and sanctions of each of these covenants, they will continue to suffer setback after setback. To the extent that the Church ignores the covenant model, covenant-breaking society thinks it can safely ignore the Church. Then comes God's temporal judgments. AIDS is not the beginning of these judgments, but it may end them simply by removing the potential rebels from this world, as well as large segments of God's remnant.

If people had honored the terms of the marriage covenant, would AIDS now be a threat? More to the point, if people will re-

new their commitment to covenantal marriage, will AIDS cease to be a threat? How soon?

Other Viewpoints

Second Chance discusses other traditional Christian views of divorce and remarriage. No doubt there will be many Christian people who will send Sutton outraged letters telling him that he is terribly liberal or terribly rigorous in his covenantal view of marriage. What the letters will not contain, I predict, is a systematic, Bible-based refutation of his five-point covenant model and its application to the marriage covenant. Sutton may be told about this or that book on the topic, which he probably already has read and may have reviewed in print. It will be a book written before the publication of *That You May Prosper*, and which takes no note of the Biblical covenant model. Such books are really not to the point; it will be the books written in response to *Second Chance* that alone will be relevant to the covenantal issues that Sutton raises.

To those who complain because Sutton's approach is too rigorous, or "heartless and uncaring," I ask: How does your view avoid destroying the institution of marriage? How does your view differ from humanism's no-fault divorce system? To those who complain that Sutton's approach abandons the "no divorce/no remarriage" view, I ask: Does your church place under public censure each and every member who seeks and receives a divorce from the civil authorities, no matter what the reasons for the divorce? Does your church automatically excommunicate each and every divorced member who remarries, as well as each and every member who remarries a divorced person? If not, then why waste time writing to Sutton? Write instead to your pastor, your presbytery or synod, and your church's general assembly, and complain formally that they have deviated from the Biblical position. Work hard to get your church's view of divorce and remarriage straightened out, since you have placed yourself under its authority. Your church is your primary problem in this regard, not *Second Chance*.

If you are the pastor in a "lax" church, and you hold the "no divorce/no remarriage" position, then your immediate responsi-

bility is to persuade your congregation and any church authorities over you. If your church does not bring under formal public discipline every member who has ever violated the “no divorce/no remarriage” rule, then you must threaten to resign if the congregation does not take immediate action and reverse its lax standards. With those members who have remarried, or have married divorced people, there can be no hesitation: excommunication without appeal until they make a public admission of guilt and also make restitution of some kind. The “no divorce/no remarriage” view argues that marrying a divorced person constitutes adultery, and in the Bible, adultery is a capital crime (Leviticus 20:10). If your congregation refuses to excommunicate adulterers automatically, then it is subsidizing a capital crime. You must resign, or work so hard to reverse your church’s view that your job is placed on the line. Persuading Pastor Sutton should be far down on your list of priorities.

Furthermore, you should also be preaching systematically and often that the civil government should pass legislation requiring the execution of all persons who remarry after the appropriate legislation is enacted. Isn’t adultery a capital crime, biblically speaking? If such preaching makes you appear to be an extremist, so be it. The issue is truth, not appearances. Only after you have taken these steps should you devote time and effort to persuading Sutton of your position. Your primary responsibility is to your congregation and the transformation of its spiritual condition, not straightening out Sutton’s theology.

Now, if your church really does excommunicate all those who remarry or marry divorced persons, then Pastor Sutton and I would be interested in hearing from you. You are not just blowing smoke. Please send us photocopies of the relevant sections of your church’s book of church order or discipline in which the “no divorce/no remarriage” position is stated explicitly, which identifies those who remarry as adulterers, and which outlines procedures for automatically excommunicating all those who remarry, no matter what excuse they might offer. If your church has such a requirement, then you possess a working model of how

your view can be applied institutionally without causing a rebellion in the church and destroying it. One warning, however: no annulments, please. If your church dispenses annulments by the hundreds or thousands in order to let married people off the covenantal hook, then it has adopted the traditional institutional loophole. The “no divorce/no remarriage” position may be preached in the church, but it is not actually being enforced.

Second Chance takes a strong exegetical stand against the traditional “no divorce/no remarriage” view. It provides the Biblical case against such a view. It argues that such a view is held by practically no one, institutionally speaking, and that whenever it is enforced, it leads to adultery on the sly and to institutional winking or eyes shut tight to sin. It argues instead for the covenant.

What I am saying should be obvious. Some critics may be appalled by this book's abandonment of the “no divorce/no remarriage” tradition, but it is way too late for the critics to limit their complaints to this book. The whole Christian world has abandoned the traditional view. The difference between Sutton's abandonment of it and the churches' abandonment of it is that Sutton provides the exegetical case against the traditional view and has provided a positive Biblical alternative. The churches have simply stopped enforcing the older view without any explanation. That is one reason why I think there will be tremendous demand for this book. It will transform existing ecclesiastical hypocrisy into consistent ethical policy. While the critics may blame *Second Chance* for the reinforcement of a trend they resent, they cannot legitimately argue that this book is the cause of that trend. The trend was initiated far closer to the critics' home than Tyler, Texas.

The Covenant Model Is a Package Deal

There are many pastors and Christian marriage counselors who will immediately recognize the power and effectiveness of the five-point covenant model in marriage counseling. They will adopt it out of necessity, for the “no divorce/no remarriage” view is dead today, and has never been Biblically correct in any case. I believe that *Second Chance* will be rapidly adopted as the most effec-

tive Christian handbook on divorce and remarriage ever published. Because it meets a perceived need as no other book in its field has done or can do, its thesis will be accepted almost overnight by hard-pressed marriage counselors who desperately need a Bible-based approach that works, not traditional slogans that don't. This book unlocks the shackles of the "no divorce/no remarriage" tradition, but without delivering the newly freed counselor into the bondage of humanism's no-fault divorce system.

But then the counselor will face the beginning of a personal theological crisis. He will have to ask himself: *Why* does the five-point model work? Next, the brighter ones will ask themselves: *In how many other areas of life* does this five-point model also apply? This question will lead them step by step to other books in the Biblical Blueprints Series. They will be dragged, perhaps kicking and screaming in the early stages, into several other areas of Christian responsibility. If they pay attention to the covenant structure, they will find that it opens not only formerly blurred Bible passages but also a whole host of practical problems that the Bible addresses authoritatively—problems that Christians have been self-consciously ignoring throughout this century.⁴

Nevertheless, with greater knowledge always comes greater personal responsibility. Some Christians resist strongly the idea that they have cultural responsibilities as Christians, for this realization raises the painful corollary: if God has transferred to His covenant people such widespread cultural responsibilities, then they also have been given sufficient time in history to assume these responsibilities and to deliver the cultural goods to a lost generation. Thus, questions of Biblical ethics inevitably raise questions of Biblical eschatology.⁵

The covenant's answers can very often be even more painful than even the theological questions, especially for pastors of large, established congregations. Large, established congregations are

4. Douglas W. Frank, *Less Than Conquerors: How Evangelicals Entered the Twentieth Century* (Grand Rapids, Michigan: Eerdmans, 1986).

5. Gary DeMar and Peter J. Leithart, *The Reduction of Christianity* (Ft. Worth, Texas: Dominion Press, 1988).

difficult to move theologically; they tend to explode, or else they fire preachers of disturbing sermons. There are thousands of presently employed pastors who are not psychologically prepared to be "fired with enthusiasm." But trouble deferred is not trouble removed. Pastors of large, established congregations whose members are not disciplined by the Biblical principles of divorce and remarriage are already heading for crises. Better a crisis over eschatology than a crisis over AIDS.

The other topics in the Biblical Blueprints Series may initially appear to be sufficiently far removed from the daily lives of Christians so as not to be areas of primary personal or institutional responsibility, or areas of immediate confrontation. This apparent distance is a self-inflicted illusion by Christians, but a common one. Not so with divorce and remarriage. These two problems are eating away at churches across the nation. They are immediate, pressing, and major problems. They cannot successfully be ignored. They continue to fester. The failure of churches to deal effectively with divorce and remarriage is a growing scandal. This is why *Second Chance* is the "hook" to bring large numbers of previously complacent Christians to an understanding of the covenant. And let me warn the reader from the beginning, to this covenantal hook is attached a whole world-and-life view.

Conclusion

There will be those who resist the thesis of this book. They will say that Sutton's covenant model is speculative, impractical, and incorrect. To them I say: *you can't fight something with nothing*. If his covenant model is incorrect, then the critic owes it to himself, Sutton, and the Church to produce a better model that does greater justice to the Biblical evidence. If Sutton has misapplied a valid five-point model, then the critic needs to write a better book on divorce and remarriage. It must be closer to the Biblical evidence. It must be more practical. It must meet the immediate needs of the innocent victims in covenantally broken marriages. Again, you can't fight something with nothing. To remain on the sidelines, murmuring about the details of the covenant model, or

murmuring about the conclusions of *Second Chance*, is to fail to deal with the immediate problems at hand. Murmuring is neither a theoretical solution nor a practical solution; it is simply moral rebellion. It keeps people wandering in the wilderness and outside the Promised Land (Exodus 15:24; 16:2; 17:3; Numbers 14:2, 29; 16:41).

To those who take the hook and move on, I say: *ignore the murmurers*. Just do your work faithfully. The murmurers will eventually die in the wilderness. They are dying men whose eyes are turned backward toward the bondage of humanist Egypt. They long for the leeks and onions, for the slave world of limited personal responsibility. They deeply resent the fact that God has pulled them out of that low-responsibility world. God will not allow them to go back; neither will AIDS. Ignore them. Let God deal with them. Your job is to keep your eye focused on Canaan, which God will deliver into your hands, or into the hands of your covenantal heirs. The Puritans had such a vision of victory, but it faded as their covenant theology faded. That lost vision has at last been recovered in our day. It is our responsibility to make better use of it. We have been given a second chance. Not just in marriage counseling, but in every area of life.

I fully expect this book to become the most successful of all those titles in the Biblical Blueprints Series. The series in turn is designed to lead answer-seeking Christians to the world-and-life view called Christian Reconstruction. Christian Reconstruction begins with the five-point covenant model, and *Second Chance* shows exactly why this model is Biblical, and therefore why it works in the real world. For many people, the journey toward the comprehensive Christian Reconstruction of all society will begin with Sutton's highly practical solutions to the vexing questions surrounding divorce and remarriage.

The critics of Christian Reconstruction had better understand my strategy in publishing this book. I am bringing hard-pressed Christians a series of forthrightly, explicitly Bible-based and workable solutions to problems that our critics cannot successfully deal with. There is a lot of mumbling about developing a Chris-

tian world-and-life view these days, but the Biblical Blueprints Series is the only one that cites chapter and verse from the Bible in its specific, concrete applications. Mumbling will no longer carry the day. The cultural debates are no longer confined to theological halls of ivy, where mumbling and the endless qualifying of positions is a way of life.

Second Chance delivers the theological goods to a market with heavy demand. This book is the nose of Christian Reconstruction's camel in the door of pietism's tent. Our critics have chosen to ignore us for a long time. They have not produced a single serious refutation of a single Reconstructionist book, and they have had over twenty years to produce one. So far, this strategy of academic blackout has not blown up in their faces, although several theological time bombs are noisily ticking away. But if they ignore *Second Chance*, they will lose the battle. They can't fight something with nothing. Furthermore, if they try to return to "no divorce/no remarriage," they will also lose the battle. No one is listening to that dead position any more. Sutton laid the foundation with *That You May Prosper*; he completes the ground floor with *Second Chance*. The Biblical Blueprints Series gets us our first multi-story building. It is not clear yet how tall it will eventually become.

In short, if *Second Chance* gets the audience I expect it to receive, our critics can legitimately complain, "Well, there goes the neighborhood!"

Part I

BLUEPRINTS

Union involves mutual consent; the *dissolution* of a marriage does not. The most common form of divorce is *by death*. This could be not only a natural death, which is not strictly a divorce, but a legal execution, which divorced the culprit from life, society, and spouse. Those who were missionaries for idolatrous cults were subject to death and therefore divorce (Deut. 13:1-11). The pre-Mosaic law required death for adultery, as the Tamar incident shows (Gen. 38:24), David expected it for his own sin (II Sam. 12:5), and it required a word from the Lord, Nathan's message "thou shalt not die" (II Sam. 12:13) to avoid that sentence. . . .

Thus, the Scripture, in both Old and New Testaments, has one law with respect to marriage. The purpose of marriage is not humanistic; it is covenantal, and therefore the reasons for divorce cannot be humanistic and must be covenantal.

Unfortunately, divorce laws have been radically altered by humanism. The answer, however, is not a return to Montanism. The practice of Calvin in Geneva illustrates that a strict, covenantal view of marriage and divorce is Biblical rather than having only adultery the grounds for divorce.

The Biblical standards were clearly in force in the American states for many years. It is interesting to note that many states amplified the divorce by death aspect to include criminals sentenced to life imprisonment.

R. J. Rushdoony*

*Rushdoony, *The Institutes of Biblical Law* (Nutley, NJ: Craig Press, 1973), pp. 401, 414.

AUTHOR'S INTRODUCTION

“Furthermore it has been said, ‘Whoever divorces his wife, let him give her a certificate of divorce’ [Deuteronomy 24:1]. But I say unto you that whoever divorces his wife for any reason except sexual immorality causes her to commit adultery; and whoever marries a woman who is divorced commits adultery” (Matthew 5:31-32).

Divorce and its corollary, remarriage, are probably the most familiar major problems facing almost all American churches today. The divorce plague has visibly invaded the churches. People want answers concerning divorce and remarriage. If they are Christians, they want Biblical answers. Here are some of the questions:

- Can I lawfully get a divorce? (Chapter 2)
- Is there such a thing in Scripture as no-fault divorce? (Chapter 1)
- What are the Biblical reasons for which I can divorce? (Chapter 3)
- How many reasons for divorce did Jesus allow: One? Two? Three? Or, more than three? (Chapter 3)
- Why is divorce harder to get in the New Testament? (Chapter 3)
- How do I protect myself if I end up in a divorce? (Chapter 4)
- Who gets the kids in a divorce? (Chapter 5)
- Who gets the estate? (Chapter 5)
- How can I restore my fallen spouse and my marriage? (Chapter 5)
- Can I lawfully remarry? (Chapter 6)
- When can I not lawfully remarry? (Chapter 7)

When can I lawfully remarry? (Chapter 7)

What kind of person should I remarry? (Chapter 8)

How should I handle stepchildren problems? (Chapter 9)

What kind of counsel should I seek? (Chapter 10)

What should the Family do when involved in a divorce?
(Chapter 11)

What should the Family do when involved in remarriage?
(Chapter 11)

What should the Church do when it faces divorce in the congregation? (Chapter 12)

What should the Church do when it faces remarriage?
(Chapter 12)

What can the State do about divorce? (Chapter 13)

What can the State do about remarriage? (Chapter 13)

What are the explicitly Biblical answers? Without even knowing you, I'll bet you, or someone you know, needs answers to one or more of these questions about divorce and remarriage.

You shouldn't feel alone. As a pastor and counselor, I've been made aware of people who are frustrated, and who are desperate to get some answers for the really tough, rough questions. I've even discovered that a lot of people are at the point of despair because they think there aren't any explicitly Biblical answers. I've also learned that the few answers that they are getting are so irrelevant and downright wrong that it's as though the person doing the answering didn't hear the original questions!

Why? Why aren't the questions getting answered? And why are the few answers being given so bad? I think it's largely because people are looking in the wrong place for answers.

The Modern State Doesn't Have Any Biblical Answers

Folks have looked to the State to solve their problems. More than ever before, the State has been involved over the last fifty years in solving our social ills, and where has it gotten us? I'll tell you where it has gotten us.

The Problem

In the past fifty years, the number of divorces in the U.S. has soared 700 percent. In 1940 there was one divorce for every six marriages, while in 1980, there was one for every two marriages. A million and a half unmarried couples are living together. The household units headed by unwed mothers grew from 234,000 in 1970 to more than a million in 1980 (up 350 percent). Almost half of the babies born in 1986 will be living with a single parent before the age of eighteen. In fact, Dr. Harold Voth who used to be with the Menninger Clinic has said that by the year 2000, over half of the young Americans will not have grown up in a traditional family.¹

Then there is an ever-growing special class of people who have emerged in the midst of this marital holocaust, because the State doesn't have the answers: the *displaced homemaker*. Who is she?

Sylvia Hewlett in her excellent book, *A Lesser Life*, has described the displaced as, "Former full-time homemakers who have lost their sources of income and self-esteem through divorce."² She says that "a typical displaced homemaker is fifty-two years old and has invested two to three decades in her home and family. She has barely finished eighth grade, has high blood pressure, varicose veins, gynecological problems, little stamina and her self-confidence is in shreds. The U.S. Labor Department estimates that there are anywhere from 4 to 15 million displaced homemakers in contemporary America. Yet estimates are vague because displaced homemakers fall through the cracks of society."³

The Solution

So, what has been the State's answer? Its answer has unfortunately been *no-fault divorce*. The results have been devastating. Judge Barteau of Indianapolis describes the effect of no fault in Indiana: "We don't have alimony any more. We have limited

1. *National Right To Life*, (8/78).

2. Sylvia Ann Hewlett, *The Lesser Life: The Myth of Women's Liberation in America* (New York: William Morrow and Company, 1986), p. 54.

3. *Idem*.

spousal maintenance for two years. It's pretty drastic. In a no fault, if a husband wants a divorce, he gets it. If there aren't any minor children and she's a 45-year-old empty nester who's accumulated no property, she ends up with nothing. It's a tragedy."⁴

You bet it's a tragedy. Everybody has lost, but especially the woman, who is usually the innocent one in the deal. Sylvia Hewlett adds, "Experience has shown that no fault is a bad economic bargain for women because it tends to reduce alimony as well as acrimony. For example, in California it has triggered a drop in the overall frequency of alimony rewards and a noticeable decrease in the percentage of open-ended awards and an increase in transitional awards. According to Judge Leander Foley of Milwaukee, lower settlements follow naturally, if not inevitably, from no fault. He says, 'Because fault finding required negotiation, it benefitted the nonfaulting party which was generally the woman. The husband had to *give* in order to get the divorce. It somehow resulted in a fairness. He had to give more than he would otherwise.'⁵

So, the State does not apparently have any solutions to the problem. As the statistics and the costs rise exponentially, people are wandering aimlessly looking for an answer.

Does the Church Have Any Biblical Answers?

An old professor of mine used to say, "If there is a mist in the pulpit, there will be a fog in the pew." And boy is there a dense fog in the Church when it comes to teaching on the matter of divorce and remarriage.

How do I know? I'm a pastor and everywhere I go I hear other pastors. You know what? For the most part, they're all good men, but they don't know what to say on the subject, and if they know what to say, they're afraid to say it. Not because they're cowards, but because there are *so many divorced and remarried people filling their pews and sitting on their officer boards!*

4. Quoted in the *Wall Street Journal*, January 21, 1985.

5. Sylvia Hewlett, *A Lesser Life*, p. 56.

From what I can tell, there seem to be two extremes out there in churchland, with several other views somewhere in between. In my opinion, all miss the mark.

No Divorce/No Remarriage

These people say that under no circumstances is divorce permitted, and if it happens to an innocent spouse, he or she is not allowed to remarry. Now, I'm sure that the people who believe this way have wonderful intentions, because they believe that if divorce is somehow not an option, then more people will stay married.

Is it true? Not really. The problem is that everybody cheats under this system. They cheated historically, and they cheat today. How many churches who hold this view are systematically excommunicating all local church members who violate it? Hardly any church does this. Why not? Because they would lose their members, and if they're in California, they would literally *lose their whole congregation*. The vast majority of the people who place everybody else under the guilt pile aren't able to enforce it with integrity. And if they did, they would empty the local church!

The no divorce/no remarriage view has always had this institutional (and financial) problem, and so it has always created some sort of *safety-valve* to get around the inflexibility of the position. Unfortunately, the safety-valves end up being worse than the most liberal divorce and remarriage views.

At its best, one of the safety-valves has been called *annulment*, where the Church has distinguished between marriages outside of the Church and marriages inside the Church. The ones outside, or with a person outside can be annulled, and technically speaking, the ones inside the Church can't. I say technically speaking, because even the ones inside the Church sometimes end up being able to be annulled. Don't ask me how, but it happens, and it usually happens in the more affluent areas. This should surprise no one.

At its worst, another safety-valve has appeared in the form of

wife-selling in Britain, as late as the 1930s.⁶ You heard me right. It took an act of Parliament to get a divorce as late as 1857,⁷ and so the way that men got around the problem was that they literally *sold their wives*. No muss, no fuss, no divorce. You just auction off your wife as you would an old car. Sad to say, the Church was generally silent about this system.

No, the no divorce/no remarriage view hasn't been all that successful. In fact, where it has been most faithfully applied, I am confident that a strong case could be built to prove that *promiscuity has gone up*. Furthermore, I'm pretty sure it can even be said that the no divorce/no remarriage view has actually promoted promiscuity. Think about it. If a person knows that he can never be divorced by his wife, then he can adulterate all he wants. Why? There are no real legal and economic consequences, because there is no real consequence of losing the spouse.

No, the no divorce/no remarriage group is living in never-never land, while divorce and remarriage continue ever and ever to increase.

Anything Goes

The other extreme at the opposite end of the spectrum is the *anything goes* group. It usually turns its head away from the Bible by couching its motives in glowing terms such as, "a desire to deal with the real needs confronting the Church." It is quick to remind the more conservative types that it sees a society full of divorce and remarriage, and moreover, a congregation full of divorce and remarriage. It unabashedly defends its anti-Biblical view with, "The Bible was for the first century, so we'll just operate on the principle of 'redeeming the situation,' because the basic message of the Bible after all is redemption. How can you redeem people's situations if you are too narrow?"

The problem here is that all integrity is thrown out the win-

6. Samuel Pyeatt Menefee, *Wives For Sale* (Oxford: Basil Blackwell, 1981), pp. 258-259.

7. M. D. A. Freeman, "Jews and the Law of Divorce in England," *The Jewish Law Annual*, ed. Bernard S. Jackson, Vol. 4 (Leiden: E. J. Brill, 1981), p. 276.

dow. The place that they go to prove that redemption is for them is the same Bible that they want to call irrelevant. They can't have it both ways. If you want the hope of the Bible, you have to go with the *terms* for having hope. If you want an answer that will get you out of your problems, you won't find it in the answers of modern man; you'll have to go back to the timeless Book of the first century. So, an "anything goes" answer is no answer, and that is precisely what this group offers. No answer.

So where's the answer?

A Biblical Blueprint

The answer is in the Word of God, the *Biblical blueprint* for life, and especially for divorce and remarriage. "But wait a minute," someone is sure to say. "Isn't the first view above claiming to be Biblical?" Yes, but only up to a point. God clearly hates divorce (Malachi 2:16), but Jesus also clearly made an exception that allowed for divorce when He said, "Whoever divorces his wife for any reason except sexual immorality causes her to commit adultery" (Matthew 5:32). So the first view is correct up to the point of what Jesus said.

But what point is that? The point of clear thinking about what the Bible is all about, the point of the *covenant*. Marriage, divorce, and remarriage simply cannot be properly understood until the Bible is seen as a document about covenant relationships: the God-to-man covenant and the marriage covenant. The problem is that people either fail to see the Bible as a Book about these *covenants*, or they fail to see the ramifications of this *covenantal view of the Bible*. When this happens, they will not be able to understand how the Bible is a blueprint for living.

The Family Covenant

Second Chance offers answers, real answers to the tough questions because it approaches the issues of divorce and remarriage from the point of view that marriage is a *covenant*. What is a covenant? A Biblical covenant has five parts, as I have demonstrated

in my book, *That You May Prosper*.⁸ They are:

1. Transcendence: God is the Sovereign Creator, and so He is the originator of all covenants.
2. Hierarchy: God establishes authorities over us in our covenant with Him.
3. Ethics: God demands faithfulness, teaching a cause/effect relationship between man's obedience to Him and what happens in his life.
4. Sanctions: The covenant is entered by receiving and making promises under the condition of death.
5. Continuity: Faithfulness to the covenant is rewarded with *inheritance*.

If a Biblical covenant has these five parts, so will the marriage covenant, because marriage is without a doubt one of God's three required covenant institutions in history.⁹

The Lord has been witness between you and the wife of your youth, with whom you have dealt treacherously; yet she is your companion and your wife by *covenant* (Malachi 2:14).

One obvious application of knowing what a covenant consists of, and knowing that marriage is a covenant, is that we can correctly understand marriage from a Biblical point of view. But the other application that is so critical to the concerns of *Second Chance* is that we can also find the key to the problems connected with divorce and remarriage. How so?

Marriage is a picture of the God-to-man covenant: Paul says, "Just as the Church is subject to Christ, so let the wives be to their own husbands in everything . . . Husbands, love your wives, just as Christ has loved the Church" (Ephesians 5:22-25). So all we need to do is examine how a covenant is made and dissolved at the God-to-man level, so as to understand the principles of divorce and remarriage at the marriage level. In other words, making or

8. Ray R. Sutton, *That You May Prosper: Dominion By Covenant* (Tyler, Texas: Institute for Christian Economics, 1987).

9. *Ibid.*, ch. 8.

renewing a covenant between God and man is analogous to forming a marriage covenant or entering a second marriage, and dissolving a covenant is analogous to divorce.

For example, when the God-to-man covenant is violated, God begins a process called a *covenantal lawsuit*. He sends His messengers or witnesses of the covenant to prosecute the offending party. If the guilty party does not repent, then He divorces the offender. As in the case of the Laodicean church, Jesus says to them that He is the witness bringing a lawsuit and He will dissolve His covenant with them if they don't repent:

And to the angel of the Church of the Laodiceans write, "These things says the Amen, the Faithful and True Witness, the Beginning of the creation of God: 'I know your works, that you are neither cold nor hot . . . I will spew you out of My mouth'" (Revelation 3:14-16).

Notice the *legal* language such as "witness," which means Jesus is entering a covenantal lawsuit against this church. Since it disappeared in history, it was obviously divorced. Thus, *covenant lawsuit* is the Biblical guide to answering all of those tough divorce questions.

Let's consider the other side of the coin: remarriage. Using the concept that marriage is a picture of God's covenant with man, since man can enter a second covenant with God, a New Covenant, it is quite possible for a man and woman, who have been properly divorced on Biblical grounds, to enter a *second* or new covenant; in other words, they can remarry. Just as the New Covenant is a process of *adoption*, so we will find that marriage and remarriage are adoptions, because according to the Biblical tradition, the woman receives the husband's name in the same way that a Christian receives Christ's name at baptism. Again, the covenant is the key to divorce, and now we will be able to see in greater detail that the covenant will enable us to unravel those rough questions on remarriage.

The structure of the book is simple. I give five principles of divorce in the first five chapters, what I have already called a covenantal lawsuit. And I present five principles of remarriage, cove-

nantal adoption, in the next five chapters. Then, in the last part of the book I apply all of these principles to the Family, Church, and State by asking: "What do the Family, Church, and State do about divorce and remarriage?" When you finish, I think that you will have a clear understanding of the Biblical blueprint for divorce and remarriage.

Not a New View on Divorce and Remarriage

I want to be quite emphatic that I am not presenting some new, far out view. The message of this book is Biblical, as I have already introduced it. But it also has tremendous historical support. It is not as though history is everything; it's not; it comes second to the Bible. Nevertheless, even though it comes second, it is important. It proves that others among God's people have seen it the same way.

Although this is a Biblical presentation, and not a historical study, I should mention that the view in this book is found in the early Church, and it was re-popularized at the time of the Reformation. In fact, the two are tied together, because the Reformers saw themselves as going back to the Bible and the early Church.

As for the early Church, it is certain that divorce and remarriage were allowed for several reasons. Jerome (A.D. 345-419) defended a woman named Fabiola who divorced her husband for adultery and married another.¹⁰ Origen (A.D. 185-254) allowed divorce and remarriage to avoid worse sin,¹¹ and Leo, Bishop of Rome (440-446), tolerated divorce and remarriage among the priesthood.¹²

10. Jerome, *Epistola*, LXXVII found in J.P. Minge *Patrologiae Cursus Completus, Series Latina* (Paris, 1844-65), XXII, 691-92. Some have tried to deny that Jerome was arguing in defense of divorce and remarriage in this instance, because he was actually trying to give a reason for penance. But it should also be understood that Fabiola was not *required* to do penance by the church; she did it voluntarily. And the occasion for her repentance was not until after her *second husband's death*.

11. Origen, *Commentaria in Evangelium Secundum Matthaeum*, XIV, 23 found in J. P. Minge, *Patrologiae Cursus Completus, Series Graeca* (Paris, 1857-66), XIII, 1245.

12. Leo Magnus, *Epistola XII*, 3 (Migne, *Latina*, LIV, 648-59).

Another place to find out what the early Church thought about divorce and remarriage is in the law codes of the Christian Emperors of the Roman Empire, after Rome was converted. For example, Theodosius I, the Emperor of the East (A.D. 378-395), and Valentinian II, Emperor of the West (A.D. 372-392), granted divorce and remarriage for such offenses as adultery, witchcraft, wife-beating, and several other violations.¹³ I believe that it is quite clear that their reasoning was the same as the covenantal thinking of this book. But a detailed historical study will have to be reserved for another book.

Jumping to the Reformation, a number of the Reformers argued that divorce and remarriage were acceptable on Biblical and covenantal grounds. Martin Bucer [pronounced BOOTzer] (A.D. 1491-1551), a man who influenced all of the major Reformers and who taught at Cambridge University, used the covenant to guide him in determining permissible grounds for divorce and remarriage. The following statement points to the same conclusions drawn in *Second Chance*.

To the first institution [of marriage in Genesis 2:18] did Christ recall his own; when answering the Pharisees [Matthew 19:3-12], he condemned the license of unlawful divorce. He taught therefore by his example, that we, according to this first institution, and what God has spoken thereof, ought to determine what kind of covenant marriage is, how to be kept, and how fare; and lastly, for what causes to be dissolved . . . By these things the nature of the holy wedlock is certainly known; whereof if only one be wanting in both or either party, and that either by obstinate malevolence [fornication of any kind, including such offenses as witchcraft, adultery, homosexuality, and bestiality], or too deep inbred weakness of mind [insanity], or lastly, through incurable impotence of the body [diseases such as leprosy and other contagious incurable diseases], it cannot then be said that the covenant of matrimony holds good between such; if we mean that covenant which God instituted

13. *Juris Civilis, Code*, Book V, title xvii, paragraph 8 (Geneva, 1594-1595, col. 406; Scott, V, 203-5).

and called marriage, and that whereof only it must be understood that our Savior said, *Those whom God hath joined, let no man separate.*¹⁴

Bucer, like so many other of the Reformers,¹⁵ held that the covenant was the key to understanding marriage, divorce, and remarriage. So, the views of *Second Chance* are found in the Bible, were taught in the early Church, and were resurrected during the time of the Protestant Reformation. Every time they have been taught, they have brought the wonderful message of a second chance, precisely because marriage is a picture of man's relationship to God. Just as the message of *Second Chance* has in earlier times brought a glorious message of hope to others, so it can bring the same message today.

Summary

Second Chance is not designed to give people an easy way out; that's not a true second chance. It is structured to help people clearly understand the Biblical rationale, God's rationale, for divorce and remarriage.

Specifically, however, I hope that the reader will keep mind my primary audience: the innocent. I know that some will say, "Both parties are always guilty in any divorce," and I must agree that this is often the situation. Certainly, I've found both parties to be guilty in many cases. *But not in all of them.* I have discovered that there are legitimately innocent spouses, partners who have been violated without cause. Let's face it, even Jesus Christ, the Son of God, was sinned against by His own closest and best-loved disciples. The notion that sinlessness will keep a marriage partner

14. John Milton, "The Judgement of Martin Bucer," *Complete Prose Works of John Milton*, Vol. II (New Haven: Yale, 1959), 463-64. Brackets mine. The John Milton here is the famous 17th-century English poet who wrote several key books on the subject of divorce and remarriage. In this one, he translated part of Bucer's classic work, *On the Kingdom of Christ*.

15. For a most valuable study of the influential Reformational thought on the subject, see Steven Ozment, *When Fathers Ruled: Family Life in Reformation Europe* (Cambridge, Massachusetts: Harvard University Press, 1983), pp. 80-99.

from committing a divorceable offense just won't work! Indeed, the Bible teaches that the wicked are provoked by the righteous, *because of their righteousness* (Matthew 5:10-12). So, I think it is high time to consider the innocents, because they do exist, and ironically, the subjects of divorce and remarriage are seldom addressed from *their* point of view. I don't think that this consideration means that we should take a soft view on divorce; anyone who seriously weighs my position should not come away with such a conclusion; I am definitely not giving an easy way out. Rather, I am trying to protect the innocent, and I am attempting to present a whole-Bible view of the problem in such a way that even the guilty can be properly restored. In the end, I believe *anyone* will be helped who reads *Second Chance*.

If you know someone, maybe a relative or other loved one, who has gotten a divorce, you need *Second Chance*.

If you are a pastor or some other kind of religious leader, you have undoubtedly been stumped by all kinds of problems related to divorce and remarriage. You must read on.

If you're contemplating a divorce, you must be absolutely certain that your marriage has died and that it is unable to be resurrected. You must not stop here; you should read on.

If you've already gotten a divorce, you too must be absolutely certain that your divorce was legitimate. You must read on for this information.

And if you've divorced and remarried, you of all people must make certain that your previous divorce or divorces were legitimate in the eyes of God. You absolutely must read on.

For all wanting a second chance, there is hope on the pages ahead!

A Caution About Reading Second Chance

First, please realize that I have already written a book about the sacred, permanent character of marriage in *Who Owns the Family: God or the State?*, published also by Dominion Press. So I believe that marriage is intended to be as long as "they both shall live." But *Second Chance* deals with an awful reality: sin constantly

disrupts what God has commanded man to do. This is why God hates divorce, while also allowing it in certain situations. And this is why I have written *Second Chance*.

Second, remember that the nature of the first ten chapters of *Second Chance* is such that I have to lay down certain principles without being able to place them in the context of other Biblical guidelines, as well as the life of the Church. This I will do in the last three chapters. So, please, please consider the balance of the *book as a whole* and *in all its entirety*, since divorce and remarriage are such sensitive, controversial, and complex subjects.

I. Transcendence/Presence

1

MARRIAGES ARE MADE IN HEAVEN

Therefore, what God has joined together, let not man separate (Matthew 19:6).

The counselor kept nodding his head at the couple who wanted a no-fault divorce,¹ as though his attention were still fixed on them. He had heard the story all too many times, and he could almost rehearse ahead of time the entire dialogue, so his thoughts were racing ahead to a response. He thought, "What can I say to these two?" Then he had a rather strange thought pop into his head, a kind of cliché, "Marriages are made in heaven."

The counselor was momentarily stunned at this idea, because he had never considered the implications of this brief but profound sentence. He quickly turned it over in his mind, silently relating it to Doug and Sally's predicament. He knew it could help them, and so he decided to use it, when suddenly Doug cleared his throat, as though he knew that the counselor was drifting from the conversation. He regained his attention and he allowed the two to finish their story. It is summarized in the following.

Doug and Sally's situation was unusual because everything seemed to go according to their extraordinary plans. Their wedding was at a large conservative, picture-perfect church, costing

1. No-fault divorce is divorce *without* cause, meaning that a couple can get a divorce by simple legal procedures. It is not necessary to prove one or the other was at *fault*.

thousands of dollars. Their honeymoon was a month-long trip to Europe. Their first apartment was decorated out of one of those decorator magazines found only in doctor's offices and beauty salons. Their parents (both sets) were willing to help financially while both went to graduate school to secure the best possible financial future. He went to a highly respected private university, where he became a lawyer. She earned her master's degree in special education at a state school.

Add to this impressive list of accomplishments that their first jobs were near each other, that their first home was in an expensive neighborhood, and that their achievements brought them to the point of being ready to have children. After having achieved all their initial goals, they wanted to start a family. And being the kind of people they were, they went to the doctor, and they began to read about the birth process, certain that within a short period of time Sally would be carrying a brand new baby. They were so excited. As Christians, they knew that life was a gift from God. They waited for God's gift with anxious anticipation.

For two years they waited.

Late one night, Doug tossed and turned in the bed until three in the morning. He thought, then he prayed, and he thought, and he prayed some more. He could not figure out why God had not given them a child. He told God over and over again that they were the perfect kind of couple to receive a child. He even thought, "If I were God, I would give this wonderful Christian couple a child."

He didn't understand God's silence, and he could not get his and Sally's nagging concern out of his mind. Suddenly he got an idea: "Maybe one of us is unable to have children." "No," he quickly said to himself. But his idea stuck and he couldn't avoid its recurrence.

He determined to talk to Sally the next day. But it was not until one week later that he finally screwed up enough courage to approach Sally with the theory that maybe, just maybe, one of them had a medical problem.

Sally was in a talkative mood. She was ready to hear his sug-

gestion, or so Doug thought. At first, she listened pensively as he broached his idea. Then she started to cry, her head hanging in her hands. After a moment, without raising her head, she screamed in a burst of anger, "What makes you think the problem is with me? Why do you have this primitive notion that fertility is always a problem with the woman? Did you ever consider that *you* are the impotent one?" (She really hadn't meant "impotent"; she had meant "infertile," but in the minds of many men, both of these physical conditions are considered signs of a loss of masculine status.) She halted her rapid-succession of questions just in time to notice the sound of Doug's feet walking out of the house.

Doug jogged away from his street and then he slowed to a walk. He knew that Sally had made a valid point, but he was not willing, nor was he ready, to admit it. After several hours, however, he returned. He made plans with Sally for both of them to be examined by a doctor.

The news was not good. *Neither Doug nor Sally could have children, and there was nothing that could medically be done.* Both were infertile. Both were devastated at the news. Both had planned and both had waited for the best possible time in their lives to have children, only to discover that they could never have a family, except by adoption. But they weren't interested in adoption. They wanted their own children. They wanted their own *flesh and blood*. They didn't want somebody else's kid. So, they decided to put the idea of children out of their minds, because after all, they still had each other. Or did they?

Doug's pride was wounded. He could not accept that he had a physical problem. He persisted in hanging on to the myth that another woman would be able to bear his children. He decided to divorce Sally. He wanted out after six years of marriage: four of which were utopian, and two of which were a nightmare. Before he went through with it, however, he reluctantly accompanied Sally to see the Christian counselor of this story.

After Doug and Sally described their situation—mostly Doug talked because he was the one who wanted a divorce—the counselor said to Doug, "You don't have Biblical grounds for a divorce.

Your marriage was made in heaven, as a verse in the Bible goes, 'What God has joined together, let not man separate.' It would not be right to dissolve what God has created just because you can't produce children. Infertility is not a Biblical cause for divorce. If you get one on these grounds, you'll still be married in God's eyes. And if you remarry, you'll be considered an adulterer. You don't have the option of a *no-fault* divorce."

The moment he gave this advice, Doug started to squirm, and said, "So you're one of those old-fashioned types who believes there's never a reason for divorce!"

The counselor responded, "I didn't say that, rather, I said that *God* created your marriage. *He* was the One who was really behind it all. *He* brought you together, and He joined you. So you can't legitimately break what has been formed by heaven unless you have proper cause. He sets the terms for divorce, and I don't think *you* meet those conditions."

Judging by the look on Doug's face, he seemed thoroughly confused. He paused, scratched his head, and he said, "It still doesn't make sense to me. I don't know what God had to do with our marriage. For all I know, we're not even married."

Sally said in a moment of frustration, "Come on Doug, are you now saying we were never legally married in the eyes of God?"

Doug reluctantly said, "No, but I just don't understand what the counselor is saying."

At that point, the counselor elaborated, "Let me explain the first point of a Biblical covenant, and then I think you will understand how God created your marriage and why a *no-fault* divorce is not allowed in His system. Let me show you how the first point of the covenant establishes that marriages are made in heaven and cannot therefore be dissolved without cause."

To Doug, the statement, "Marriage is made in heaven," seemed a bit out of date, but I think that this counselor began at the right place. We should always begin where God begins, which is that He begins everything: "In the beginning God created the heavens and the earth" (Genesis 1:1). We cannot possibly hope to

understand the principles of divorce and remarriage, unless we start with the very first principle of *creation* that says, "Marriages are made by God." The principle is that if He creates everything, then He lays down the parameters of what can and what cannot be done. Let us consider in this chapter what Jesus means when He says, "What God has joined together, let not man separate" (Matthew 19:6).

Transcendence

Jesus means by this verse that marriage *transcends* any human origin. It is a covenant, and a covenant in the Bible always opens with a *transcendent* emphasis. The transcendence of God is point one of the Biblical covenant model. It answers the question, "Who creates the covenant: God or man?" It says *God* creates the covenant.²

The first example in the Bible of a covenant's beginning this way is the original creation, where the first verse of the Bible says, "In the beginning God created the heaven and the earth" (Genesis 1:1). The *author* of the covenant has to be God because He is *distinct* from the creation. He precedes and *transcends* the world. In other words, if the creation did not come into existence until He created it, then God existed prior to the creation, and He is different from it in His Being. He and the creation are of different "stuff" so to speak; they are different "beings." God is Spirit, while man is made of dust (Genesis 2:9).

Another example of how a covenant begins is the Book of Deuteronomy, probably the clearest place in the Bible where we can see all the parts of a covenant. It says in the first few verses, "Moses spoke to the children of Israel according to all that the Lord had given him as commandments to them" (Deuteronomy 1:3). This verse does the same thing that we just saw in the Genesis covenant. It makes a *transcendent* statement that defines who the author of the covenant is. It says that Moses' words are not

2. Ray R. Sutton, *That You May Prosper: Dominion By Covenant* (Tyler, Texas: Institute for Christian Economics, 1987), ch. 1.

original. He is not speaking his own words; they are *distinct* from God's, meaning God's words precede and transcend him. So, God is the originator of the covenant.

Finally, the marriage covenant is no different from the other covenants in this regard. It also makes a clear statement of who creates it. Marriage is created by God in a couple of ways. First, God created the *institution* of marriage when He created the first union. Genesis says,

And the Lord God said, "It is not good that man should be alone; I will make him a helper comparable to him. . . . And the Lord God caused a deep sleep to fall on Adam, and he slept; and He took one of his ribs, and closed up the flesh in its place. Then the rib which the Lord God had taken from man He made into a woman, and He brought her to the man (Genesis 2:18-22).

God is the One who made marriage possible. He is the One who provided the institution. And as people participate in the institution, He is ultimately the One who makes their marriage a reality.

Second, God creates each marriage in a special sense. Malachi says,

The Lord has been witness between you and the wife of your youth, with whom you have dealt treacherously. Yet she is your companion and your wife by covenant. But did *He not make them one?* (Malachi 2:14-15; emphasis added).

Malachi's final question is rhetorical because God *did* make them one. He not only creates the institution of marriage; He is also involved in forming every marriage. He brings two people together through many differing circumstances, and He joins them, so that their marriage covenant is transcendent; it is not just a human covenant; it is *sacred*, and it cannot be terminated without a legitimate cause.

This is the first observation we can make about Jesus' statement, "What God has joined together, let not man separate" (Matthew 19:6). But what about the second half of the verse? It says, "Let not man separate." Does it mean that a marriage bond

cannot be broken? Obviously not; the phrase “let not” is an imperative. Jesus said that people *should not break* a marriage covenant. Jesus did not issue a moral imperative against the public, formal, and legal *acknowledgment* that someone already *has* broken it. A lot of people think that Jesus’ statement means that the marriage covenant cannot be *dissolved*. This is incorrect because of another aspect of the principle of creation.

We must distinguish carefully (covenantally) between two aspects of divorce, both of which are unfortunately referred to by a single word, “divorce.” *First*, there is the *immoral act* that serves as the legal basis in God’s court for the breaking or killing of the marriage covenant. This act allows the injured or sinned-against partner to sue for divorce in God’s court and therefore also in man’s courts, whenever men honor the law of God regarding marriage. *Second*, there is the formal issuing of a *covenantal death certificate* by the human courts, both civil and ecclesiastical. What we must understand from the beginning is this fundamental Biblical principle: *The decrees issued by God’s court are morally and covenantally determinative for the decrees that should be issued in man’s courts.*

Imputation

Not only does God create covenants, and particularly the marriage covenant, but He creates them by means of a *legal declaration* on the basis of covenant faithfulness, or at least a pledge to that effect. And He dissolves them in a similar fashion on the basis of unfaithfulness. The key word to describe this legal declaration on the basis of faithfulness or unfaithfulness is called *imputation*. It means “to lay to the account of.” It is a process of designating a certain legal status to something, and it by definition has to be based on faithfulness or unfaithfulness.

If a couple, for example, enters a covenant to be husband and wife, God imputes the status of marriage to their relationship; He designates their relationship a sacred covenant of marriage. But as we shall see, if one member of this couple breaks the terms of the covenant, God imputes the opposite legal status to it; He designates it dead.

To see this more clearly, let us first consider how the imputation process works at creation, the Fall, and redemption, and then let us consider how it carries over to the marital covenant.

Imputation at Creation

When God created the world, He imputed a certain status to creation. He *designated* that His creation was good—"And God saw the light, that it was good" (Genesis 1:4)—on the basis of His *fulfillment* of what He had spoken into existence. Don't misunderstand, what God created was *already* good the moment it was created because it was made by a holy God. His "designation" was actually a judgment passed.³ But these two aspects of creating the world—declaring and designating on the basis of fulfillment—lay down judicial tracks that all covenantally binding human relationships run on.

Notice carefully what happened. *God pronounced the world "good" according to what His Word had accomplished.* He fulfilled the creation-covenant by the Word of His mouth, and on that basis He designated a certain status to His new creation. Covenant initiation produced a legal pronouncement that gave legal standing, in this case, the status of "good."

Imputation at the Fall

God not only determines what is good, He also designates what is *bad*. After Adam and Eve were created, God told them, "Of every tree of the garden you may freely eat, but of the tree of the knowledge of good and evil you shall not eat, for in the day that you eat of it you shall surely die" (Genesis 2:16-17). In other words, God declared by His Word that they would die if they broke His Word. He essentially declared that they would be designated "dead," just as He had designated the original creation

3. "Seeing" in the Bible is often associated with passing *judgment*. And "blindness," the opposite of sight is the loss of the ability to judge; e.g. Samson's loss of sight directly corresponded to his sinful behavior that had clouded his *moral* vision. Hence, God judged him with loss of sight, meaning loss of judgment (Judges 16).

good. He would impute death in the same way that He had imputed life. He would *pronounce them dead if they broke the terms of the covenant in the same way He had pronounced creation good because He had fulfilled the covenant*. So God warned them that the principle of imputation was at work both ways.

What happened? Adam and Eve disobeyed God: "So when the woman saw that the tree was good for food, that it was pleasant to the eyes, and a tree desirable to make one wise, she took of its fruit and ate. She also gave to her husband with her, and he ate. Then the eyes of both of them were opened, and they knew that they were naked; and they sewed fig leaves together and made themselves coverings" (Genesis 3:6-7). Adam and Eve disobeyed God; they sinned; and . . . but wait a minute! The Bible says that they continued to live after they sinned. Didn't God say that they would die if they disobeyed? Did He lie? Yes He said it, and no, He did not lie. So how did they die without dying physically?

God *pronounced them dead on the basis of covenant-breaking*. He says through the Apostle Paul, "Therefore, just as through one man sin entered the world, and *death through sin*, and thus death spread to all men, because all sinned" (Romans 5:11). God allowed Adam and Eve to remain physically alive, but they were *covenantally* dead. He imputed a certain status to them according to their performance, in this case their failure to fulfill the covenant, and their physical death followed their legal, covenantal status. He gave them the death penalty for breaking the covenant, and He laid the foundation for the physical death penalty that appears later in the Bible. But why did God allow them to live?

Imputation by Redemption

God redeemed man through the same principle of imputation at the Cross of Jesus Christ. Scripture says, "For if by the one man's offense death reigned through the one, much more those who receive abundance of grace and of the gift of righteousness will reign in life through the One, Jesus Christ. Therefore, as through one man's offense judgment [covenantal death] came to all men, resulting in condemnation [covenantal severance], even

so through one Man's righteous act the free gift came to all men, resulting in justification of life. For as by one man's disobedience many were made sinners, so also by one Man's obedience many will be made righteous" (Romans 5:17-19).

Notice the parallel. On the basis of covenant-breaking, the covenant relationship between God and man was pronounced (imputed) dead. On the basis of the covenant faithfulness of Jesus Christ, the relationship between God and man is restored; specifically, God lays to the account of a man, who is covenantally bankrupt and without any righteousness in his account, the righteousness of Jesus Christ, declaring him to be covenantally alive.

Do you see how the principle of imputation works? God transcendently pronounces a certain legal status on the basis of covenant faithfulness or unfaithfulness. The principle appears at creation, at the Fall, and at redemption. But what about marriage? Does it operate according to the same transcendent principle of imputation?

Imputation in Marriage

What is true of the God-to-man relationship is also true by analogy of the man-to-woman union. If a relationship is formed by imputation in the God/man covenant, it is established by imputation in the marriage covenant. Likewise, if the vertical covenant is dissolved by the principle of imputation, the concept of divorce will also be based on imputation.

Creation and Dissolution of Marriage

At the creation of the first marriage, a certain legal status was imputed on the basis of God's faithfulness. Notice what Adam does when Eve is provided for him: "And Adam said, '*This* is now bone of my bones and flesh of my flesh, she shall be called woman, because she was taken out of man'" (Genesis 2:23). Notice that the text says, "*This* is now," not "*You* are now." What's the difference? "*This* is now" means Adam addressed *God* not the woman. His assumption was that *God* had provided his spouse and consequently, he was making a legal declaration according to the Lord's faithfulness.

So, at every level of the covenant, the covenant relationship is created by a legal declaration on the basis of covenant fulfillment, or pledged fulfillment. It is also dissolved on the same basis. In this case, it would be a legal declaration made on the basis of unfaithfulness.

The key is that Moses and Jesus cite specific *acts of unfaithfulness* as the *only* justifiable causes of divorce. They assume the imputation principle when they give these reasons for divorce. Moses says, "When a man takes a wife and marries her, and it happens that she finds no favor in his eyes because he has found some uncleanness in her, and he writes her a certificate of divorce, puts it in her hand, and sends her out of his house" (Deuteronomy 24:1), and Jesus says, "Whoever divorces his wife for any reason *except sexual immorality* causes her to commit adultery" (Matthew 5:32).

How could Moses and Jesus allow for divorce, yet not simultaneously violate the second half of the statement referred to above: "let not man separate"? As I've already implied, "let not man separate" is not the same as "Man is not *able* to separate." So, it doesn't mean that a man and woman cannot be legally separated, that is, it doesn't mean that a marriage covenant cannot be dissolved. Rather, it simply means that man is *commanded* not to dissolve the marriage covenant, because the only way to dissolve it is through some particular *act of unfaithfulness* that falls under the categories mentioned by Moses and Jesus.

Jesus was careful to make a distinction between the *certificate of divorce* and the *specific acts* leading to the issuing of that certificate. Consider the whole context of His comments in Matthew 5. The Pharisees were trying to trap Jesus with Moses' words, incorrectly interpreting Moses to be saying, "You can get a divorce any ol' time you feel like it for any ol' reason, if you just purchase a divorce certificate." They were basically arguing for *no-fault* divorce. And Jesus responded, "It has been said [by the Pharisees who wrongly interpreted Moses], 'Whoever divorces his wife, let him give her a certificate of divorce.' But I say to you that whoever divorces his wife for any reason *except sexual immorality* causes her

to commit adultery; and whoever marries a woman who is divorced commits adultery" (Matthew 5:31-32).

Do you see what Jesus clarified? He said that sexual immorality, a specific act of unfaithfulness, is the basis for legally dissolving the covenant. He could only reason this way if He was arguing *covenantally*, that is, according to the *doctrine of imputation*. He presumed that God designates a certain status to a relationship on the basis of performance. If the moral performance of one of the marriage partners fails, the injured partner can lawfully seek God's formal announcement of the new moral and legal status of what has become a morally broken marriage. The sinful act in essence morally destroyed the marriage covenant, and this becomes the legal basis for God's issuing of a divorce certificate. One certificate of the marriage's covenantal death is issued in heaven, and parallel certificates are supposed to be issued by the church and civil government. If the covenant is broken by a specified act of moral rebellion, the covenant dies, just as we saw with Adam when he broke God's specified provisions governing the covenant.

A certificate of divorce can only *legitimately* declare what has already been imputed on the basis covenant unfaithfulness. It is a *statement* of death, not the cause of death, and being involved in divorce and remarriage or being involved in granting a certificate of divorce is not necessarily a violation of what Jesus meant when He said, "let not man separate" (Matthew 19:6). A legal declaration of divorce is not valid without some kind of covenant-breaking that has already rendered the marriage covenant dead.

So, Jesus reaffirmed the Biblical principle of imputation as the basis of the marriage covenant. He cautioned that people cannot get a legitimate divorce just because they go to the State or to the Church and pay for a document that says they are no longer married. *Money does not make a divorce certificate valid in God's court*. Unless the covenant has been broken—unless there has been a party truly at *fault*, whose act has rendered the covenant dead—the two people are considered married by God. It is both immoral and illegal for any human court to issue a formal death certificate for a still-valid marriage. The human courts' divorce documents must re-

flect God's formal imputation of the status of death to the marriage. To marry a person who is still morally married in the eyes of God is to commit adultery; in Jesus' words: "And whoever marries a woman who is divorced commits adultery" (Matthew 5:32).

This raises a difficult problem. Who is to say what God has declared? First and foremost, we must go to the Bible and see what acts of immorality are regarded by God as lawful grounds of a covenant lawsuit by the injured partner. Second, the two human courts, ecclesiastical and civil, must honor these standards. But historically, neither of these human courts has taken very seriously its position as God's lawful representative agency, and therefore bound by God's revealed law. In earlier days, they refused to grant divorces that were clearly announced by God in His Word as being broken. Today, the opposite extreme is common: announcing formally that a divorce has taken place when there has been no moral basis for the marriage's covenantal dissolution.

I will be discussing the practical answers to this difficult problem throughout this book, but let me say here and now that the primary responsibility rests with the injured partner, who is the person authorized by God to bring the initial covenant lawsuit. He or she must first formally sue for divorce by means of a covenant lawsuit that is based on what God's law says. No God-honoring person can lawfully sue for divorce on any other terms. A Christian person who seeks or consents to a no-fault divorce should not be allowed to remarry apart from a formal dispensation from his or her church, a dispensation that would be based in part on the obvious fact that hardly anyone has understood the principles of divorce in our day, and which must also be based on a new divorce trial held by the church to determine whether the accused partner had actually committed the act or acts that the self-proclaimed innocent partner has charged. Remarriage on any other terms is the formal ground for excommunication. If such a remarriage has already taken place, then the church should retroactively investigate the grounds for the former divorce, and if legal grounds are not present, the couple would be required to make public confession of sin. (Public acknowledgment of sin on

the part of church may also be appropriate, if the church has only recently rethought the issue of covenantal divorce.) Other potential sinners must be warned of the seriousness of this crime, for Jesus said that such covenantally unauthorized remarriages are adulterous, and adultery is a capital crime (Leviticus 20:10).

In the case of Doug and Sally, to whom I referred at the beginning of this chapter, the counselor's recollection that "marriages are made in heaven" enabled him to explain to this couple that they did not have Biblical grounds for a divorce. Their marriage was made in heaven when God imputed the legal status of marriage to them on the basis of their willingness to comply with the terms of the covenant. Barrenness is not "uncleanness," or "sexual immorality," according to the Bible, so nothing had been done to reverse what God had imputed. There simply can be no such thing as *no-fault* divorce. If the doctrine of imputation is right, then the status of a relationship is not changed until some act is committed that would affect the status. Doug and Sally were obligated to work out their problems, and so they did by the grace of God!

In conclusion, we have discovered the principle of imputation in creation, the Fall, redemption, and marriage. God creates covenants. He specifically creates them by imputing a certain status on the basis of faithfulness, and He dissolves them by imputing a status of death on the basis of unfaithfulness. But perhaps you are wondering how a marriage can die when two people are still physically alive. Does not Paul say that two people are married as long as one of them is alive (Romans 7:2-4)? After a brief summary, I will explain in the second principle of divorce how a marriage can die before the physical death of one's spouse.

Summary

We must understand the principle of creation at the outset. It is the foundation on which all the other principles build. It establishes that marriages are made by God; they are made in heaven, even if human agents are used to form them, and they cannot be broken without a Biblical reason. It teaches that God creates mar-

riage by imputation; He imputes a certain status on the basis of performance so that when the terms of marriage are met, the marriage is valid. When they are violated, the covenant is destroyed.

Jesus' statement, "What God has joined together, let not man separate," simultaneously tells us that marriage is made in heaven, and that man should not do anything to render the covenant dead. He explains why *no-fault* divorce is sinful, and why a *no-fault* divorce is not a divorce. He warns at the beginning that people must be absolutely certain that they have Biblical grounds for divorce and remarriage, or else they could end up compounding their problems and their marriages. Here is a summary of what we have learned.

1. We started with a story about Doug and Sally who wanted a no-fault divorce. The counselor recalled a statement, "Marriage is made in heaven." He went on to explain the statement by Jesus, "What God has joined together, let not man separate," with the principle of creation.

2. The principle of creation grows out of the covenant. The covenant begins with a statement of transcendence, announcing that God is the one who *creates* the Biblical covenant. Likewise, God is the one who creates the marriage covenant. He makes marriages in heaven. But what about the second half of Jesus' comment? Does He imply that a marriage covenant *cannot* be dissolved. No, He actually says that a marriage covenant should not be destroyed. To understand this, we went to a second aspect of the doctrine of creation: imputation.

3. The principle of creation also says that God creates covenants by *imputation*. Imputation means "to lay to the account of." It is based on a prior declaration and it grants a certain legal status to something.

4. Imputation first appears at the creation of the world. God who is transcendent speaks or declares the world into existence. He then imputes a certain legal status by designating what He has created as "good." His pronouncement was based on covenant fulfillment.

5. Imputation clearly surfaces at the Fall and redemption of mankind. God pronounced Adam and Eve dead because they vio-

lated the covenant. His pronouncement was based on covenant-breaking. Similarly, God pronounced man alive because of the covenant fulfillment of Jesus Christ at His death and resurrection.

6. Man copies the principle of imputation and pulls it over into the human relationship of marriage. A marriage is formed by legal imputation according to covenant fulfillment of vows and pledges. God pronounces or imputes a status of marriage by using a human agent who makes a pronouncement.

7. A marriage is dissolved by a statement called a "certificate of divorce" that declares what has been imputed by God. The certificate is a statement that death has already occurred. It does not make an illegitimate divorce legitimate. It can only bind in so far as unfaithfulness to the marriage covenant has brought a new imputed status to the marriage, the status of death.

II. Hierarchy/Authority

2

BURYING THE LIVING DEAD

Do you not know, brethren (for I speak to those who know the law), that the law has dominion over a man as long as he lives? For the woman who has a husband is bound by the law to her husband as long as he lives. But if the husband dies, she is released from the law of her husband. So then if, while her husband lives, she marries another man, she will be called an adulteress; but if her husband dies, she is free from that law, so that she is no adulteress, though she has married another man (Romans 7:1-3).

Anne: "I know it sounds crazy, but I feel like I'm living with a dead person."

Counselor: "I'm not sure I follow you."

Anne: "Well, this is going to sound even crazier, but the other night I was watching that old science fiction thriller, 'Night of the Living Dead.' Have you seen it?"

Counselor: "Yeah, but it was a long time ago."

Anne: "O.K., you know Bob and I have been having severe marital problems for about ten years, and . . ."

Counselor: "I hate to interrupt you, but what does 'Night of the Living Dead' have to do with your marriage troubles?"

Anne: "I'm coming to the connection, just bear with me."

Counselor: "All right, go ahead."

Anne: "I'm watching this strange movie about zombies—they're called the living dead because there are these dead people walking around as though they are alive—when suddenly it oc-

curs to me that Bob is a zombie!”

Counselor: “Come on, you’re not serious are you? I know Bob is a little over-weight, looks kinda spaced out at times, and occasionally acts a little weird, but I wouldn’t classify him as a zombie. I think that’s going a bit far Anne. Do you actually believe he’s a zombie?”

Anne: “Well . . . yes . . . I mean, no . . .”

Counselor: “Go on, what do you mean? Either he is or he isn’t.”

Anne: “No wait, I don’t mean he’s a *real* zombie. I mean it seems to me that he’s dead, and our marriage is dead, but Bob’s alive and our marriage is technically alive, I guess. It’s like we have a *living dead* marriage.”

Counselor: “You’ll still have to explain that one for me. You’re not making much sense to me. How could your husband be dead, when he’s alive? And how could your marriage be dead, when the two of you are still married?”

Anne: “Let me back up for a minute, and please allow me to come at it from another angle.”

Counselor: “Sure, take your time, because I really want to understand you. And I especially want to see how a person could be living and dead at the same time.”

Anne: “O.K. I should begin with Bob’s spiritual condition. I think you know that Bob has professed to be a Christian for a long time.”

Counselor: “How long?”

Anne: “About twenty years. Anyway, our first ten years of marriage seemed to go just fine. Then something happened; it’s like we declared war on each other.”

Counselor: “What happened?”

Anne: “I’m not sure, but I think he started having an affair with one of the teachers at the college where he is a professor. I believe that he’s been involved with this particular teacher for quite some time. But I don’t think there was any involvement during the first decade of our relationship. Then it started.”

Counselor: “What started?”

Anne: "The affair. I can tell you almost the day it started, because there was such a dramatic change in our relationship. Like I say, it was as though Bob died one day, but he was still living with me."

Counselor: "And that's where the living dead science fiction stuff helps to describe your situation."

Anne: "Yes, but it's not science fiction. It's real!"

Counselor: "O.K., I'm sure it *seems* real to you, but let's back away from the living dead discussion for a moment and allow me to become privy to some important information."

Anne: "Well, I'll do the best I can."

Counselor: "All right, how old is this woman teacher that Bob has been having an affair with?"

Anne: "Well, she is not a she . . . she is a *he*."

Counselor: "You mean Bob is a homosexual!?!?"

Anne: "Yes, that is exactly what I mean."

Counselor: "But how can this be? Bob has been such an active member at an evangelical church, as a Sunday school teacher and even as an officer for a while. He teaches at an evangelical college, where he is one of the most popular teachers on campus. He doesn't look effeminate, and he's always been heavily involved in the athletics program. He's always seemed to be straight."

Anne: "Yes, I know that he has *seemed* to be normal, and that's what makes it so difficult for me. Oh, for the first few years of our marriage, I didn't even suspect that Bob was gay. He gave me no reason to think he was. But now I know different, and you're the first person that I've told. Of course, Bob's lover knows, but he's not about to tell anyone. Both know that they would be immediately dismissed if the administration found out."

Counselor: "And the job situation adds to your concerns."

Anne: "It sure does. I know that I have the power to create a scandal. If I tell what I know, they'll fire my husband of course. And it will become even more embarrassing for me. I won't be able to look at anyone, because I know they'll be thinking, 'How could you have stayed with such a creep for so long?'"

Counselor: "Look, you're not the one who's creating a scandal.

If what you're saying is true, Bob and this other man are the ones who will be scandalizing the Christian community. So don't feel guilty because you're doing what is right."

Anne: "O.K., that helps."

Counselor: "But, there's another problem."

Anne: "What's that?"

Counselor: "If you don't have proof, no one will believe you, because Bob is such a masculine looking and acting sort of guy. Then everyone will think you cooked up this whole thing just so you could get out of the marriage. They might think that you are the one having an affair."

Anne: "I know that, but I have proof . . . 35mm camera proof."

Counselor: "I catch your point."

Anne: "Proof is not my immediate concern."

Counselor: "What is it then?"

Anne: "I hate to keep coming back to it, but I want to know if I'm living with a living dead man. Maybe I'm going crazy, but for the moment, forget about whether Bob has AIDS . . . forget about the far-reaching implications of the scandal . . . forget about the embarrassment. I want to know if my Bob died a few years ago. Because if he did, I happen to think the solution to my problems is here. Somehow I'll know what to do once I've determined whether Bob is alive or dead."

Counselor: "I'm not sure I know how to respond."

Anne: "You're a Christian counselor and you know the Bible better than I, so just answer this question, 'Is it possible for Bob to be alive in one sense, but dead in another sense?'"

Counselor: "You know Anne, I've never looked at it quite that way, but it seems to me that you have something."

I'll let you in on a little secret at this point. The counselor in the previous story is me, approximately fifteen years ago. Of course, I added the AIDS angle. This illustration is historical fiction to protect the parties involved. I was a young seminary student, working part-time at a new Christian counseling service in town.

But the basic question posed by this lady — Can you be married to a living dead person? — was truly raised to me for the first time. It became a key question in my mind, provoking me to find the answers that eventually helped me to arrive at a *covenantal understanding of death*.

Covenantal Death

The Apostle Paul answers the question that Anne raised above, a question that brings us to the next Biblical principle. As the Apostle develops a very important principle on divorce, he assumes that we understand what *death* means, when he says in the quote at the beginning of this chapter, “For the woman who has a husband is bound by the law to her husband as long as he lives. But if the husband dies, she is released from the law of her husband” (Romans 7:2). So, we need to make certain that we correctly define the death that Paul is talking about, before we can even begin to explain the principle of divorce that is so closely attached to it.

Death is covenantal in the Bible, not mere cessation of existence. *It is the loss of a relationship with God through an ethical violation of the original bond.* It is the severance of the fundamental God/man union, due to disobedience to the covenant-terms, and unlike the pagan view of death, it does not mean a “loss of being.” Once created, people never lose their being, not even in hell, which is why hell is such a terror. No, death occurs when a person’s relationship to God is broken through covenant-breaking.

Covenantal Death In Creation

To understand this about death, we should begin with the first death, the death of Adam and Eve. We touched on this issue a little bit in the first chapter, but we did not focus on the specific nature of the first couple’s death. The question is, “How did they die?” God said that they would die if they ate of the tree of the knowledge of good and evil (Genesis 2:17); but, they did not die, that is, they did not *physically* die right away. Or is it that they did die, but in a sense different from actual physical death? Listen to

how I have answered these questions in my book on the covenant, *That You May Prosper: Dominion By Covenant*.

Adam ate, yet he did not *physically* die at the precise moment he ate the 'apple.' Then in what sense did he die? Some people try to explain his death as 'spiritual.' But the Bible does not speak this way. A better explanation is that *Adam's death was covenantal*, in that God imputed death to him. God *counted him as dead* because of the broken covenant. Then, as Adam experienced the burdens of history, he would draw closer and closer to physical and perhaps even eternal death. He would see the covenantal applications of death in history. Those manifestations of covenantal death would be all around him throughout his life. Imputation went from life to death: from Adam's physical life to Adam's eventual physical death.

Imputation worked the other way too: from death to life. How could Adam be allowed by God to live? How could he legally escape the immediate judgment of God? Because God looked forward in time to the death of Christ. Christ's death satisfied God's legal requirement that Adam be destroyed that very day, body and soul. Adam may or may not have been saved in the sense of eternal salvation, but he surely was saved from immediate physical death. God *imputed* earthly life to him—life which Christ earned on the Cross. He then gave Adam and Eve a promise concerning the future (Genesis 3:15). Christ's death had assured that future, and the promise spoke of Christ [the seed] crushing the head of the serpent."¹

So, death is primarily *covenantal*. It cuts off a relationship through covenant-breaking. Adam and Eve died covenantally even though they were alive physically. They were just as Anne had described her husband, living dead people. They looked and seemed alive, but they were truly dead. On the other hand, after God applied atonement by sacrificing animals and by covering their sin, they were covenantally alive, even though they would undergo physical death.

1. Ray R. Sutton, *That You May Prosper: Dominion By Covenant* (Tyler, Texas: Institute For Christian Economics, 1987), p. 28.

Covenantal Death at the Cross

Another clear Biblical example of covenantal death is the death of Jesus Christ on the cross. Jesus was sentenced to death and placed on the cross to die, not because He broke the covenant but because *we* did. He suffered covenantal death for us, meaning *in place of us*. He hung on the cross for a few hours and made seven famous comments. As life quickly passed from Him, one of His last statements was, "My God, My God, why have You forsaken Me?" (Matthew 27:46). At this point, Jesus was *covenantally dead*. In some mysterious way that we can never fully understand, He had been severed in His relationship to God the Father. He was cut off from God, and what greater death could there be?

But the important point that we should take note of is that Jesus physically expired later. His death was primarily covenantal because *His ethical death came before physical death*. One led to the other, even though covenantal death can be distinguished from physical death. (A person can die physically who is covenantally alive with God through Jesus Christ.) In Adam's and Eve's case, their covenantal death resulted in physical death. And in Jesus' case, His covenantal death culminated in physical death. Yes, covenantal death results in physical death, and it even includes physical death. Physical death on the other hand does not have to involve covenantal death. In Romans 7, Paul refers to both kinds of death because both nullify a covenantal relationship of some sort; and this is his whole point.

Covenantal Death in Marriage

Paul says, "The woman who has a husband is bound by the law to her husband as long as he lives. But if that husband dies, she is released from the law of her husband" (Romans 7:2). See what Paul is saying? He says that the marriage covenant is dead if the spouse is dead; and that the death of the spouse terminates the previous covenant. But given the full meaning of the word death, as I have explained above, should not Paul's use of death include more than *physical death*? Couldn't Paul also be saying that it is possible for a spouse to die *covenantally*, that is, ethically to break

the terms of the covenant and thereby sever the marriage relationship? It seems very likely, when the context is considered.²

First, at the end of the chapter immediately preceding our passage under consideration, Paul says, "For the wages of sin is *death*, but the gift of God is eternal life in Christ Jesus" (Romans 6:23). The *death* here is unquestionably covenantal death, an eternal death of separation from God because of moral unfaithfulness. And this death subject provokes the Apostle Paul to discuss how death affects a previous covenant arrangement.

Second, Paul begins Romans 7 with, "Or do you not know, brethren (for I speak to those who know the law) that the law [Old Covenant] has dominion over a man as long as he lives" (Romans 7:1). His point is that when man dies to the Old Covenant, he is no longer obligated to submit to the terms of that covenant; he is dead to them. His death nullifies a previous covenant.

Third, after the verses on the marriage covenant, which illustrate his point about death abolishing the previous covenant (the Old Covenant), Paul says, "Therefore, my brethren, you also have become dead to the law through the body of Christ, that you may be married to another, even to Him who was raised from the dead, that we should bear fruit to God" (Romans 7:4). Again, Paul emphasizes that they are dead to one covenant, even though the people he is talking to are *physically* alive.

Therefore, Paul very definitely has a covenantal view of death in mind. He refers to covenantal death when he talks about the wages of sin (Romans 6:23). He speaks about covenantal death when he discusses death to the Old Covenant (Romans 7:1, 4).

2. It also seemed likely according to the many great theologians and Bible scholars who drafted one of the most significant doctrinal statements coming out of the Reformation, *The Westminster Confession of Faith*, the historic creed of the Presbyterian Church (1640s). On divorce (Chapter 24.5) it makes an interesting comment, and it footnotes Romans 7:2ff., as a "proof text." The confession says, "In the case of adultery after marriage, it is lawful for the innocent party to sue out a divorce: and, after the divorce, to marry another, as if the *offending party were dead*" (emphasis mine). Notice that this creed says that it is possible for the marriage to be considered covenantally dead because the offending party has died covenantally!

And in the middle of both of these points, Paul makes this comment about marriage, "For the woman who has a husband is bound by the law to her husband as long as he lives. But if the husband dies, she is released from the law of her husband" (Romans 7:2). His view of death in the marriage passage that is sandwiched between the other verses must be consistent with the context. Death is covenantal in the other cases, and it at least must *include* the covenantal, along with the physical, view of death in regard to marriage.

Covenantal death in marriage definitely encompasses physical death. But, it also means that if the spouse breaks the moral terms of the covenant, he will die to the relationship, and the marriage would be dissolved.³ How can this be? Marriage is a covenant (Malachi 2:14). Its members are "alive" to one another as long as they live according to the laws of the marriage covenant. If they break those laws, then they covenantally die to one another; and according to the Apostle Paul, the "law [covenant] of the spouse" is no longer binding. They do not have to die physically to die covenantally. But if they die covenantally they are just as dead to one another as if they had died physically. The only exception is that covenantal death means they still have physical time to resurrect their marriage.

Hierarchy: The Principle of Jurisdiction

The real principle that Paul is driving at is associated with the hierarchical concept of the covenant. Point two of the Biblical covenant model is hierarchy.⁴ The principle has to do with an authority structure, which in this case refers to *jurisdiction*.⁵ It says that the covenant relationship involves submission to a personal authority, each authority having his own sphere. In Deuteronomy,

3. The marriage can be resurrected, but we will discuss this matter in the fifth principle.

4. Ray R. Sutton, *That You May Prosper*, ch. 2.

5. Jurisdiction is also associated with point four of the covenant model, sanctions. Some agency always possesses the lawful authority to impose sanctions. It "speaks the law": *jurisdiction*.

the principle of hierarchy lays out the authoritative structure of Israel as captains over tens, fifties, hundreds, and thousands (Deuteronomy 1:12ff.), requiring that everyone be in submission to someone else.

In Romans, the hierarchy principle appears in the Romans 7 passage because the whole book is organized according to the same covenantal structure of Deuteronomy. The hierarchical principle is predominant in Romans 7, as Paul devotes this entire section of the epistle (1:18-11:36) to the subject of authority; Romans 1:18-11:36 analyzes the history of salvation in terms of *rebellion to God's authority*.⁶

So when we come to Romans 7, we discover that Paul teaches a principle of jurisdiction. He says the woman is "bound" as long as her husband lives. And if she marries someone else while he is still alive, then she has violated her obligation to be in submission to her covenant with him. She has trespassed the jurisdiction of his covenant with her. But if she marries someone else after her husband has died, she does not commit adultery, because his covenant with her no longer has jurisdiction over her. The marriage covenant has died along with the death of her spouse.

Paul's principle of jurisdiction is not complicated. Marriage forms a covenantal sphere of authority around a couple. It is like an invisible super-charged fence bordering a marriage union that automatically kills you if it is crossed. Remember, the boundary of the marriage covenant was established by God, and marriage is an ethical bond! If the fence is crossed by a spouse, then the spouse "dies" covenantally to his (her) mate; the marriage itself dies as a result; and the innocent party is free to remarry.⁷ If it is not crossed, then the marriage remains valid until the physical death of the spouse, which would also remove the jurisdiction of the marriage covenant.

6. For a complete treatment of the covenantal structure and especially the second segment of Romans, see Appendix 4 of *That You May Prosper*, pp. 246-52.

7. I will discuss the status of a guilty party in the fourth chapter.

Application

Now we can understand why Anne and so many other people have said in essence, "I feel as though I am married to a dead person." It may very well be, if the person has broken the marriage covenant. It is possible to be physically married, even though the marriage covenant has long since died! Anne was in this situation. Her husband had broken the marriage covenant by entering covenant relationship with another; in his case it was a man, making it a homosexual relationship. When he did, he died covenantally in his relationship with Anne. But he still wanted the security of marriage, even if it was a dead marriage. He didn't want to leave Anne, nor did he want to stop his homosexual relationship. This situation left Anne with a "science fiction" kind of life, as she described it in her own "night of the living dead" imagery. Only it was not fiction; it was real. She was married to a living dead person.

According to the Apostle Paul, Anne could divorce her husband, and she could remarry. She should not be classified as an "adulteress" if she remarries. She was free from Bob's jurisdiction, because Bob had covenantally died. She was no longer "bound" by her original marriage covenant to him, because that covenant had been broken by his committing of a sin specified as covenantal death-producing. (It is both significant and appropriate that AIDS is now producing the physical death in homosexuals that God long ago announced and required: Leviticus 20:13.)

I should add a warning at this point: keep in mind that when a person dies physically, a coroner has to declare him dead. Otherwise, you might end up with a lot of supposedly dead people being buried alive. The point is that even though Anne feels that Doug is dead and has reasonable proof that her husband has died covenantally, she would need to prove this before a church court if she is a Christian. She would need to ask her pastor to convene whatever court process is established in her church and make sure that she secures a *legal* decision, a "coroner's report" on her marriage. Why? Because people sometimes mistakenly accuse people of doing things they haven't done just as they might mistakenly bury a

living person. So, just because your spouse has died covenantally in *your opinion* does not mean you can automatically go out and enter another relationship, or begin dating another person. You need that *death certificate of the sin-produced divorce*.

You may be asking at this point: "But how do you know what brings about covenantal death? How do you know if your spouse has died covenantally, or if you yourself have crossed that marital fence?" You may also be thinking, "A person would have to be very careful with this principle of jurisdiction. He (she) would need to make certain that he knew exactly what covenantally kills the marriage relationship. Or else, he would do what Paul warns against in Romans, 'If, while her husband lives, she marries another man, she will be called an adulteress'" (Romans 7:3). If you are asking and thinking these things, you are thinking covenantally. Once you understand the principle of jurisdiction, you should be careful to learn what the Bible teaches can kill the marriage covenant. These covenant-killing acts are the topic of the next chapter. Let us first summarize, however, the principle we have studied in this chapter.

Summary

1. The chapter began with a conversation between a counselor and Anne. Anne was having marital problems with her husband, whom she had discovered was gay. She told the counselor that she felt as though she was living with a dead person, and she related it to the science fiction movie, "Night of the Living Dead." She questioned the counselor, "Is it possible that my husband could be like a living dead person?"

2. The Apostle Paul answers, "Yes," to Anne's question. He refers to death in a *covenantal* sense, building on the idea as it first appears in the Bible with Adam's and Eve's Fall, and later as it appears in the death of Christ. The first couple sinned and died, but they did not die physically. They died in their covenant relationship. Christ also was separated in His relationship to God the Father before He physically died. So covenantal death is the severance of a relationship to God.

3. Applied to marriage, covenantal death is when a person

dies in his relationship to his mate. Physical death creates the same separation. But covenantal death is an ethical or moral separation of some sort.

4. The principle that Paul teaches in Romans 7 has to do with the second principle of the covenant: hierarchy, the Biblical concept of authority that places everyone under someone else's oversight. So, the specific principle in Romans 7 is one of *jurisdiction*. It teaches that death nullifies a previous covenant. In the case of our covenant with God, death in Christ voids the Old Covenant relationship we had with Him in Adam. In the case of marriage, death to a person's relationship with his spouse kills the marriage bond. Covenantal death releases the innocent party from the jurisdiction of the guilty party, making the innocent party free to divorce and remarry without being classified by the Bible as an adulterer.

III. Law/Dominion

3

PLAYING WITH FIRE BURNS OUT A MARRIAGE

For by means of a harlot a man is reduced to a crust of bread; and an adulteress will prey upon his precious life. Can a man take fire to his bosom, and his clothes not be burned? Can one walk on hot coals, and his feet not be seared? So is he who goes in to his neighbor's wife. . . . Whoever commits adultery with a woman lacks understanding; *he who does so destroys his own soul* (Proverbs 6:26-32; emphasis added).

I never cease being amazed at how much people will give up for an illicit sexual affair. It's not rational. (It surely isn't economical.)

I knew a man a few years ago who lost everything over an adulterous relationship; I'll call him Tom. He was probably the physically strongest man I've ever known. He worked the graveyard shift at a nearby tire plant, which was grueling work in and of itself, and he worked extremely hard. He wasn't your average worker; he had immense strength and energy on the job. He would do the work of two men, and he regularly set records for the number of tires built on one shift, breaking the records set by men on the more productive day shift. He wasn't stopped by the time of day he worked.

After work, he would come home, sleep for a few hours, get up, and then he would cut hay, or do all kinds of other jobs until it was time to go back to the tire plant for his next shift. He could sustain this high level of physical labor, week in and week out. He

hardly ever was sick, and he never got hurt or laid off because of any kind of injury.

As if all of this work was not enough, Tom also bought a place out in the country, where he, his wife, and her daughter (his step-daughter) began to clear the land to farm and to raise cattle. He wanted to grow his own food, and he wanted to provide his own beef. He wanted to become totally self-sufficient.

Tom was also very dedicated at the evangelical church where he attended. He and his family were quite active in everything, as you would expect. They were the kind who were there whenever the doors opened. As on his job, he had a reputation for doing a great deal of work at the church. He was always more than willing to help with the lawn or any other odd job that needed tending. When he was not on the job, or when he was not working on his land, he was at the church doing one thing or another. He was a real Mr. Fix-it.

One day, however, things started to go badly for Tom. It was as though the plagues of Egypt were upon him. His crop was infested with swarms of insects so that he eventually lost the whole crop. His cattle started to die from some kind of strange disease, and eventually they too died off. His wife became very ill, and his small farm was repossessed by the owner, whom Tom learned was one of the cruelest and meanest men in the county.

At about the same time, he and his family got into some kind of trouble at the church where they had been so dedicated. There was a dispute related to the Lord's Supper, and they were formally disciplined out of the church. Not only did they leave this local church, but Tom left the Church altogether.

After that they kind of dropped out of sight. They had lost everything, and they just mysteriously disappeared. I had heard that they had left the area, but every now and then I would see them around. Then one day another man told me that the wife, Vicky, had come into his office looking for a job. As they talked, she broke down. She told him a sad tale of how she and Tom had divorced because she had discovered that he had been sexually abusing her daughter since she was ten. Vicky was penniless,

without work, without a church, without friends, almost without a daughter because she had been so scarred for life, and without Tom; he was being indicted on criminal charges because of his relationship with his stepdaughter; and Vicky had been told that the District Attorney was confident that Tom would receive a prison sentence.

My friend, on whom Vicky unloaded all of this information, was kind of shocked, and so was I, but I suppose that I was less taken aback because incest (even though this situation could not strictly speaking be classified as incest) has become so prevalent in the church and in society. But I suppose that I was not too surprised, because for a long time I had had many unanswerable questions about Tom's situation: "Why the sudden blow-up in the church? Why had the colossal trail of catastrophes befallen Tom and his family? Why had Tom completely left the church? Why had his family disappeared?" So when I heard what had been going on in Tom's house, all the strange pieces of the puzzle began to fall into place. Although I didn't know where Tom was, whether he was in prison or what, I could now begin to understand the situation. I realized that his sudden hostility to the church had been the tip of a huge immoral iceberg. I also knew that Tom had lost everything, and as far as I could discern, he had totally left the faith.

Tom is a special case because he had been part of a vibrant evangelical church that taught the faith and that certainly taught against illicit sexual relationships like fornication and sexual abuse of children. Tom heard but he did not hear. He listened to sermon after sermon, but he was still willing to risk everything for an illicit relationship with his stepdaughter.

Consider what Tom risked and lost. *He lost everything*. He lost his family, job, crops, cattle, home, farm, church, his freedom, his vote, and most important, *he lost his faith*. In Solomon's words that are quoted at the beginning of this chapter, "Whoever commits adultery with a woman lacks understanding, he who does so destroys his own soul" (Proverbs 6:32).

Now I don't want to get into a debate over whether or not Tom

was really saved, or whether or not there is a doctrine called “once saved always saved.” I’m sure these are important theological questions that Tom’s case raises; I’m sure they need to be answered and the true Biblical doctrine of “once saved always saved” defended. I’m also sure that many diligent Christians will read this book who are on both sides of the “Can a person lose his salvation?” debate. But I tell this story for another purpose.

Tom definitely lost everything, including his faith. Solomon says it is possible, when he tells us, “Whoever commits adultery . . . destroys his own soul” (Proverbs 6:32). If you consider the principle of the last chapter—a person can die *covenantally*, thereby dissolving the marriage covenant—Solomon’s statement makes sense. But how can this be? How can adultery “destroy the soul”? The task of the present chapter is to answer these questions, and to understand how people and marriages die covenantally. Let us first examine the basic principle in the Biblical covenant, and then we will be able to move to the marital covenant to discover the same process.

Cause/Effect in the Biblical Covenant

The third section of the Biblical covenant is called the *ethics* segment (Deuteronomy 5-26), because it teaches an *ethical* relationship between cause and effect.¹ It explains that there are certain *terms* (cause) of the covenant, and if those terms are broken, certain *effects* will result, namely death to the covenantal arrangement, just as God had said in the garden, “Of the tree of the knowledge of good and evil you shall not eat [term], for in the day you eat of it you shall surely die [effect]” (Genesis 2:17). It is like, but not the same as, a contract. Two parties enter into a legal relationship with certain specified terms. If those terms are violated, the relationship is jeopardized, and parties usually end up suing each other out of the arrangement.²

1. Ray R. Sutton, *That You May Prosper: Dominion By Covenant* (Tyler, Texas: Institute for Christian Economics, 1987), ch. 3.

2. Does this mean that the covenantal relationship between God and man was based on some sort of works salvation? Of course not. The terms are terms of

The Terms of Covenant-Keeping

What are the terms of the covenant? The third section of Deuteronomy summarizes the Ten Commandments in great detail, meaning these commandments represented the essence of man's covenant with God; *they* were the terms; they form a double witness to the covenant itself; they are arranged according to the covenant structure in two groups of five.

Dr. Gary North and I have given extended treatments of the covenantal structure of the Ten Commandments, so I won't belabor the point here.³ But a quick overview will help us to see the commandments as *terms*. Keep in mind that there are basically *five* terms repeated twice. Think of the covenant as a coin with two sides. The same five terms are repeated twice, but from two different perspectives: priestly and kingly. The first five commandments are priestly, in that they primarily focus on responsibilities *before the throne of God*. The second five commandments are kingly, in that they concentrate on responsibilities in *society*. So, the covenant basically has five terms with two sides to those terms, equaling ten commandments. But what if the terms were broken? What was the effect? The effect was *death*.

The Effect of Covenant-Breaking

In the garden Adam was told, "The day you eat of it [the tree of the knowledge of good and evil] you will surely *die*" (Genesis 2:17). In Deuteronomy Moses said, "If you do not carefully ob-

faithfulness. Moses taught that man was to live by faith, because he was the same Moses who recorded, "Then he [Abraham] believed the Lord; and He [God] reckoned it to him as righteousness" (Genesis 15:6). But Moses understood faith as *faithfulness*. Faith is not just some sort nodding of the head with a "yes" to God, or some sort of mental assent. It is a dependence with one's whole life that is faithful to the Lord, as in the words of one writer in the New Testament, "Faith, if it has no works, is dead" (James 2:17). Faith, in other words, encompasses faithfulness to the Lord's commandments: "Now by this we know that we know Him, if we keep His commandments" (1 John 2:3).

3. Gary North, *The Sinai Strategy: Economics and the Ten Commandments* (Tyler, Texas: Institute For Christian Economics, 1986), pp. ix-xxvi. See also Sutton, *That You May Prosper*, pp. 214-24.

serve all the words of this law that are written in this book. . . . then the Lord will bring upon you and your descendants extraordinary plagues. . . . Also every sickness and every plague, which is not written in the book of this law, will the Lord bring upon you until you are *destroyed*" (Deuteronomy 28:59, 61).

The basic principle is that God demands the death penalty for breaking the terms of the covenant. This principle is further supported by the list of offenses that are specifically punishable by death or exile (excommunication): idolatry (Deuteronomy 13:10), infant sacrifice (Leviticus 20:2), witchcraft (Deuteronomy 18:10,11), blasphemy (Leviticus 24:11-23), false prophecy (Deuteronomy 18:20-22), Sabbath-breaking (Exodus 31:13-17), contempt of court (Deuteronomy 17:8-12), murder (Genesis 9:6), adultery (Leviticus 20:10), homosexuality (Leviticus 18:22,29), bestiality (Leviticus 18:23), rape of a non-consenting person (Deuteronomy 22:25-27), incest (Leviticus 20:11), kidnapping (Exodus 21:16), life-threatening perjury (Leviticus 19:19-20), and incorrigibility toward parents (Deuteronomy 21:18-21). Notice how these infractions line up with the Ten Commandments.

- Commandment #1: Idolatry, blasphemy
- Commandment #2: Idolatry, blasphemy
- Commandment #3: Witchcraft, false prophecy
- Commandment #4: Sabbath breaking
- Commandment #5: Incorrigibility toward parents
- Commandment #6: Murder, infant sacrifice (abortion)
- Commandment #7: Adultery, homosexuality, bestiality, incest, rape
- Commandment #8: Kidnapping
- Commandment #9: Perjury, contempt of court
- Commandment #10: Can lead to all of the offenses

The relationship between the covenant terms and the Ten Commandments explains the death penalties. To break a commandment was to break the covenant itself. A capital violation was a challenge to God and His covenant. An infraction of this or-

der was really an attempt to *execute* God's covenant. God had to stop the challenge by His own death penalty.

Now let's move to the marital covenant in light of this covenant model, and let's analyze the cause/effect relationship in it.

Cause/Effect in the Marriage Covenant

The marriage covenant is modeled after the Biblical covenant. It is called a covenant: "The Lord has been a witness between you and the wife of your youth, with whom you have dealt treacherously; she is your companion and your wife by *covenant*" (Malachi 2:14). It has all the parts of the covenant, including the cause/effect principle.⁴

Solomon's comments that are quoted at the beginning of this chapter indicate a cause/effect relationship between breaking the marital covenant and covenantal death. He says, "Whoever commits adultery . . . *destroys* his own soul" (Proverbs 6:32). Adultery is one of the capital offenses. It covenantally kills a person and his marriage, for Paul says a marriage partner is bound as long as his spouse lives (1 Corinthians 7:2), which was the subject of Chapter Two.

Solomon's words are literally proven true, "Can a man take fire into his bosom and his clothes not be burned? Can a man walk on hot coals and his feet not be burned?" (Proverbs 6:27-28). The answer is, "no." Why? Because there is an ethical relationship between cause and effect. Adultery is one of the violations (causes) that brings the fire of judgment and death (effect). It is the fire that will definitely burn. It is an offense that will kill just as certain as it did in Tom's case, described at the beginning of the chapter; he played with fire and it destroyed his soul and everything that he had. But why did adultery kill his soul?

Marriage is a *sacred covenant* that uniquely pictures the relation-

4. Ray R. Sutton, *Who Owns the Family: God or the State?* (Ft. Worth, Texas: Dominion Press, 1986), pp. 3-14. These pages especially develop the family according to the covenant model. Also, see *That You May Prosper*, pp. 137-58, where I present Biblical and historical examples of the family as a covenant.

ship between God and man in a way that no other institution does. The Apostle Paul says, "Wives, submit to your own husbands, as to the Lord. For the husband is head of the wife, as also Christ is head of the church; and He is the Savior of the body. Therefore, just as the church is subject to Christ, so let the wives be to their own husbands in everything. Husbands, love your wives, just as Christ also loved the church and gave Himself for it" (Ephesians 5:22-25). Man is by analogy to his bride what Jesus is to His bride, the Church. Because of this relationship, all of the offenses against God have analogy in the husband/wife relationship. *An offense against one is necessarily an offense against the other because both picture each other.* Notice this relationship in one of the central passages about the capital offenses of marriage.

The Lord spoke to Moses saying, "Speak to the children of Israel, and say to them: 'I am the Lord your God. According to the doings of the land of Egypt, where you dwelt, you shall not do; . . . Nor shall you take a woman as a *rival* to her sister, to uncover her nakedness while the other is alive. Also you shall not approach a woman to uncover her nakedness as long as she is in her customary impurity.⁵ Moreover, you shall not lie carnally with your neighbor's wife, to defile yourself with her. And you shall not let any of your descendants pass through the fire to Molech, nor shall you profane the name of your God: *I am* the Lord. You shall not lie with a male as with a woman. It is an abomination. Nor shall you mate with any beast, to defile yourself with it. Nor shall any woman stand before a beast to mate with it. It is perversion. Do not defile yourselves with any of these things; for by all these the nations are defiled, which I am casting out before you. For the land is defiled; therefore I *visit the punishment of its iniquity upon it*, and the land vomits out its inhabitants. . . . For whoever commits any of these abominations, the persons who commit them shall be

5. The reference here is probably not the same as a man simply having sex with a woman during her menstrual cycle; more is involved here because of the context. The context of "rival covenants," as indicated by the previous verse, probably points to some kind of blood ritual in one of the ancient near eastern religions, that often mandated sex during the menstrual cycle; sex was a sacrament in these religions. So the warning is against a "sacramental" view of sex.

cut off from among their people. . . . I am the Lord (Leviticus 18:1-30, emphasis mine).

First, God begins this chapter on *marriage* with an introductory summary statement of the Ten Commandments. The statement, "I am the Lord," begins, ends, and periodically appears all through the passage. It is the introductory statement of the terms of the covenant that says there is *one* Lord and therefore *one* covenant with the Lord. Its repeated use emphasizes that other relationships are viewed as rival covenants. It falls in the context of, "Nor shall you take a woman as a *rival*" (Leviticus 18:18). It communicates that all of the illicit sexual relationships condemned in this passage are part of the lifestyle of Egypt, making them aspects of the previous *covenant* relationship they had to the false gods of Egypt. It says in essence, "You have left the previous covenant, and you have a new covenant with me; any false relationship is a rival covenant to the new covenant into which I have brought you."

Second, by the use of the introductory statement to the Biblical covenant in the context of a chapter on marriage, God connects His covenant with His people's marriage covenant. Since He created marriage and marriage is always in some sense in Him, any challenge to His covenant is a challenge to the marital covenant, which goes all the way back to the garden. When Adam and Eve died, their marriage died.

Third, the marriage covenant is protected by the death penalty, just as the Biblical covenant is protected by the death penalty. Notice how many of the capital offenses are mentioned in this passage: incest (v. 6), adultery (v. 20), child sacrifice (v. 21), homosexuality (v. 22), and bestiality (v. 23). *A capital offense was also a marital offense, meaning the death of the Biblical covenant would kill the marriage covenant.*

Moses and Jesus

Jesus confirms this observation about the relationship between marital offenses and the capital offenses. He says,

It has been said, "Whoever divorces his wife, let him give her a certificate of divorce." But I say to you that whoever divorces his wife for any reason except sexual immorality causes her to commit adultery" (Matthew 5:31-32).

Jesus is dealing with a pharisaical interpretation of Moses that abused his comments about divorce such as, "When a man takes a wife and marries her and it happens that she finds no favor in his eyes because he has found some uncleanness in her, and he writes her a certificate of divorce" (Deuteronomy 24:1). How did the Pharisees twist Moses? According to Jesus, they were saying that all you had to do to get a divorce was write out the certificate; whereas Moses said that there had to be the "unclean thing," a specific offense.

Jesus supported the correct interpretation of Moses when He said that "fornication" (*porneo*), the proper interpretation, is the basis for divorce. When He did, however, He reaffirmed the relationship between marital offense and capital offense. How? Dr. Greg Bahnsen, former professor at Reformed Theological Seminary, shows the parallel between Moses' use of "uncleanness" and Jesus' use of "fornication." Dr. Bahnsen proves that both of these words generally refer to the same offenses, and furthermore, that they generally point to the same offenses that *resulted in the death penalty*.

A study of the original word for "indecent thing" [along with its Greek equivalent] and "fornication" is very helpful at this point, for it discloses that in the biblical literature [viz., Hebrew OT, Greek LXX and NT] the two terms and their cognates are virtually *coextensive in their applications*. They both denote generic, ethically abhorrent misbehavior with the focus on sexual immorality. The word for "indecent [shameful] thing" is used in referring to nakedness [e.g. Exodus 22:27; Isaiah 20:2] and the genital organ [e.g. Exodus 20:26; I Corinthians 12:23; Revelation 16:15], and thus the focus of its use on sexual immorality [e.g. "to make naked," Leviticus 20:18-19] is understandable. It should be observed that the focus on sexual immorality pertains to a broad understanding of sexual sins; that is, beyond adultery it could include rape [e.g.

Genesis 34:7] as well as illicit sexual relations with one's own wife [e.g. Leviticus 18:19]. Both "fornication" and "indecent thing" have such a focus on sexual licentiousness of various sorts. They are both used to denote incest [e.g. Leviticus 18:6; Acts 15:29; I Corinthians 5:1], whoredom [e.g., Ezekiel 23:18; Genesis 38:24; I Corinthians 6:15-16; 7:2] and homosexuality [e.g. Genesis 9:22; Ezekiel 22:10; Romans 1:27; Jude 7]. Beyond this sexual focus, however, both terms are used for more general abhorrence or generic misbehavior of a serious kind. . . . The Greek word for "fornication" is also used in *general* reference to shameful behavior. In the LXX it is applied to the provoking of the Lord with distrust and murmuring [e.g. Numbers 14:33], and to an arrogant way of life [such as Babylon's] which knows no fear of God [e.g. Jeremiah 2:20], idolatry [e.g. Jeremiah 3:9; Hosea 5:4; 9:1], and idolatrous witchcraft [e.g. 2 Kings 9:22].⁶

The reason for this long quote from Bahnsen is important, and I hope you haven't gotten lost. His comments prove that the things that could be grouped under "uncleanness" and "fornication" are basically identical to those crimes that received the *death penalty*. So what? Bahnsen's studies help us to see that the *divorceable offenses* covered by Jesus' use of the word "fornication" were the capital offenses of the Bible. So, the divorceable offenses can either be seen as all of those offenses covered by the umbrella terms of "fornication" and "uncleanness," or they can simply be understood as the capital offenses of the Bible.

So, we can conclude that marriage is a picture of the Biblical covenant. An offense against one is an offense against the other. The death of one covenant is the death of the other; there is a cause/effect relationship between a man's relationship to God and his relationship to his wife. Peter even says that a man's prayers are hindered if he does not live understandingly and compassion-

6. Greg L. Bahnsen, *Theonomy and Christian Ethics* (Phillipsburg, New Jersey: Presbyterian and Reformed Publishing Company, [1977] 1984), pp. 106-107. Please note that LXX used extensively in this quotation from Bahnsen refers to the *Septuagint*, the Greek translation of the Hebrew Old Testament written about 200 B.C.

ately with his wife: "Likewise you husbands, dwell with them [wives] with understanding, giving honor to the wife, as to the weaker vessel, and as being heirs together of the grace of life, that your prayers may not be hindered" (1 Peter 3:7). Our relationship to God is affected by our relationship to our spouse; we even die covenantally if we break our marriage covenant. Conclusion: because of the relationship of the offenses between God and man, and husband and wife, the capital offenses of the Biblical covenant are the divorceable offenses of the marital covenant.

Divorceable Offenses

The Biblical divorceable offenses should now be clear. The capital offenses violate the essential terms of both covenants, and therefore become divorceable offenses. A brief summary will help to fix these offenses in the reader's mind.⁷

1. Idolatry, Blasphemy, and False Prophecy

Although belief in the true God is not required for a marriage to be valid, marriage was certainly intended to be in the Lord. It was created by God, and man and woman were given the institution to carry out better the dominion mandate (Genesis 1:26ff.). Therefore, it functions best when people marry in the Lord, thus explaining the high failure rate of unbeliever marriages. It is a sacred institution protected by God. Any deliberate attempt to destroy the Lord was an indirect attack on marriage, and such an attempt was a divorceable offense for believer and unbeliever.

2. Witchcraft, Divination, and Spiritism

These acts are a direct conspiracy against the Lord. In the

7. I do not see *apostasy* as a separate category of offense, which explains why I do not list it. Rather, I believe that it is a general summary of the complete rejection of the covenant, that includes many or all of the categories listed in this section. It is not simply negligence, or temporary backsliding. It is antagonism to the Biblical covenant such that a *rival* covenant is either implied, or explicitly stated, thus destroying the "one flesh" covenant of marriage. It is only a divorceable offense in so far as it involves one or more of the other offenses.

Bible, there is no such distinction as "good and bad" magic. All magic is bad, and it is an attempt to undermine the Word of God. Again, any attack on the Lord is an attack on marriage.

3. *Sabbath-breaking*

We must be careful to understand this law. In the Old Testament, it was not the mere picking up of wood on the Sabbath Day, as a superficial reading of the Bible text might indicate. Rather, Sabbath-breaking was a deliberate attempt to foil a special day of rest by overtly working when work was not necessary, and a self-conscious effort to detract from worship by setting up the fire in the home in such a way that it became a rival place of sacrifice, explaining the reference to picking up wood.⁸

In view of this understanding, strictly speaking, the death penalty was not for working on the sabbath, although work was not allowed unless "your ox was in a ditch," something which is called an *act of necessity*. Rather, the sanction was for something much more basic. For example, Pharaoh was a sabbath-breaker because he would not let God's people worship (Exodus 5-14). Instead, he set up his own place of rival worship to keep the nation of Israel from worshipping their God. Thus, he received the death penalty.

Applied to marriage, a person is not allowed to stop his spouse from worshipping God, that is, keep his mate from going to church for Sunday worship. If he (she) does, he commits a very serious offense because he violates the essence of what the sabbath is all about. He threatens the innocent party's spiritual life, for every believer is commanded to "assemble himself together with other believers to worship God" (Hebrews 10:25-31). And, he also threatens his own spiritual life. He does something for which God destroyed Pharaoh and his whole army, and he commits an act that kills the marriage covenant just as much as it covenantally kills the offender.

8. James B. Jordan, *Sabbath Breaking and the Death Penalty: A Theological Investigation* (Tyler, Texas: Geneva Ministries, 1986).

4. *Sexual Sins*

These include homosexuality, bestiality, rape, adultery, and incest. These offenses obviously violate the “one flesh” term of the covenant, and they have the same effect as we saw above with adultery.⁹

5. *Murder*

This general classification includes infant sacrifice (abortion), physical abuse, desertion (physical and sexual), and the stubborn failure of the father to provide economically for his family. Any destruction of the image of God is an attack on marriage. Desertion is by default a murdering of the covenant. I have included *sexual desertion* here because cutting one’s partner off sexually caused “fornication” (1 Corinthians 7:2-5), and it was analogous to excommunication (“Cutting off from the table”) in the Biblical covenant.

I also believe that if the man deliberately fails to provide for his family, he is in essence starving them to death. He is murdering them. Evidently, the Apostle Paul thought the same, because he prescribed starvation as a form of execution for the man who would not work: “If anyone will not work, neither shall he eat” (2 Thessalonians 3:10). Probably, Paul’s reference of “not letting him eat” is to excommunication, cutting a person off from the communion table. But this would be a form of a covenantal death penalty.

9. Sexually transmitted diseases, or any disease for that matter, are not Biblical grounds for divorce. It is the *immoral act* that contracts the disease that kills the covenant bond, not the disease itself. Leprosy in the Old Testament perhaps brought covenantal death, but it was symbolic of sin and death, and it was the *only* disease that fell in this category. The Reformers were divided over whether or not to grant divorce for disease, especially leprosy: Zurich and Basel allowing divorce for leprosy and other illnesses, while the Lutherans rejected leprosy as legitimate grounds for divorce. For certain they all were generally agreed that *separation* was allowable. See Steven Ozment, *When Fathers Ruled: Family Life in Reformation Europe* (Cambridge, Massachusetts: Harvard University Press, 1983), p. 97. I do not believe that sickness of any kind is a divorceable offense, but I think that separation, or *quarantining* is necessary in the case of lethal contagious diseases.

6. Contumacy and Malicious Perjury

Contumacy has to do with rebellion to Biblical authority, which is tantamount to attacking God (Romans 13:1ff.).¹⁰ Malicious perjury is a violation of an *oath*, which destroys the name of God.

These offenses, when highhanded or prolonged, can form the grounds for Biblical legitimate divorces. They have been established on the solid Biblical reasoning of the *cause/effect* principle of the covenant. But let's be even more specific in our application of this principle.

Application

Believers

First, believers who commit adultery, or any of the capital offenses are playing for high stakes, eternal stakes. They are committing *covenantal suicide*. Sure, they can be resurrected, as I will prove in the fifth chapter, but will they? Tom didn't. Why? Sin hardens the heart, and although there is always a way back, some who turn away from the Lord cannot because they will not. Paul says,

Beware, brethren, lest there be in any of you an evil heart of unbelief in departing from the living God; but exhort one another daily, while it is called "Today," lest any of you be hardened through the deceitfulness of sin (Hebrews 3:12-13).

Second, the innocent party is free to divorce and remarry when his spouse commits one of the capital offenses, since the guilty party *dies covenantally* to his covenant with God, and he simultaneously kills the marriage covenant at that moment. As we

10. Note that this would not pertain to "lawful rebellion" to authority. For a full discussion of this distinction, see Samuel Rutherford, *Lex, Rex* (Harrisonburg, Virginia: Sprinkle, [1644] 1982). See also *Christianity and Civilization*, 2 (1983): Theology of Christian Resistance, published by the Geneva Divinity School, Tyler, Texas.

shall see in more detail in the fifth chapter, the innocent party is always required to try to restore his marriage. But in principle he should realize that his marriage is covenantally dead. He is not obligated to divorce, even if the guilty spouse does not repent, but the innocent party is free to remarry.

How so? A covenant must be mutually agreed upon to be entered, or re-entered after a capital offense is committed. But the Apostle Paul makes it abundantly clear in the Romans 7 passage we examined in Chapter Two that the *dissolution* of the marriage does *not* involve mutual consent;¹¹ that is, *one* party, namely the dying party, dissolves the marriage whether the other party consents or not. It's like a contract in this sense. If you enter a contract and violate one of the terms, the other party can legitimately sue out of the contract, or he could choose to stay. But your violation automatically enables the dissolution of the agreement.

Another way of looking at it is that the *guilty party* is the one who first makes the decision to kill the marriage when he commits the original offense. He is the one who actually dissolves the marriage covenant, not the innocent party. So, the innocent party is free to divorce, and even to remarry, under the general cause/effect principle.

Third, the guilty party could also remarry under certain conditions, but I will discuss his situation under the principles of remarriage. In any case, he would need to be resurrected from the effects of his sin, and he would need to return to the Lord. Again, no one who engages in capital offense sin has any way of knowing if he will really return.

Unbelievers

What about unbelievers who are already covenantally dead? How would the cause/effect principle apply to Solomon's statement, "Whoever commits adultery . . . destroys his own soul" (Proverbs 6:32), since the unbeliever's soul is already destroyed?

11. R. J. Rushdoony, *The Institutes of Biblical Law* (Phillipsburg, New Jersey: Presbyterian and Reformed, [1973] 1982), p. 401.

First, the principle of this chapter explains that unbeliever marriages (both partners are unbelievers)¹² *are* covenantally dead to the Lord. Their marriages are valid marriages *civilly* by the common grace of God that allows them to enjoy the good things the Lord has provided, namely marriage. So, their marriages can be considered a covenant *under* the Lord before man, while not being a covenant *in* the Lord.

Second, unbeliever marriages, although they are valid covenants, are virtually headed for divorce from the moment they marry, explaining why there is a higher rate of divorce among the unbelieving community. When both husband and wife are faithful Christians, surveys indicate that there is only a one in 1525 likelihood of divorce.¹³ Why? Non-Christian marriages have nothing or no one that they are willing to admit covenantally transcends their covenant to each other. They are dead covenantally in their relationship to the Lord, and we have seen how that affects human covenants: it kills them. They are headed for death without the Lord.

Third, the same principle in this chapter, however, would generally apply to unbelievers, in that any of the capital offenses would bring death to the unbelievers' marriage covenant. If the capital offenses have the power to kill a believer's relationship with the Lord, then they would definitely kill the unbelievers' marriage covenant.

Now we are moving into the topic for the next chapter. As we start to consider the application of the cause/effect principle, other issues are raised. We've established the general principle that breaking the terms of the covenant kill it, but why does God have to punish with the death penalty? Furthermore, what is the death penalty? To answer these questions, let us turn to the next chapter after a brief summary of what we've learned in Chapter Three.

12. In the case of a believer married to an unbeliever, the believer "sanctifies" the unbeliever, making the marriage covenantally alive to the Lord (1 Corinthians 7:14).

13. John A. Stormer, *Growing Up God's Way* (Washington D.S.: Liberty Bell Press, 1981), p. 164.

Summary

1. I began with the story of Tom, a man who lost everything, even his faith, because of adultery. He introduced us to what Solomon describes in the opening verse, "He who commits adultery . . . destroys his own soul" (Proverbs 6:32).

2. The covenantal principle is *cause and effect*. The cause is obedience or disobedience to the *terms* of the covenant. The effect is the result of one's response to the terms: life or death. This principle is found in the Biblical and marital covenants. We began with the Biblical covenant.

3. In the Biblical covenant, there are terms: five expressed twice in the Ten Commandments.

4. If these terms are broken, death results. The capital penalties of the Old Testament were compared to the Ten Commandments in order to show that they all deal with violating the terms of the covenant, and to prove that death *is* the effect of breaking the terms of the covenant.

5. In the marital covenant, the same cause/effect pattern was found. The terms and effects parallel the Biblical covenant.

6. So, there is not only a cause/effect relationship within the Biblical and marital covenants, but there is also a cause/effect relationship *between* them. As Solomon says, "Adultery destroys the soul."

7. The capital offenses of the Bible are divorceable offenses. If they kill the person's relationship to God, and the covenantal death of the spouse frees the partner to remarry because his death kills the marriage covenant (1 Corinthians 7:2ff.), then the innocent party married to someone who has committed one of the capital offenses is free to divorce and remarry. I listed six basic categories of divorceable offenses.

IV. Judgment/Sanctions

4

COVENANTAL EXECUTION PROTECTS THE INNOCENT

Then the Lord sent Nathan to David. And he came to him, and said to him: "There were two men in one city, one rich and the other poor. The rich man had exceedingly many flocks and herds. But the poor man had nothing, except one little ewe lamb which he had bought and nourished; and it grew up together with him and with his children. It ate of his own food and drank from his own cup and lay in his bosom; and it was like a daughter to him. And a traveler came to the rich man, who refused to take from his own flock and from his own herd to prepare one for the wayfaring man who had come to him; but he took the poor man's lamb and prepared it for the man who had come to him." Then David's anger was greatly aroused against the man, and he said to Nathan, "As the Lord lives, the man who has done this shall surely die! And he shall restore fourfold for the lamb, because he did this thing and because he had no pity." Then Nathan said to David, "*You are the man!* . . . However, because by this deed you have given great occasion to the enemies of the Lord to blaspheme, the child also who is born to you shall surely die" (2 Samuel 12:1-7; emphasis added).

The prophet Nathan's short parable follows one of the most tragic events in the Bible. What had happened?

The "David" of this story was the first great king of Israel. He had written poetry for the Bible, the Book of Psalms. He had killed the famous giant named Goliath with a sling-shot when he was a

very young man, and he had gained great popularity among the people. When he became king, he led Israel to heights that it had never before known.

In the middle of his life, after so many great conquests, the time came one year during the Spring for David to go back out to battle, to extend his conquests even further. But he didn't go. He stayed at home, and his decision proved to be a *fatal* mistake.

One evening, while his soldiers were away, he stood on top of his castle, and he happened to see a beautiful woman taking a bath on the roof of one of the houses nearby. He was immediately consumed with passion. He could not get her out of his head. He had become so obsessed that he thought that he had to have her. He sent his guards to bring her to him, and he committed adultery. She journeyed from his head to his bedroom.

Bathsheba was her name. She was married to a foreigner, Uriah the Hittite, who was one of David's officers away at war, the war that David should have been fighting.

Now, David had a serious problem facing him; it concerned Bathsheba's husband. She and Uriah were married in the eyes of God, and since there was no such thing as no-fault divorce in Israel, their marriage could not be terminated, that is, unless Uriah were terminated! So David decided to solve the problem by having Uriah murdered. He did as so many do, he compounded his problem.

You can imagine the scandal that David's actions created. The highest-ranking political official of the holiest nation in the world openly committed adultery and murder. He was living with Bathsheba in the king's palace, where all could see and all could know. He had become the talk of many a home inside and outside the land. Nathan said that the worst aspect of the crime was that it had given the enemies of God reason to blaspheme Him, and that it was for this reason that the child would die (2 Samuel 12:14). Something had to be done. David had committed two acts that were capital offenses: adultery and murder. If he were not prosecuted, then no one would take the laws of God seriously, and especially not those in other lands. But who could prosecute a king?

Here is where Nathan, the prophet, enters the picture. The prophets of the Bible represented the Word of God (Deuteronomy 18), and they brought a covenant lawsuit on behalf of God when the covenant terms were violated. Do you remember the cause/effect principle of the last chapter: obedience leads to life, and disobedience leads to death? In this case, Nathan was the appointed prosecutor, but he wanted David to condemn himself, because the king was the supreme judge of the land. Like all prosecutors, he knew that if he got David to judge himself, he would gain certain conviction, a conviction that was absolutely necessary to preserve order in the land.

Nathan lured David into a judgment on himself by the use of the parable found at the beginning of this chapter. He told the story of two men: a rich man who had plenty of flocks and a poor man who only had one ewe (female) lamb. He described how the rich man stole the poor man's lamb when he had a visitor, and how he refused to slaughter one of his own. He provoked a response from David at that point. David knew that the action of the rich man was fatal because the poor man would die without his only lamb to eat. And so David pronounced the penalty: death to the rich man or fourfold restitution.

Then Nathan revealed to David that *he* was the rich man. *He* had stolen his neighbor's wife and slaughtered her, because he had brought the death penalty on her. He had levied his own death penalty on the poor innocent man, Uriah, by entering a relationship that caused the king to murder Uriah. And now he had judged himself; he deserved to die! Out of his own mouth he was condemned.

As the story goes, however, David and Bathsheba were not killed, nor did they pay restitution directly. Instead, another was killed for them: their own son.¹ Nevertheless, why was the death

1. Four-fold restitution is required for stealing and then slaughtering a stolen sheep (Exodus 22:1), for sheep are representative of vulnerable, innocent people. David knew this, and so specified four-fold restitution (2 Samuel 12:6). Though David repented, God exacted His four-fold restitution: the infant died, David's son Absalom killed his son Amnon, his cousin Joab killed Absalom, and his son Solomon had his son Adonijah killed.

penalty required? In the last chapter we considered the basic cause/effect principle at work. We established that death results when the terms of the covenant are violated. But why is such a strict sanction attached to the covenant? The answer is the principle of *protection* that I want to develop in this chapter.

The Principle of Protection

The covenant relationship is protected by the way it is ratified. It is entered by accepting (trusting in) a promise(s) or oath under the condition of death, and for this reason the oath is called *self-maledictory* ("to speak evil on oneself"). There was a condition of death in that both parties were bound by the promise as long as they lived and also in that the guilty party was brought under the penalty of death should he violate the promises. The promise was a twofold *sanction*; it promised life, and it promised death if the covenant were broken. The imposition of judgment or sanctions is point four of the Biblical covenant model.²

The concept of entering a covenant by promises under the condition of death went back to the garden. God promised, "Of every tree you may freely eat" (Genesis 2:16), but He also promised, "Of the tree of the knowledge of good and evil you may not eat for the day you eat of it, you will surely die" (Genesis 2:17). God fulfilled these promises when Adam and Eve fell, as I have demonstrated in earlier chapters, when He executed the death penalty on them in the form of cursing (Genesis 3:14-19).

The same concept of entering a covenant by promise under the condition of death appeared in the ancient world. A covenant was commonly made when two people exchanged promises to do certain things, and then they sealed the covenant arrangement by walking between separated animals on the ground, burning the animals after they completed the ceremony. A similar experience occurred in the Bible, when a man named Abraham was told to enter covenant with God almost the same way (Genesis 15:1-16).

2. Ray R. Sutton, *That You May Prosper: Dominion By Covenant* (Tyler, Texas: Institute for Christian Economics, 1987), ch. 4.

The main difference was that when it came time to walk between the animals, God put Abraham to sleep, and *He* walked between the animals. By so doing, God promised judgment on Himself for man's sin. This was a great act of mercy, but Abraham's potential judgment was even greater, because with God's promise of salvation, he also received God's promise that he would be judged with the judgment of God if he ever broke covenant, meaning there was an intensified version of a condition of death.

Abraham personally received God's promise at the rite of *circumcision*. It was a ritual of cutting off the foreskin of the male genital organ. It symbolized the promises of God by picturing God's judgment on Abraham's seed, the Seed who was eventually Jesus Christ, and who died on the cross, the judgment of God on Himself. It dramatically pictured the necessity of death to fulfill the promise.

Finally, we see in the fourth part of the Biblical covenant in Deuteronomy that it is ratified by promise under the condition of death (Deuteronomy 27). The people of Israel gathered before Moses and they said "amen" to the curses of the covenant. Their "amen" was a promise in response to God's promises made to Abraham, and their promise was under the condition of death in that they responded to God's curses. Here is what I said their "amen" meant in my book, *That You May Prosper*:

Man enters the covenant by saying "amen" to God's self-maledictory oath. In other words, "amen" means, "May God render to *me* the curse that He has been willing to take on Himself, should I renege on the covenant." What exactly does this mean? Going back to the Abrahamic example again—where animals were cut in half and burned with fire—the one who enters covenant with God is saying that that would literally happen to *him*; *he* would be torn in half; the birds would come and devour *him*; *he* would be utterly burned with fire. Saying "amen" should not be taken lightly!³

So, a covenant was entered by receiving promises under the condition of death, meaning the death penalty would fall on the

3. *Ibid.*, p. 84.

party who violated the covenant. But the question is *why*? Why did God set up a covenant under the condition of death? Why does God require the death penalty for a guilty covenant-breaker?

Protection from Rival Covenants

God demands the death penalty to protect the *innocent* party from coming under the sanctions of a rival covenant. In the garden, God was the innocent party in His covenant with Adam and Eve. Consider what happened.

God protected *Himself* from a rival covenant, which really meant protection from rival sanctions, since covenants are formed by receiving sanctions (promises). He guarded Himself from Satan, the fallen angel, who attempted to bring God under his control through covenant with Adam and Eve. How?

First, Satan directly challenged the sanctions of the covenant with his own counter-sanction, thereby creating his own rival covenant. He said, "Eat of the tree and *you will not surely die*" (Genesis 3:4), when God had said, "The day you eat of it *you will surely die*" (Genesis 2:17). What Satan did was to get Adam and Eve to accept his terms and his sanctions, as opposed to God's terms and sanctions. He deceived them into thinking that God's covenant did not have a death penalty, and he substituted another non-condition-of-death promise. He promised them that they would be God. By getting them to accept *his promise with the condition of life*, the opposite of how the true covenant is established, he had successfully forged a false covenant and drawn them into it.

Second, what Satan ultimately sought to accomplish was a covenant with *God*, whereby he was "*Lord*" over God. He could not directly attempt such a thing, so he tried to use Adam as a mediator for him. He approached Adam through Eve. He deceived Eve into luring Adam to eat of the forbidden fruit, thereby drawing them into covenant with him, and thereby making Adam the mediator of *his* covenant. But Satan was undone by the sanctions of God's covenant. If, however, the sanctions of Satan's covenant had proven true, and if he had been successful in getting Adam to mediate a covenant between God and himself, then he

would have secured control over God through the marriage of Adam and Eve. He would have been joined to God through Adam, and he would have successfully realigned himself in a position that outmaneuvered God; for the Lord would have been forced to submit to Satan's terms. The devil's plan was nothing less than another version of his initial attempt to be God, for which he had been expelled from heaven (Isaiah 14:12-21).

But if God came under Satan's authority because He Himself had lied to Adam and Eve about His own sanctions, then God would have been proven a liar, in fact, the cosmic liar. Satan was attempting to get Adam and Eve to prosecute a covenant lawsuit against God. Satan was implicitly announcing that he was the true god, as the cosmic truth-teller. God was the usurper. God therefore deserved death. To protect Adam and Eve, covenantally speaking, God had to die, if Satan's claim was true. The death of the covenant-breaking spouse is basic to the protection of the innocent. God, as the Husband of the Bride, His Church, was being called an adulterous husband by Satan and also by Adam and Eve. They brought false charges of spiritual adultery against God. Thus, He condemned them with the appropriate punishment: covenantal death. This is basic to the rule of God's law: a false witness is to suffer the same punishment that would have been imposed on the victim (Deuteronomy 19:15-21).⁴

God had built into His covenant a mechanism to protect the innocent party—in this case it was Himself—that also eventually protected Adam, Eve, and the institution of marriage with the condition of death attached to the original promises of the covenant. He protected Himself by severing His covenant with Adam and Eve the moment they covenanted with Satan; they died covenantally, and were not able to become a link between Satan and God. Satan was not able to obligate God to his own rival covenant's terms.

Also, God protected Adam, Eve, and the institution of mar-

4. Gary North, *The Dominion Covenant: Genesis* (2nd ed.; Tyler, Texas: Institute for Christian Economics, 1987), Appendix E: "Witnesses and Judges."

riage through the death sanction, in that God was able to provide *redemption* for man and marriage. If there had been no sanction of death, there would have been no eventual salvation, because Satan would have been “lord” of the covenant.

So, the principle of protection is that God protects Himself, man, and marriage through the *ratification process of the covenant*; He establishes covenants that are made by attaching to the promises a condition of death, should the promises be subsequently broken. As the innocent party, He keeps Himself from rival sanctions and rival covenants by requiring the death penalty on the guilty party, killing the first covenant the moment a rival covenant is formed. The same principle of protection for the innocent applies to marriage.

The Protection of Marriage

Marriage is like the Biblical covenant, in that it is entered under the principle of protection. It is ratified by promises being made under the condition of death, reflected in the traditional marriage ceremony by the statement, “I promise . . . till death do us part.”

Again, the first marriage is the best model. Adam made a “one flesh” oath to God when he said to the Lord, “This is now bone of my bones and flesh of my flesh” (Genesis 2:23). Adam spoke to God because he says, “This,” not “You.” He said they were *one* by describing them as “bone of bone,” as indicated in the following verse where they are actually said to be “one flesh” (Genesis 2:24). Clearly then, by saying that he was one with Eve—“bone of my bones”—*he was covenantally taking an oath*, which becomes a standard procedure for establishing a covenant. When the tribes of Israel made a covenant with David, a similar “one flesh” oath was made: “Then all the tribes of Israel came to David at Hebron and spoke, ‘Indeed *we are your bone and your flesh* [covenantally one flesh].’ . . . and King David made a *covenant* with them” (1 Samuel 5:1-5, emphasis and brackets mine). So Adam’s language in the garden was a covenantal promise, but was it accompanied with a lethal sanction? Was marriage under the condition of death?

Covenanting With a Professional Fornicator

The "one flesh" phrase also indicates a condition of death. For one, it pictures a human body being torn in half should the covenant bond be broken. For another, it is used by the Apostle Paul to describe a rival covenant that results in death. He says,

Do you not know that your bodies are members of Christ? Shall I then take the members of Christ and make them members of a harlot? Certainly not! Or do you not know that he who is joined to a harlot is one body with her? For the "The two," He says, "shall become *one flesh*" (1 Corinthians 6:15-16).

Thus, Paul's warning is that a relationship with a harlot brings a rival sanction on the original marriage. What marriage? Even though the passage does not explicitly say that the man in question was married, the chapter following discusses the marriage covenant and indicates that he was married. (Even if he wasn't, the same principle of rival covenant would be meant to be pulled over into the marriage covenant.) In this case, however, his wife would be the innocent party. She would be the one being brought under the rival sanctions and rival covenant of the harlot, which meant that the harlot was "lord" of her relationship to her husband, and more importantly, she could become "lord" of her relationship to the *Lord*. She would be in danger because her husband would begin to mediate the death of the harlot to her. She needs protection from these serious covenantal ramifications, which Paul indicates from the context are guarded against by the same principle of protecting the innocent.

Covenanting With an Amateur Fornicator

He says in the broader context that "fornicators" are dead in the covenantal relationship and are therefore to be excommunicated.

It is actually reported that there is *sexual immorality* ['Porneo' is used here, which is normally translated 'fornication,' and which is the same Greek word in Matthew 5:32 that Jesus says is the only reason for divorce.] among you, and such *sexual immorality* as is not

even named among the Gentiles—that a man has his father’s wife! . . . In the name of our Lord Jesus Christ, when you are gathered together, along with my spirit, with the power of our Lord Jesus Christ, deliver such a one to Satan for the destruction of the flesh, that his spirit might be saved in the day of the Lord Jesus. . . . I wrote to you in my epistle not to keep company with sexually immoral people. Yet I certainly did not mean with the sexually immoral people of this world, or with the covetous, or extortioners, or idolaters, since then you would need to go out of this world. But now I have written to you not to keep company with anyone named a brother [one in covenant them], who is a fornicator, or covetous, or an idolater, or a reviler, or a drunkard, or an extortioner—not even to eat with such a person . . . Therefore put away from yourselves that wicked person (1 Corinthians 5:1-13, emphasis added).

Paul confirms that the principle of protection applies to the marriage covenant. First, he applies the same rationale for terminating a covenant relationship that Jesus used in regard to marriage. He argues that “fornication” is the basis of excommunication, a form of dissolving a covenant relationship. Jesus said that “fornication” was the only reason for dissolving the marriage covenant (Matthew 5:32).

Second, Paul says that a person should remove himself from a covenant relationship with a *fornicator*. Notice that he specifies “not even to eat” with a so-called-*brother* in the covenant, who is fornicating. Paul’s Scriptural advice is “flee immorality” (1 Corinthians 6:18) by either removing the covenant-breaking person, or by removing oneself from him. He even quotes a verse from the covenant of Deuteronomy, and specifically the section that discusses the terms of the covenant, to prove his point: “Put away from yourself that wicked person” (Deuteronomy 17:7; 19:19; 22:21, 24; 24:7). How much more would this apply to the marriage covenant since the passage is speaking to the issue of fornication?

Third, Paul explicitly gives the principle of protection as his reason for removing oneself from a covenant relationship with a fornicator. He says, “A little leaven leavens a whole lump”

(1 Corinthians 5:6), meaning a person who has entered a rival covenant brings the innocent party under damaging sanctions; the fornicator “leavens” the innocent. So, Paul exhorts the Corinthians to expel the covenant-breaking fornicators. He could only give such an exhortation if he reasoned according to the covenant, and we have every reason to believe he was using the covenantal rationale, since he was quoting from the covenant of Deuteronomy. He was in essence telling them to declare the covenant-breaker and their covenant with him as dead. He was protecting the innocent through the condition of death attached to the promises made upon entrance to the covenant. The fornicators had accepted God’s promise under the condition of death, and they had broken the promise.

Again, since the issue is fornication, and Jesus gives “fornication” as the only justification for divorce, Paul’s words would apply to marriage. He refers to a relationship with a harlot as a rival covenant when he uses the covenant phrase “one flesh.” In the broader context, he argues that the innocent person who is married to such a one in a rival covenant should be protected by the death penalty which could be applied in many different forms: expulsion from the covenant community and/or capital punishment. He protects the innocent in marriage with the same language and principle that we saw in the Biblical covenant.

Applications of the Principle of Protection

In the Bible, the application of the principle of covenantal protection is made through various means of *applying the death penalty*. That’s right, the death penalty is implemented a number of ways. Why? The death penalty in terms of execution was not *mandatory*; it was the *maximum* penalty. It was only mandatory in the case of *murder*. But in the case of adultery, for example, it was not mandatory because of what the Bible says about Joseph, Mary’s husband: “He, being a just man, was minded to put her away secretly” (Matthew 1:19). Joseph was “just,” meaning he was right in what he did, but he did not have to have her put to death. The death penalty would be applied through several means such as: execu-

tion, excommunication, restitution, and divorce. Let us consider them and their affect on the marriage covenant.

Physical Execution

First, *execution* for capital offenses removes the offender from the earth. He is executed by the civil magistrate, who is called to avenge the wrath of God and to protect the innocent (Romans 13:1ff.). This raises a very important question: "Should the Old Testament capital offenses still be in force?" Yes and no.

"No" in the case of capital offenses that were exclusively applied to the Hebrew Republic of the Old Testament, such as capital offenses tied to the clean/unclean laws that were clearly fulfilled and removed by Christ.

"Yes" in the case of the capital offenses that are universally applied to the Gentile world by the Apostle Paul. He says,

God gave them [idolators and homosexuals mentioned in Romans 1:19-28] over to a debased mind, to do those things which are not fitting; being filled with all unrighteousness, sexual immorality, wickedness, covetousness, maliciousness; full of envy, murder, strife, deceit, evil-mindedness; they are whisperers, backbiters, haters of God, violent, proud, boasters, inventors of evil things, disobedient to parents, undiscerning, untrustworthy, unloving, unforgiving, unmerciful; who, knowing the righteous judgment of God, that those who practice such things are *worthy of death* (Romans 1:28-32).

Paul carefully uses a phrase, "worthy of death," that was an often used Mosaic statement to refer to the death penalty (Deuteronomy 21:22; 22:26). In fact, he even uses the phrase to refer to some of the same offenses that were punishable by death in the Old Testament, such as violent rebellion among teenagers (Deuteronomy 22:26). He also uses the phrase to refer to the Roman death penalty, when he is accused of a crime against the State (Acts 25:11). He definitely means for most of the capital offenses of the Old Testament to be carried over into the New Testament and to be applied even by *unbelieving civil magistrates* (Romans 13:1-4).

But, Paul seems to add some offenses that would be punished by death if they became objective offenses. I said it this way in *That You May Prosper*:

In some instances, however, the New Covenant sanctions are stricter than the Old Testament. Paul allows in Romans 1:30-31 for other offenses that can draw the death penalty: arrogance, unmerciful, strife and others. Why does the New Testament speak this way? Some of these offenses have historical precedent. For example, God put Korah and family to death because they caused "strife" (cf. Romans 1:29 & Numbers 16:1-50). But at first glance, it might not seem possible to commit an offense tied to "arrogance" (Romans 1:30). Modern society, however, presents some situations where the death penalty would be appropriate. For example, as recently as Hitler's reign of terror, we find people committing horrible atrocities in the name of "Super-race doctrine." Their racial "arrogance" involved such things as frontal lobotomies on Jews. According to Paul's language, therefore, a doctor who performs surgery for such purposes could be put to death.⁵

The laws of the New Testament are actually tougher! Why? *Where God gives greater privilege, He also gives greater responsibility!* This proportionate relationship between privilege and responsibility is part of the Gospel; it is part of every area of life where responsibility and privilege touch it; therefore, they are part of every relationship. Why? When Jesus came, He brought more grace and freedom than ever before, not to free man into immorality, but to free him to greater service in righteousness. Anyone who tells you that God does not expect as much in the New Covenant age does not understand the fundamental connection between *privilege and responsibility* in the Old and New Testaments. So how much more should civil magistrates be dealing with guilty parties in broken marriages? They should be "avenging God's wrath" because they are appointed by Him and because they have the privilege of living *this* side of the cross (Romans 13:1-4). They should be willing to apply God's law where applicable. They should even be apply-

5. Ray R. Sutton, *That You May Prosper*, pp. 189-190.

ing the penalties of the law of God where they are universally required to be enforced!

Excommunication

Second, the death penalty could be applied in the form of *excommunication*. In this case, the offender is cut out of the covenant community, and he is considered covenantally dead, which is just as dead as physical death. In the Old Testament, some offenses were to be punished by *exile* from the covenant (Leviticus 14). Rather than physical death, the offender was sent away from the covenant: either the covenant community, or in the case of marriage, from the covenant of marriage.

In the New Testament, the same principle would apply, for Jesus says, "If he refuses even to hear the church, let him be to you like a *heathen* and a *tax collector*" (Matthew 18:17). In a society where the physical death penalty is not enforced, this method of the death penalty could be issued by the Church and it could be just as valid a basis of divorce.

Restitution to the Victim

Third, *restitution* is a form of sanction that could be required *in place of* the death penalty. David said to Nathan, "The man who has done this shall surely die, and he shall *restore fourfold* for the lamb" (2 Samuel 12:5-6).

First, restitution is a penalty. It is the penalty for theft; in David's case, he stole another man's wife, which was also accompanied by murder.⁶ It is normally double restitution if someone steals and does not confess. But it becomes fourfold if someone steals a sheep, does not confess, and disposes of the stolen property (Exodus 22:1). Since David took another man's wife (the "ewe lamb"), causing her to be brought under the death penalty, thereby "destroying" that which he had stolen, he was guilty of fourfold restitution.

6. The fourfold restitution on David was the death of four of his sons: the first son of his adultery with Bathsheba (2 Samuel 12:15-23), Amnon (2 Samuel 13), Absalom (2 Samuel 18), and Adonijah (1 Kings 2:19-24).

Second, restitution was restoration of the financial loss to the innocent spouse, because he (she) no longer had a partner. It could be figured in terms of the dowry, a gift to the father of the bride that was used to take care of her in the event she became a widow. It could also be figured in terms of wife support, or alimony, replaced today by child support; but, child support is not enough to take care of the wife and the children. It could be figured according to the cost of replacing the financial support provided by the spouse that dies covenantally.

These forms of restitution were various applications of the *condition of death* that was associated with the covenant promises. They protected the innocent in that they placed a penalty on the guilty for breaking the marriage covenant. They guarded the innocent's "rights," and they avoided the victimization of the victim. Even in the situation where the broken marriage covenant was restored, restitution in some form was to be required, as we shall see in the next chapter.

Divorce as a Means of Execution

Fourth, *divorce* itself is a means of applying the death penalty. Jesus allowed divorce, "Because of hardness of heart, Moses permitted you to divorce your wives; but from the beginning it has not been this way" (Matthew 19:8). He was probably referring to the passage: "When a man takes a wife and marries her, and it happens that she finds no favor in his eyes because he has found some uncleanness in her, and he writes her a certificate of divorce, puts it in her hand, and sends her out of his house" (Deuteronomy 24:1).

What does Jesus mean? "From the beginning" refers to creation. Divorce was not an option when marriage was created, but when sin entered the world it became a necessary option. The condition sin brought about was *hardness of heart*. What is hardness of heart? *It is fundamentally the rejection of the death penalty as payment for sin!* How so? As we have seen earlier in the chapter, the sin of Adam and Eve ended up being an overt attempt to *sanction* God. Namely, it tried to elevate them to the ranks of deity, when there could be only *one* God, and when such an effort was to put God to

death instead of having man put to death. By its very nature, therefore, sin attempted to avoid the death penalty on sin itself. Such avoidance is true *hardness of heart*, because not to allow the death penalty on sin ultimately meant not to allow Jesus to die for the sins of the world. And so, not allowing the death penalty on sin was a rejection of grace.

For this reason, the Jewish people were called “hardened” (Romans 11:7). They resisted the Christ and they rejected the purpose for which He had come. In so doing, they rejected the death penalty on sin. Yet ironically, in their rejection they sought to put Him to death to stop Him from putting to death sin (John 11:48-53). But God thwarted them, just as He thwarted Adam and Eve; by their actions, He carried out the death penalty on sin and saved the world. So, *hardness of heart is the attempted avoidance of God’s required death penalties on sin that deliver the innocent.*

As we have seen, the death penalty on capital and marital offenses frees the innocent from a covenant with wickedness. Hardness of heart stands in the way of this process of deliverance. It tries to keep the innocent yoked in a covenant with a fornicator. It ultimately wants to “leaven the whole lump,” as Paul said. Thus, divorce is permissible where the death penalties are not being applied, as a means of terminating a covenant with an unrepentant fornicator. Divorce would not be necessary, on the other hand, in a society where the magistrates were not hardened like the Jews of old, but who applied the penal sanctions so as to deliver the innocent (Romans 13:1ff.).

Even so, divorce is *harder to get in the New Covenant*. Why? In the Old Testament, the agent for processing the divorce was the *father*, the head of the family. But, I believe that this agent of divorce has changed in the New Covenant, giving a person an extra layer of authorities through which to proceed with accountability. Why the shift? The family in the Old Testament was the institution that was originally created to dispense the *blessings of the covenant*. It extended the whole nation of Israel through these blessings. Accordingly, it gave the father the primary role in removing the blessing through the vehicle of divorce, or some other means of cutting off.

But the family in the Old Testament or Covenant could not escape being under the disastrous effects of the Fall of man, and so it failed as an institution to administer successfully the blessings of the covenant. If anything, it meets with constant failure throughout the history of the Old Testament, one generation after another collapsing into immorality. It needed another to usher in the blessings of God.

The other came in the Person of Jesus Christ. He was the new agent through whom the blessings of the covenant were distributed. He replaced the first Adam, and because of this role, He even encountered opposition by His own family, forcing Him to make His most exacting description of this shift from the head of the house to Himself, when He said, "Where is My mother, or My brothers?" And He looked around in a circle at those who sat about Him, and said, 'Here are My mother and My brothers! Whoever does the will of God is My brother and My sister and mother' " (Mark 3:35).

Jesus was not opposed to the family, but He clearly became the new agent through whom blessing, and therefore cursing, would come. One day, He picked up little children and *blessed* them (Luke 18:15-17). Judging by the disciples' response, who tried to stop Jesus from blessing the children, He had hit a nerve. By this act and by the previous statement about His true family, He made Himself the primary agent of distributing blessing. He had shifted the agency of blessing from the family to Himself. And with that, He delegated this responsibility to the Church, when He exercised His role as the agent of blessing saying to Simon Peter, "*Blessed* are you . . . And I will give you the keys of the kingdom of heaven, and whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed in heaven" (Matthew 16:17-19). Christ was giving to the Church the responsibility of blessing and loosing that had heretofore been given to the father in the family. He gave the Church the power to marry and He gave the Church the power to grant divorce.

Thus, the shift from the family as the agent of divorce to the Church would make securing a divorce much more difficult. As I

will develop in the application chapter on, "What Does the Church Do?", I will demonstrate how this shift in the New Testament adds an extra layer of courts, and it deliberately slows the whole process down. Even though divorce is allowed, when the other methods of applying the death penalty fail, the Bible does not teach *easy divorce for troubled marriages*.

From our brief overview of the four basic methods of applying the death penalty, divorce would not have been easy in the Biblical society. In certain cases, in fact, it was impossible to secure a divorce.

False Charge, Permanent Marriage

There was another unusual application of the principle of protection that *prevented a person from ever getting a divorce under any circumstance*. It is described as follows:

If any man takes a wife, and goes in to her, and detests her, and charges her with shameful conduct, and brings a bad name on her, and says, "I took this woman, and when I came to her I found she was not a virgin," then the father and mother of the young woman shall take and bring out the evidence of the young woman's virginity to the elders of the city at the gate. And the young woman's father shall say to the elders, "I gave my daughter to this man as wife, and he detests her; now he has charged her with shameful conduct, saying, 'I found your daughter was not a virgin,' and yet these are the evidences of my daughter's virginity." And they shall spread a cloth before the elders of the city. Then the elders of that city shall take that man and punish him; and they shall fine him one hundred shekels of silver and give them to the father of the young woman, because he has brought a bad name on a virgin of Israel. And she shall be his wife; *he cannot divorce her all his days*. But if the thing is true, and evidences of virginity are not found for the young woman, then they shall bring out the young woman to the door of her father's house, and the men of her city shall stone her to death with stones, because she has done a disgraceful thing in Israel, to play the harlot in her father's house; so you shall put away the evil person from among you (Deuteronomy 22:13-21).

My purpose is not to expound this whole passage,⁷ but first, the woman who falsely claims to be a virgin was to be *put to death*, thereby protecting the man who had become the innocent victim. Why? She had victimized her husband *before* marriage, having previously fornicated with another man. She entered the covenant under deception, and according to Old Testament law, she was a harlot. Why? According to the law, a seduced virgin was supposed to tell her father, so that *he* could decide whether she would go ahead and marry her seducer, and thereby protect the family name (Exodus 22:16-17). If she failed to report the seduction to her father, however, she was considered a *harlot*, and she was liable to the death penalty for deceiving a man into marrying her. So, she received the penalty of death for her unfaithfulness prior to her marriage covenant, from which the innocent husband was protected, according to the Bible.

Second, if the husband falsely accused his new wife of premarital unfaithfulness, he was heavily fined, and he was *not allowed to divorce her*. Evidently, he was given the equivalent of the death penalty if she had not been found guilty. In this case, he was sentenced to live with her until she died physically, which was a severe form of protection for the innocent. A man would think very seriously about whether he could prove his case before having to receive a *no divorce* penalty, let alone the large sum of money that the one hundred shekels represented.

In the case of the guilty woman and in the case of the guilty man, however, a principle of the protection of the innocent was at work, even though it was a rather unusual application. But now that I have raised the whole issue of divorce, a myriad of other questions surface: "When can I get a divorce? What happens to the children and so forth?" In the next chapter, I will deal with more of the specifics. Let's quickly summarize, however, what we have covered in this chapter.

7. For an excellent explanation of this passage in full, see Gary North, *Tools of Dominion: The Case Laws of Exodus* (Tyler, Texas: Institute for Christian Economics), to be published in 1988, chapter 16.

Summary

Always, the Bible demanded that the innocent be protected.

1. We started with the story of David and Bathsheba to establish that the death penalty was demanded for violating the marriage covenant. But why?

2. Nathan's parable led to the principle behind the death penalty: *the protection of the innocent*.

3. The principle is built into the way the covenant is established, the fourth part of the Biblical covenant. A covenant is formed by parties making promises under the condition of death if the promises are broken. These promises are called *self-maledictory* oaths, requiring the death penalty on the party that breaks the covenant.

4. This manner of forming a covenant was set up in the garden, where God said, "The day you eat of it, you will surely die" (Genesis 2:17). It was the means for cutting the Abrahamic and Deuteronomic covenants.

5. The death penalty requirement protected against a *rival covenant and rival sanctions*. The garden is an example. Satan attempted a rival covenant with Adam and Eve to God's covenant with the same. He actually tried to sanction God into a covenant under him through the rival covenant. But God stopped Satan with the death penalty sanction. He was the innocent, and He was protected from Satan's rival sanctions.

6. The same principle of protection applies to marriage. A marriage is formed when both parties give promises under the condition of death.

7. The "one flesh" promise of Adam was referred to as an example of the marital promise.

8. The condition of death attached to the covenantal promise of "one flesh" is seen in Paul's warnings against a rival "one flesh" covenant with a harlot (1 Corinthians 6).

9. From the context of 1 Corinthians 5-6, Paul teaches that any covenant with a "fornicator" is dead, and it should be dissolved. He reasons, "A little leaven leavens the whole lump."

10. The death penalty sanction is applied in some unusual ways.

11. First, execution is a means of the death penalty. Although

it was not mandatory, it was applied in the Old Testament, and it is to continue to be applied in the New Testament in its more universal aspects. But if anything, the laws in the New Testament are harder, because greater privilege always brings greater responsibility.

12. Excommunication is also a means of applying the death penalty and of protecting the innocent partner in marriage.

13. Restitution is a means of applying the death penalty.

14. Finally, divorce is a form of the death penalty on a marriage. It is a result of the hardness of the heart, and it is much harder to secure in the New Testament era.

15. In fact, divorce was never an easy matter, even in the Old Testament. An example is the case where a man falsely accused his spouse.

V. Inheritance/Continuity

5

LIVING HAPPILY EVER AFTER

When a man takes a wife and marries her, and it happens that she finds no favor in his eyes because he has found some uncleanness in her, and he writes her a certificate of divorce, puts it in her hand, and sends her out of his house, when she has departed from his house, and goes and becomes another man's wife, if the latter husband detests her and writes her a certificate of divorce, 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 (Deuteronomy 24:1, 5).

Remember the words at the end of all of those fairy tales you used to hear when you were a kid: "And they lived *happily ever after*"? Have you found these tales to be true? Haven't you really learned that life is not always like a fairy tale, and that a lot of people don't live happily ever after, especially not divorced people? Have you ever wondered how or *if* a divorced person could live happily ever after?

Let's take a specific example and consider whether or not the people in this story can live happily ever after, given what has happened to their marriage. I am using a story as told by Dr. James Dobson in what has to be one of the top ten most important books on the family in the twentieth century: *Love Must Be Tough*. Dr. Dobson begins his book with a letter from a man he calls "Roger."

Dear Dr. Dobson:

A few months ago, my wife Norma left to go to the grocery store in a nearby shopping center. She told our four children that

she would be back in half an hour and warned them to behave themselves. That occurred on Saturday morning. Six hours later she had not returned and I began a frantic search for her. I could imagine her being kidnapped or raped or even something worse. By Sunday morning I called the Detroit police, but they said they could not help until she had been gone 48 hours. The children and I were worried *sick*!

We requested prayer from our Church and Christian friends, especially for Norma's safety. She had left no notes or messages with friends, and she didn't call. We did find her car behind the shopping center, locked and empty. The police theorized that she had run away, but I didn't agree. That just wasn't like the woman I had lived with for fourteen years . . . the mother of my four children. We had been getting along quite well, actually, and had been planning to take a brief vacation over the Labor Day Weekend.

On Tuesday, I obtained the services of a well-known police detective and asked him to help us locate my wife—or at least discover what had happened to her. Well, he began interviewing her friends and associates and the details unfolded. To my utter shock, it became clear that Norma had left of her own free will with a married man from her place of employment. I just couldn't believe it.

Then about two weeks later, I got a "Dear John" letter, saying she didn't love me anymore—that our marriage was finished. Just like that, it was over. She said she would be returning in a few months to fight for the children, and that they would be living with her in Kansas.

Dr. Dobson, I tell you truthfully that I have always been a faithful father and husband. Even since my wife left, I have taken good care of the kids. I did the best I could to pull our lives together and keep going . . . to try to make a decent home for these four bewildered youngsters. Nevertheless, the court ruled in my wife's favor last month, and now I am alone.

I built our house a few years ago with my own hands, and now it is empty! All I have to show for the family I lost is a stack of Norma's bills and the memories that were born in these walls. My kids will be raised in an unchristian home, five hundred miles away, and I hardly have enough money to even visit them!

My life is a shambles, now. I have nothing but free time to think about the woman I love . . . and the hurt and rejection I

feel. It is an awful experience. Norma has destroyed me. I will never recover. I am lonely and depressed. I wake up in the night thinking about what might have been . . . and what *is*. Only God can help me now!¹

“Can He?” That’s what I’ve heard a lot of divorced people say, who aren’t quite so sure as Roger. Can God help a divorced person? Can he (she) live happily ever after? Can Roger live happily ever after? How about Norma? Can she live happily ever after? And last but certainly not least, the children. Can they live happily ever after, or are they destined to live broken lives haunted by relentless guilt?

In a way, the present chapter comes to what this book is all about: a second chance! The previous chapters have carefully laid out a Biblical rationale for divorce, moving from the principles of *creation*, *jurisdiction*, and *cause/effect*, to the principle of the last chapter, *protection*, where we discussed the sanctions for breaking the marriage covenant.

But the question we want to consider now is “What then?” Let’s say your spouse has committed a capital offense and he (she) has killed your marriage covenant. Let’s say that you agree, that you want to protect yourself from further spiritual damage, and that you realize that you can legitimately get a divorce. What then?

Your marriage, as I see it, could go three possible directions. One, you could divorce your spouse, provided you have legitimate *Biblical* grounds (see the previous chapters). Two, you could choose to live with a “dead” person. Three, your spouse could repent, and he (she) and your marriage could be resurrected. In each case, there is one final principle of divorce that must be understood, if you are to live happily ever after, the principle of *transfer*. Let’s first fix the principle securely in our minds, for this principle is found in the Biblical and marital covenants, and then let’s apply it to each of the three different scenarios.

1. Dr. James C. Dobson, *Love Must Be Tough* (Waco, Texas: Word, Inc., 1983), pp. 11-12.

When we get to the application of our principle, I'm going to come back to Roger's and Norma's situation. I'm going to give it three different endings, kind of like the optional endings to a mystery, such as was recently done in a movie called *Clue*. For now, however, I'm going to begin with the Biblical covenant.

The Covenantal Principle of Transfer

Before we begin, we must ask ourselves, "Which covenants are we talking about?" We need to begin with the Biblical covenant, which serves as a model for the others.

The Biblical Covenant

The fifth point of the Biblical covenant model is the principle of inheritance.² The principle of transfer is the *preservation of inheritance by legal transfer to the faithful*. When two parties are in covenant and one of them dies, the disposition of commonly shared property and possessions has to be settled. In the Biblical covenant, this process occurred *before* the death of one of the covenantal participants, so it was not strictly speaking a *testamentary* arrangement. Instead, the inheritance was secured at the time of the *ratification* of the covenant, and it was progressively allotted and developed during the life of the covenant, with the full inheritance passing over to the lawful heir after the actual death of the spouse. In the final section of the Deuteronomic covenant, we find just such a situation.

Moses, the great leader of Israel who had been given the Ten Commandments on Mt. Sinai, called the leaders and the nation to his side. He was about to die, and so he needed to transfer the inheritance of Israel that had been given to him. He had to leave the total inheritance to someone who was trustworthy, someone who had proven his faithfulness. Under God's direction, he chose Joshua, the brave warrior who had time and again demonstrated his loyalty to the Biblical covenant.

2. Ray R. Sutton, *That You May Prosper: Dominion By Covenant* (Tyler, Texas: Institute for Christian Economics, 1987), ch. 5.

Then Moses went and spoke these words to all Israel. And he said to them: "I am one hundred and twenty years old today. I can no longer go out and come in. Also the Lord has said to me, 'You shall not cross over this Jordan.' The Lord your God Himself crosses over before you, and you shall dispossess them. Joshua himself crosses over before you, just as the Lord has said." . . . Then Moses called Joshua and said to him in the sight of all Israel, "Be strong and of good courage, for you must go with this people to the land which the Lord has sworn to their fathers to give them, and you shall cause them to inherit it" (Deuteronomy 31:1-7).

The inheritance that was transferred to Joshua was in the form of a *blessing* (Deuteronomy 33:1). It was tangible and intangible according to the words above. It was tangible in that it was concrete and specific: land, wealth, and long life in the land (Deuteronomy 32:44-47). But it was intangible in that the tangible was part of the broader covenantal promises in the Word of God. It was the spiritual inheritance that made the physical inheritance possible. It was this wider and more far-reaching covenantal legacy that was more important, indicated by the fact that Moses commanded Israel to read the covenant, the Word of God, every seven years (Deuteronomy 31:9-13).

The inheritance in both of these aspects needed to be preserved through the death of Moses. How was this done? Moses called Joshua to his side in the presence of witnesses, and he laid his hands on Joshua, symbolizing the transfer of the covenant (Deuteronomy 34:9). He *legally* preserved the inheritance of the house of God in the midst of his own death. He "documented" that the covenant through *him* was dead, but that it would continue through the new heirs.

The Marital Covenant

Once again, we see that the marital covenant follows the Biblical covenant, with the inheritance of the family estate being preserved through its legal transfer to the faithful.

Consider the passage at the beginning of this chapter. It shows an important process of transferring inheritance. First, it teaches

that after “fornication” has been discovered in the woman, she is given a “certificate of divorce”—literally a “book of cutting” (Deuteronomy 24:1)—publicly declaring the marriage to be legally dead. This document is called a “document of cutting” because a covenant is established by “cutting” (Genesis 17), the same Hebrew word. So, there is a play on words. Remember, a covenant is created by an exchange of promises under the condition of *death*, a death symbolized in the Old Testament by the “cutting” of circumcision. But the condition was that actual cutting would come to the covenant—the covenant would be put to death, thereby bringing death to the violator—should the covenant be broken. In the same way, a “certificate of divorce,” by the use of this language, is a *death certificate*.

Second, the certificate of divorce is more than a death certificate. It is an instrument that activates what was promised in the marriage covenant in the event of the death of the spouse, bequeathing the full inheritance to the innocent party.³ How? The passage in Deuteronomy also teaches that the woman, who is the guilty party, is escorted out of the house with the certificate of divorce in *her* hand. The house, the estate, her dowry (a gift given by the husband or father of the bride, to be held in trust to protect her in the event of her husband’s death), and even the children, because children are considered part of the inheritance of the Lord (Psalm 127:3), are all part of the forfeited inheritance that she leaves in the house.

Furthermore, the certificate in *her* hand, not his, indicated who the guilty party was, in this case the woman. It also revealed who was the real divorcee. Since *she* had the certificate, *she* was the divorcee. In other words, the innocent but divorced party in Biblical society would not have been labelled a *divorcee*, even though he had been through a divorce. He was viewed as a person whose former spouse had *died*, according to the principle of covenantal

3. Notice that the marriage covenant itself transfers all the estate to the surviving spouse, which means that the certificate of divorce is not a pure testamental instrument. It is covenantal in that the estate is technically transferred in principle *before* the death of the spouse.

death that we saw in the second chapter of this book. *The guilty party bore the mark of divorce, the certificate.* He (she) was the divorcee. This covenantal way of viewing the innocent and guilty meant that the innocent party received the inheritance just as though one receives the inheritance of a spouse who dies, leaving everything behind to the surviving partner who is the beneficiary.

Do you see how the Biblical principle of transfer applies to marriage? The inheritance of the *Biblical* covenant was protected even in the event of the death of one of the major members of the covenant, whether the death was physical or covenantal, as in the case of Saul (I Samuel). The inheritance of the *marriage* covenant is also protected by a unique process of transfer. It involves a certificate of divorce that declares the marriage legally dead, and it involves ushering the guilty party out of the inheritance through the same certificate and through the actual removal of the guilty party from participation in any part of the estate. This means that *the innocent should always seek for the preservation and reception of as much of the estate as possible, including the children.* The guilty party forfeits his (her) inheritance because he covenantally dies, making the innocent party the legal beneficiary.

Now, let's apply the marital principle of transfer to three different possible endings to the Roger and Norma story at the beginning of this chapter.

Restoration

Roger could chose to restore his marriage with Norma. In fact, I believe that he is obligated to try to restore his spouse, even though he may be unsuccessful. Why? God created their marriage, and He has restored the institution of marriage through the redemptive work of His Son, Jesus Christ. He calls man, especially a Christian man, to be restorative on the basis of this redemption. He says, "He who turns a sinner from the error of his way will save his soul from death, and will cover a multitude of sins" (James 5:20). How should Roger approach this restoration?

James Dobson recommends *precipitating a crisis of major proportions*. He counsels that the innocent partner should confront the

guilty partner “in response to infidelity and other instances of disrespect,”⁴ what I have specified as the capital offenses, giving the guilty party the choice of *leaving if he does not leave his infidelity*. Dobson even adds that the best time to confront is as soon after the infraction as possible, because the guilty party will not have had enough time to rationalize, and his conscience will be more vulnerable to the attempt to restore him.

Dobson says that the confrontation should be well-planned, and it should present the guilty party with a clear statement that the marriage is finished if he does not repent. To give you some idea what Dobson means, here is a letter that he received from a lady named Linda, and following it, there is a suggested response written by Dobson.

Dear Dr. Dobson:

I have a problem and it has become a terrible burden to me. It is affecting me both physically and spiritually. I grew up in a good Christian home, but married a man who was not a Christian. Paul and I have had a rough time. . . . Paul began to get interested in a beautiful divorcee who works as his bookkeeper. At first it seemed innocent, as he helped her in various ways. But I began to notice our relationship was deteriorating. He always wanted this other woman along whenever we went anywhere, and he spent more and more time at her house. . . . I bought a book about this time in which the author promised if I'd obey my sinner husband, God wouldn't allow any wrong to happen so long as I was submissive. Well, in my panic, I thought I would lose him forever, and I agreed to let the other woman come into our bedroom with us.⁵ I thought it would make Paul love me more, but it just made him fall deeper in love with her. . . . What do I do now? Please help me. I'm on the bottom looking up.

Linda⁶

4. Dr. James C. Dobson, *Love Must Be Tough*, p. 63.

5. Worse than this: the innocent wife is now being placed in the adulteress' bedroom, for she is now operating under the adulteress' covenantal authority.

6. *Ibid.*, pp. 14-15.

The following is Dobson's proposed statement of confrontation for Linda to say to Paul.

It's a curious thing, Paul, how a person loses all perspective when he's so close to a problem. It becomes difficult to see the issues clearly, and that has definitely happened to me in recent months. But in the past few weeks I've been able to pull back from our difficulties and I now see everything in an entirely new light. It is incredible just how foolish I have been since you decided to leave. I have tolerated your unfaithfulness for almost a year, and was even so naive as to permit Susan to come into our bedroom. I can't believe now that I did that. I guess I just loved you so much that I was willing to do anything you demanded, just to keep you from leaving me.

But I tell you, Paul, those days are over! If you want to go, you can certainly do so. In fact, that may be for the best. I doubt if I can ever trust you again or feel for you as I once did. I wasn't a perfect wife, to be sure, but no other man has touched me since I pledged myself to you. But you violated my trust—not once but repeatedly for all these months. I'm no longer special to you—I'm just one of a crowd. I can't live with that. I'd rather face life alone than as a member of your harem. . . .

So where do we go from here, Paul? I've been doing some intensive thinking, and believe you should pack up and leave. It just won't work for you to hopscotch between Susan and me, sleeping with us both and trying to make it all seem so normal. You say you aren't sure which one you want? Well, that isn't very inspiring to me. You pledged eternal love and commitment to me on our wedding day, but now that could be gone with the toss of a coin. What we both need is some time apart. I think you should find another place to stay, perhaps with Susan if you wish. If in the future you decide you want to be my husband, then we'll talk about it. I make no promises, however. I'm doing everything possible to remove you from my heart, to spare myself any more pain. It's not going to be easy. You were my only love—the only one I ever wanted. But that was then and this is now. God bless you, Paul. The kids and I will miss you.⁷

7. *Ibid.*, pp. 67-68.

Dobson is careful to be direct in his response. He leaves no doubt in the reader's mind what is expected. Yet, he is not abusive, nor is he course or rough. He is firm and decisive, which is important because no one responds well to an indecisive person. He tells Paul that he must leave without Linda and his children. He reasons according to the covenant.

Linda's marriage is a covenant. In the first chapter I taught the principle of creation, making it clear that marriages are made in heaven, and that they are created by God's imputing a certain status on the basis of faithfulness. I also said that God imputes another status—the status of death—if there is unfaithfulness. I believe that Linda's marriage had died.

In the second chapter, I explained the principle of jurisdiction, that marriages are alive as long as the spouse is alive covenantally. When he dies, the surviving partner is released from the marriage covenant. I believe that the jurisdiction of Linda's husband had died, freeing her to remarry, if her husband does not repent.

In the third chapter, I pointed out the principle of ethical cause and effect. Not only do marriages die covenantally, but they die when the spouse breaks the marriage covenant and "destroys his own soul." That is, he dies covenantally to his marriage. The capital offenses give us a guideline as to what kills the marriage covenant. Certainly Paul has committed adultery, and he has brought the effect of death to himself and his marriage.

In the fourth chapter, I presented the principle of protection. I said that the covenant is protected by sanctions, the death penalty. The guilty are punished by the death penalty. In a non-Biblical society where the Biblical sanctions are not applied, divorce is allowed as a form of sanction. Although Dobson does not use the word "divorce," he certainly implies it because he virtually forces Paul to file for the divorce if he is unrepentant. I personally believe that Linda could file herself, and in a moment, I will suggest reasons why she should file first, if Paul is unrepentant.

Finally, I developed the fifth principle of transfer. I explained that the inheritance should be transferred to the faithful. Notice how Dobson closes the letter by suggesting that Paul is not only

losing Linda, but he is losing the children. So I believe that Dobson's method of confrontation uses a covenantal method to attempt to restore Paul.

Specific Steps

Let's get a little more specific. Dobson outlines some basic steps of confrontation. I think they are important and necessary for true restoration. I have added a fifth step that I think is just as important as the others. As a matter of fact, I have found that if it is not implemented, you cannot have true reconciliation.

1. *Prayer*: Everything in life should begin here, especially the family and its problems.

2. *Professional Counsel*: A person attempting to restore his fallen spouse should go to his pastor or some other professional Christian counselor. He will need solid Biblical guidance, as well as moral support through this period. As is often the case, he may start to feel guilty about precipitating a crisis, and so he will need the right kind of encouragement.

3. *Plan*: Dobson directs the confronter to plan out exactly what he is going to say when the time of confrontation comes. (His suggested letter above for Linda is an excellent example.) And when the moment of confrontation does come, Dobson says that it should be *face to face* to put more pressure on the guilty.

4. *Perseverance*: Dobson says that it is extremely important for the confronter not to let up or relax on the conditions presented in the confrontation. He even suggests that the confronter avoid calling and/or contacting the confronted. He advises that the confronter must make the confronted come after him (her).

5. *Repentance*: The Bible teaches that there is no forgiveness apart from repentance: "If your brother sins against you, rebuke him; and *if he repents*, forgive him" (Luke 17:3). What is repentance? Repentance is a *show of good faith*, what I have already described in the section on *restitution* in the last chapter. It is not a system of penance, whereby one earns his way back, a system of works. Rather, it is a demonstration that one has returned to the faith; it is an outward display that one is indeed faithful.

What would Paul's restitution be? Dobson has a wonderful suggestion. He says that the offending party must agree to go through Christian counseling, which would certainly cost a significant amount of money, as a *condition* for returning. He bases his advice on the Biblical principle of accountability. He says, "Successful marriages usually rest on a foundation of *accountability* between husbands and wives. They reinforce responsible behavior in one another by a divinely inspired system of checks and balances. In its absence, one party may gravitate toward abuse, insult, accusation and ridicule of the other, while his or her victim placidly wipes away the tears and mutters with a smile, 'Thanks, I needed that.'"⁸ Remember, apart from repentance, there is no forgiveness, meaning no true restoration. And if there is no true repentance, Linda should go ahead with divorce proceedings, and Roger should do the same.

Divorce

Let's turn back to our beginning story with Roger and Norma. One possible ending to the Roger and Norma story could be divorce. Roger certainly has Biblical grounds, according to the principles that we have studied so far.

The first principle of *creation* teaches that God creates covenants by imputing a definite legal status on the basis of faithfulness. God does not allow for *no-fault* divorce; He demands that only a specific fault, or offense, can change the legal status of the marriage. It applies to Roger and Norma because of Norma's adultery. She was unfaithful to her covenant with Roger, such that the moral status of her relationship to him was affected. Just as her promises of marital faithfulness enabled a certain status of marriage to be applied, her unfaithfulness rendered another status, the status of death.

The second principle of *jurisdiction* says that a person is free from the marriage bond upon the covenantal or physical death of his spouse. It pertains to Roger and Norma because Norma died

8. *Ibid.*, p. 25.

covenantally when she committed adultery.

The third principle of *cause and effect* argues that the capital offenses of the Bible are offenses that produce covenantal death, and they are therefore divorceable offenses of the Bible. It means for Roger that he has legitimate grounds for divorce.

The fourth principle of *protection* says that the covenantal life of the innocent party should be protected by sanctions that essentially sever the relationship: execution, excommunication, or restitution. According to this principle, Roger should be encouraged to protect his own covenant with the Lord and his children's covenant with the Lord by divorcing Norma, if she does not repent. He should do so because at present there is no longer a Biblical system of civil government to apply Biblical law, to uphold the things that God gets angry at (Romans 13:1ff.).

Finally, the fifth principle of *transfer* says that the inheritance of the family should be preserved through a legal transfer of divorce. Roger should have no reservations about trying to secure all of the estate, including the children; they should go with him because he is the one who will raise them in the proper moral environment. I know that this statement may seem hard to some, but this way of thinking is the Biblical mind-set. The inheritance goes to the faithful, not the unfaithful. Norma is the guilty one, and she is the one who has forfeited her inheritance. She is the one who left her husband. She is the one who worried everyone sick by the way she left. According to the Bible, she has lost everything by her own choosing!

Roger can make a new life for himself with this inheritance, because he will have the possibility of making a complete separation by this approach. I know that he may still love her and that he may still want to be with her, but if he views her as covenantally dead, he can begin to work through his grief and he can start all over. I also know that present civil laws make some of my suggestions difficult. He may have to let his children go to be with her, if the judge so rules in this case.

He should fight for complete custody, and he should try to file first if she is unrepentant. He must not voluntarily consent to the

children being placed under the covenantal authority of an adulterous pair. I've seen many cases where Christians have taken a passive approach because they've been counseled that divorce is never a Biblical option. I've found that in more cases than I care to admit that the innocent have been literally "taken to the cleaners." They are the ones who end up being victimized. They end up forfeiting their inheritance to the wicked. And most of all, they end up losing their covenant children to be raised by an apostate, immoral person.

Let George Grant, expert on dealing with the problem of poverty from a Christian point of view, illustrate the losses incurred by the innocent party with a story that he tells in his brilliant book, *The Dispossessed: Homelessness in America* (1986):

Up until eight years ago, Kathi Tannenbaum was a traditional homemaker. She had dedicated herself to building a comfortable life with her husband Jacob and her son Aaron. For twenty-two years, she was the epitome of the committed and caring wife, mother, and housekeeper. She had a good life.

But then one day Kathi's whole life caved in. Aaron was killed in a tragic automobile accident and Jacob took to drink for consolation. "We were both devastated, of course. But Jake just never seemed to recover. He went deeper and deeper into his own dark little world and just shut me out. . . . We became strangers."

Three months after the accident, Jacob sold the family's small electrical supply business and two weeks after that he filed for divorce. . . . But that wasn't the half of it.

The judge awarded Kathi an equal property settlement, but she was unable to demonstrate that Jacob had any other assets than the three-flat Brooklyn brownstone that had been their home for ten years.

"He had a fantastic lawyer and they were able to shelter the business assets. I didn't get a dime," she lamented, "and since New York has a no-fault divorce law, I wasn't entitled to any alimony."

Suddenly, at age 43, Kathi Tannenbaum was alone. She had no job. No job history. No job skills. No job leads. No job references. Nothing.

Her share from the sale of the brownstone came to just under

\$45,000. But after paying her half of the back debts, she was left with a mere \$39,000. And with that, she was to start a new life.

Kathi immediately moved into a small, one bedroom apartment and went to work as a waitress in a Brooklyn Kosher deli. She made about \$900 a month, including tips. Jacob meanwhile, had quit drinking, gone back to the electrical supply business, and had remarried. His annual income returned to his pre-divorce level—nearly \$65,000 a year—and he and his young new wife purchased a home in the Long Island suburbs.⁹

Grant goes on to give some rather frightening statistics, quoting Lenore J. Weitzman's book, *The Divorce Revolution: The Unexpected Social and Economic Consequences for Women and Children in America*: "On the average, divorced women and the minor children in their households experience a 73 percent *decline* in their standard of living in the first year after divorce. Their former husbands, in contrast, experience a 42 percent *rise* in their standard of living."¹⁰

So don't feel guilty about gaining possession of as much of the estate as you can, when you're the innocent party who is married to an unrepentant guilty party. The loss of a spouse is costly, especially if you're a female. When you're in the right, go ahead and fight for what *God* has given you, because that means you are fighting for *God's* inheritance. Who knows, the innocent person may end up with everything, as he *should* under the Biblical system. If Roger is going to find a true second chance through divorce, assuming that Norma doesn't repent, he must begin to think and to act according to the first five principles, and especially, he should put into practice the principle of transfer.

Living with the Living Dead

Finally, it is possible that Norma might want to return to Roger in an *unrepentant* state. And it is also possible for Roger to

9. George Grant, *The Dispossessed: Homelessness in America* (Ft. Worth, Texas: Dominion Press, 1986), pp. 71-72.

10. *Ibid.*, p. 79.

remain with Norma, even though she has not repented. But I believe that he should take into consideration three pieces of counsel.

First, Roger should require Norma to sign over her portion of the estate and her children before allowing her to return. This would be in the legal form of an irrevocable trust, with Roger named as the trustee. The principle of transfer teaches that inheritance goes to the faithful. It applies to Norma because she has forfeited her inheritance through her own unfaithfulness. If she is unrepentant, it will force her to “fish or cut bait,” meaning it will determine how serious she is about living with Roger. The Bible requires restitution, whether a person is repentant or not. If you murder someone, whether or not you’re sorry has nothing to do with whether or not you should receive the death penalty, even though it has everything to do with eternal forgiveness. A life has been taken and restitution must be paid. If Roger does not enforce some kind of restitution, then the children will think that Norma has gotten away with her sin.

Second, Roger should consider the effect that an unrepentant Norma might have on the children. He will be trying to teach them Christianity, and she will be pulling against everything. He might get her back, in other words, and end up losing his children, the future.

Third, Roger should have Norma tested for AIDS and other venereal diseases before he allows her to come back in an unrepentant state. Even if she repents, he is not obligated to remain with her if she has contracted AIDS. He may be willing to take Norma in; he should not be idiotic and take in AIDS, too. Venereal disease is covenantally like leprosy was in the Old Testament era, and such diseases were divorceable offenses for obvious reasons. Another very significant reason is that an AIDS-infected spouse could end up killing the whole family.

Restoration, divorce, and continued life with an unrepentant spouse are three options before Roger. But maybe you’re wondering, “Can Roger remarry if he chooses to divorce Norma?” This will be the subject of the next five chapters, as I move from principles on divorce to principles on remarriage. Before we move to the subject of remarriage, however, let’s summarize.

Summary

1. I began with the story of Roger and Norma to consider what a person should do if he's the innocent party and discovers that his spouse has committed a divorceable offense, thereby killing the marriage covenant.

2. I presented the fifth principle of the Biblical covenant model, transfer, and applied it to the marital covenant.

3. The Biblical covenant teaches that the inheritance of the people of God was passed to the faithful when a death occurred. This covenantal process transferred the inheritance to the faithful so that it would be preserved for them.

4. The marital covenant does the same. At the beginning of the chapter (Deuteronomy 24:1-3), I pointed out that the guilty party was given a bill of divorce, a statement of death like a death certificate, and he was driven out of the house, which meant being disinherited.

5. The principle of transfer applies if Roger restores his relationship to Norma. He will want to confront her and in the words of Dr. James Dobson, "precipitate a crisis," to cause Norma to see just how much she is losing through her affair. He will want challenge her with the reality that she will be cut off and out of the inheritance, including seeing the children, if she does not repent.

6. The principle of transfer applies if Roger decides to divorce Norma. He must understand the principle so that he can shamelessly transfer as much of his estate as possible to his side of the family, and start all over.

7. The principle of transfer applies if Roger decides to stay with an unrepentant Norma who decides to return to him. It will help him to be able to enforce some kind of restitution to protect his estate from Norma.

I. Transcendence/Presence

6

NEW COVENANT, NEW SPOUSE

When a man takes a wife and marries her, and it happens that she finds no favor in his eyes because he has found some uncleanness in her, and he writes her a certificate of divorce, puts it in her hand, and sends her out of his house, when she has departed from his house, and goes and becomes *another man's wife*, if the latter detests her and writes her a certificate of divorce, puts 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 divorced her must not take her back to be his wife after she has been defiled; for that is an abomination before the Lord, and you shall not bring sin on the land which the Lord your God is giving you as an inheritance. When a man has taken a *new* [second] wife, he shall not go out to war or be charged with any business; he shall be free at home one year, and bring happiness to his wife whom he has taken (Deuteronomy 24:1-5; emphasis added).

If there is one question a pastor flinches at when asked, it is, "Pastor, can I remarry?" Why? Is he simply unwilling to take a stand? Sometimes he is, but most of the time pastors and counselors meet situations too complicated for their theology of divorce and remarriage to handle.

Recently, a Christian woman called a counselor for some advice. She started to weep as she unfolded one of the strangest stories the counselor had ever heard. Mother of four and married to an officer in an evangelical church, she disclosed that she had just found out that her husband of nearly ten years was a practicing

homosexual, and that he had been infected with AIDS. She was stunned most by the fact that he had been a closet homosexual all during his married life. Somehow he had been able to conceal his immorality. But AIDS finally caught up with him (just like it has caught up with the male homosexual culture, the fornicating heterosexual culture, and even some of the non-fornicating heterosexual culture), and now he had possibly infected his own wife.

What was she to do? Should she remain married, as the “no divorce/no remarriage” counselors would tell her, even though she knows that further sexual contact might lead to her own death, and maybe even the death of her children? Remember, we can’t be absolutely certain that the disease is only transmitted through sexual contact. Scientists just don’t know for certain yet. For example, in central Africa, they have found AIDS in the bloodstream of many species of insects, including mosquitos. If the disease can be only sexually transmitted, how did the insects become infected?

Is she under any Biblical obligation to stay married? Her husband said that he was repentant and that he wanted to keep the marriage together. But if she remains, she would probably have to abstain from sexual contact. Remember, condoms are not 100 percent effective.¹ And again, we just don’t know all the ways the disease can be transmitted. So, if she remains, and abstains from sexual contact, she violates Paul’s command, “Stop depriving one another, except by agreement for a time that you may devote yourselves to prayer and fasting” (1 Corinthians 7:5). Yet Paul doesn’t seem to include disease as a legitimate reason for separation.

More importantly, if she gets a divorce, can she lawfully remarry and replace the loss of her financial and spiritual provider? Some groups would say she can divorce, although they probably would not recognize her situation as fitting one of the

1. In the late summer of 1987, several condom manufacturers said publicly that their products should not be expected to prevent the spread of AIDS. They may be acting to avoid future lawsuits, but this is what they admitted.

only two reasons for divorce (adultery and desertion). But they would more than likely say that she must remain unmarried for the rest of her life. But what about her children? Remember, she has four hungry mouths to feed. She only has a high school education, no marketable skill, and she has neither the money nor the time (two of her children are pre-school) to get the training necessary to make enough to feed, clothe and educate the kids.

She has gone to her local church, but it does not have enough money to help her.

She could go to the State (welfare), but she would lose full authority over her children. She would have to put them in a public school. Anyway, she couldn't make enough with welfare and food stamps to pay for a Christian education.

What is she to do?

Ah, some well-intentioned soul will be quick to say,

"Look Rev. Sutton, you're approaching the problem from a pragmatic point of view. You've raised a practical dilemma, but we're supposed to work off of *principle* and not *pragmatism*. She could stay married, and the odds are that she won't get AIDS if her husband uses a condom. If you don't believe me, just listen to the Surgeon-General of the United States. He's a Christian, and he believes that a condom is a near perfect solution to prevent the spread of AIDS. And even if she contracts AIDS, she could consider herself a martyr, suffering and dying for her religious convictions. If she dies, I'm sure that Christians and family will take care of her children. If her children contract AIDS—which they probably won't, since we all know for sure that AIDS is only sexually transmitted—they can learn how to suffer for their convictions. Better to die than violate Biblical principle."

I agree, we should not change our theology for pragmatic considerations. But I would also say in response that when men *misinterpret* the Bible, *all sorts of practical problems result*. Men once thought that the world was flat, for example, and this misinterpretation of Scripture inhibited the exploration of the world, God's creation. Hitler surrounded himself with liberal theologians

to provide a "Biblical" basis for Aryanism. Many people suffered and died because of this bad theology. So misinterpretation has had practical consequences. Good theology offers true solutions to man's deepest and most complex needs. I think that most of what I hear on divorce and remarriage is not practical because it is *wrong!*

I also agree that it is better to die than to disobey God. But would the woman married to an AIDS-infected homosexual really be disobeying God if she got a divorce and remarried? For sound Biblical reasons, I don't think so. I've spent the first five chapters on the subject of divorce, and I hope that you see by this point that this woman has a legitimate reason for divorce; her husband has committed a divorceable offense, and even if he has repented of his homosexuality, she still has divorceable grounds.

But let's get to the real issue in the remarriage question: "Can there be a *second* covenant after the first covenant has died?" If someone is going to say that there cannot be remarriage after a legitimate Biblical divorce, he is really saying that there is no such thing as the concept of a *new* covenant. He is ultimately saying that old covenants cannot be transcended by new ones.

Biblical Concept of New Covenant

The Bible teaches that there are *two* covenants that revolve around Adam and Jesus Christ. The first covenant dies and is succeeded by the second. The first was made with Adam in the garden under the condition that he would *die* if he ever broke the covenant. It was intended to be a covenant of life, but it became a covenant of death when Adam died. Nevertheless, it died when Adam died, as Paul says: "By the one man's offense death reigned through the one" (Romans 5:17). So, the operative word to describe the first covenant with Adam is *death*.

What is death? It is not cessation of existence but rather the cessation of the favorable terms of the *covenant* with God. Adam's loss of favorable relationship with God cut mankind off from God's favorable true transcendence. This brings us back to the

first point of the covenant: true transcendence.² Adam's Fall caused mankind's loss of favor in both aspects of true transcendence: true distinction (God as the Sovereign who protects mankind became God whose majesty condemns mankind), and also true nearness or presence (God as the Sovereign who is close to mankind became God whose eternal presence condemns mankind). Adam's Fall reduced man to a life of isolation and solitary confinement, manifested perfectly by the eternal lake of fire (Revelation 20:14-15), by severing man's ethical union with something, or to be precise, Someone—Someone *beyond* himself. So, the death of the first covenant transforms transcendence for man by separating him from the grace of God, and bringing him under the wrath of God. A new covenant is necessary to restore the older relationship of favor.

The second covenant of the Bible is called a New Covenant: "Behold, the days are coming," says the Lord, "When I will make a new covenant" (Hebrews 8:8). But it is a covenant that is made through a new spouse, a New Adam, because the first Adam died. It is a covenant that is made through Jesus Christ: "Likewise He [Christ] also took the cup after supper, saying, 'This cup is the *new covenant* in My blood, which is shed for you'" (Luke 22:20, quoting Jeremiah 31:31). And since Jesus Christ is God (John 1:1), the new covenant restored a transcendent relationship with God, which is the true meaning of life, just as death had meant the annihilation of a relationship with God. It brought about a *new*, or a *second* relationship, and this is the fundamental message of the Bible.

But the New Covenant through Jesus was brought about through the Resurrection of Jesus Christ. It resulted from Jesus' being lifted from death in order that man might be raised from his death, particularly from his dead *covenant*. It took place when Jesus literally overcame the dead covenant through His own Death and Resurrection. So, to deny the principle of new cove-

2. Ray R. Sutton, *That You May Prosper: Dominion By Covenant* (Tyler, Texas: Institute for Christian Economics, 1987), ch. 1.

nant is to deny the gospel of Jesus Christ who was God incarnate, and is presently God ascended on high, who offers a true second chance to all men through the second, or new, covenant in His blood. To deny this new covenant is to deny the Bible's account of the death of Jesus Christ, and most important, to deny it is to deny the *Resurrection* of Jesus Christ, the greatest transcendent act since the creation of the world. The Resurrection is the message of hope, the true offer of a second chance to the world.

It is the event that makes a New Covenant possible. It offers a second chance to man, but it is also the theological basis for the concept of *remarriage*. Without it, there can be no thought of a second covenant of any kind, and certainly not a marriage covenant. With it, however, there is hope! There is a second chance!

The Marital Covenant

As we have seen throughout this book, the marital covenant includes the same basic principles as the Biblical covenant, because marriage is a picture of the relationship between God and man. Since there are two covenants, or two marriages in the Bible, the Old Covenant relationship between God and man is pictured by dead marriages and divorce, and the New Covenant is represented by living marriages and remarriage. It is represented by living marriages because they could not be living without the Death and Resurrection of Jesus Christ. How so? Marriage died at the Fall of man. Afterwards, if God had not been anticipating the great redemptive act of Jesus Christ, there would have never been another marriage. Any living marriage is living because of the effect of the New Covenant; they are, we could say, "New Covenant marriages."

But the New Covenant also means that second covenants are possible. Remarriage can occur, and it can take place because of the way that God has set up marriage as an analogy of His covenant with man. After the Cross, Jesus received a new bride, the gentiles, because there was a New Covenant.

We can see the new spouse/new covenant idea illustrated in the passage at the beginning of this chapter. If you look closely,

Deuteronomy 24 begins, "When a man takes a wife and marries her" (v. 1), and then it describes the conditions under which he and his divorced wife can divorce, not allowing them to remarry after they have been divorced and after they have remarried other people. But, immediately following this brief section, a new section begins just like the previous section with, "When a man," only this time it says, "When a man has taken a *new* wife" (Deuteronomy 24:5).

I conclude that the context of divorce means the "new" wife referred to is a second wife taken by the man who has divorced his first wife. I have found in my study of the Bible that the Hebrew word "new" can mean "fresh," but it can also mean "new" in the sense of *second*, an example being the same Hebrew word for "new" in the verse I previously quoted in relation to the New Biblical Covenant: "'Behold the days are coming,' says the Lord, 'when I will make a *new* covenant'" (Jeremiah 31:31). I believe the context of Deuteronomy dictates that the "new wife" is a *second* wife.

An example of a second marriage that God blessed is David's adulterous marriage to Bathsheba. After their son by their adulterous relationship had died, the Bible says,

Then David comforted Bathsheba his wife, and went in to her and lay with her. So she bore a son, and he called his name Solomon. And the Lord loved him. And He sent word by the hand of Nathan the prophet; so he called his name Jedidiah [literally, "beloved of the Lord"], because of the Lord (2 Samuel 12:24-25).

Was this a legitimate second marriage? Yes, God blessed—sanctioned—this marriage union, as indicated by the special name given to the son by the prophet, who was himself the embodiment of the Word of God.

How could God allow such a thing? He permitted it the same way that He allowed man to return to Him through a second marriage to a New Spouse, His Son Jesus Christ. He allowed it because of the principle of *new covenant*. Just as sin destroyed the favorable relationship between God and man, so capital offense

sin destroys the favorable covenant between a man and his wife, which we have seen in the first five chapters. Sin invokes the curses of the original marriage covenant. The terms of the covenant *were* broken, so the sanctions of the covenant *are* applied.

Redemption by a New Spouse, the New Groom Jesus Christ, restored the ethical union between God and man; this is the meaning of the New Covenant. Similarly, a new marriage covenant creates a new ethical union with a new spouse, on the valid legal presumption the first marriage has died. *Biblical remarriage is possible because a New Covenant with God is possible!*

Adoption of the Wife

How is the New Covenant entered? The Bible describes the process as one of *adoption* at the God-to-man level, as well as the husband-wife relationship. Since I will be talking more about adoption in the tenth chapter, I will only point out now that marriage, as well as remarriage, are acts of adoption, where the husband literally adopts the wife as his sister. Abraham says to Abimelech, Pharaoh of Egypt, "She [Sarah] is my sister" (Genesis 20:2). And, Solomon says of his new bride, "You have ravished my heart, my sister, my spouse" (Song of Solomon 4:9). In Abraham's case, Sarah was his half-sister (Genesis 11:29-30), but she was also adopted, just like Solomon's wife.

The issue is *inheritance*. A woman had no inheritance in the ancient world, except through her dowry. When she left home, she left her father's protection and inheritance. She was an orphan, unless she could be transferred into the husband's house. In order to protect her, and in order to guarantee her an inheritance, she had to be transferred by legal adoption, or else she was a concubine, or slave, and not truly a wife. She did so by assuming a *new name*, always the primary indicator that adoption has occurred: either she was named by the husband, or she bore his name in some way. In Eve's case, she received Adam's name twice. She received a name derived from his, which can more clearly be heard in the original Hebrew (*Ish* = man; *Ishah* = woman). Then she was named a second time, after the Fall (Genesis 3:20),

indicating that the Fall destroyed their marriage covenant, and that they had to be remarried; she had to be re-adopted. In the Christian tradition, this principle has been expressed by the wife's taking the name of the husband. As this practice is attacked, so is the woman's potential inheritance, because it is the common *name* that establishes common *property*!

The powerful message here is that *blood relation* is surpassed by legal covenant. It says that the adoptive covenant is greater than the first and "natural" covenant. In the case of marriage, it teaches that the marital covenant supercedes the parent-child, kinship covenant. And, in the case of remarriage, the second covenant, if its lawfully and Biblically done, transfers a new name and new inheritance to the woman.

Now that I've established that there is Biblical remarriage and that it is an adoptive process, let's apply the principle of new covenant to the innocent and the guilty parties involved in divorce to see how God offers both of them a second chance.

Applying the Principle

Remarriage is possible for the innocent. I believe the previous discussion demonstrates that Jesus and Moses were not opposed to remarriage, if the remarriage followed a divorce that had Biblically specified grounds; for the details of those grounds, you may want to re-read Chapter Three. I think the woman of the opening story in this chapter would certainly be free to remarry, and I would even advise her to remarry. Her husband's sin polluted her household ethically; his disease may pollute it physically. She would be committing suicide by staying married to her husband, and she might be indirectly murdering her children if she stays. She obviously needs the support of a new husband for herself and her children. She needs to remarry. As to the other details of her remarriage—the when, who, the children, and inheritance—they will be explained in the following chapters. But what about the guilty party? May a guilty person remarry?

Yes and no. No in the case of the man with a fatal, sexually transmitted disease. He can be forgiven of his sin, but there are

consequences to his sin, similar to the consequences of cutting off the arm. Just as the arm will never grow back, certain sins create consequences that cannot be changed. God has struck him down with AIDS. That makes him a potential murderer. There is no cure for AIDS. Until there is, and until medical science can demonstrate it clearly, he is cursed in history, even if he has repented, and even if he has paid the proper restitution. He too would be able to enter a new covenant, but only after his previous offense is dealt with, and this would mean his physical restoration as well as his ethical restoration. A sign of this society's covenantal restoration will be the removal of AIDS from its midst, or the reduction of its lethal nature, which probably will first involve the death of all the present carriers.

Yes, there can be remarriage on the part of the guilty party in other cases where he repents, pays restitution, and there are no lasting consequences that would be destructive to the new spouse. Redemption makes this possible. When God's original covenant with Adam died, God required a payment for sin so that He could make a new covenant with mankind. Biblical history illustrates time and again that the Old Testament payment for sin was unsuccessful until the Death and Resurrection of Jesus, meaning that a true New Covenant was not able to be formed until true restitution had been made for sin. The same Biblical covenant principle pulls over into the marriage covenant.

Let's go back to the David and Bathsheba story. Their relationship was illegitimate until the death of the son. Even though Bathsheba's husband had died, and the marriage with that husband had died, she was directly responsible for his death. True, the covenant was dead, but she had been one of the people who had killed it. She bore culpability in the matter and restitution had to be paid. The restitution was the illegitimate son. When her son died, the payment was made as has been indicated in the fourth chapter, and her relationship with David became a legitimate marriage. As I have mentioned earlier, this message points to the true Son Jesus Christ who offers forgiveness to people no matter what they have done. But it also offers a second chance, if

the person is willing to pay restitution, admitting his sin and making a show of good faith.

The only guilty party who could not remarry would be a person with AIDS or certain other incurable transmitted diseases. By definition, any diseased person in this situation would have to resolve himself to a life of celibacy until a cure is discovered.

A Qualification

One qualification on remarriage is made in the Bible. It is mentioned in the passage at the beginning of this chapter which says,

If the latter husband detests her and writes her a certificate of divorce, 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 divorced her must not take her back to be his wife after she has been defiled; for that is an abomination before the Lord, and you shall not bring sin on the land which the Lord your God is giving you (Deuteronomy 24:3-4).

The qualification on remarriage is the following: When a man divorces a woman and she remarries another, and if her second husband divorces her or dies, she is not allowed to remarry the first husband. So, a divorced person cannot remarry the original spouse if he has been remarried to another.

Why not? Why does the Bible speak of such a remarriage as bringing sin on the land? The answer is found by beginning with a simple reminder of the fact that *marriage is a picture of God's marriage to His people* (Ephesians 5:22ff.). Anything that is condemned in the God-to-man relationship is found by analogy in the husband-wife relationship. In this case, going back to a previous spouse after remarriage is condemned because this process would picture God's going back to a previous spouse after He has entered a new covenant.

What do I mean? In the Bible, God's first bride is *Israel*. He is cheated by her when she apostatizes. As a result, He divorces her (Isaiah 50:1) time and again, always taking her back, but con-

stantly being rejected by her anew. One day, He personally comes as Jesus Christ to try to restore her one last time, but when she rejects Him and even puts Him to death, she is finally cut off.

Paul describes this divorce as the “cutting off of a branch” (Romans 11:17, 24), which is then replaced by another called a “grafted branch,” the Church which is the “New” Israel (Galatians 6:16). But most importantly, He says that the original branch that was cut off, Old Testament Israel who was the original bride, will not be able to return as a separate bride; how could God have “two” wives? Rather, He says that the first bride can only come back to Him through the second bride, the Church (Romans 11:25). He forbids the first bride (Israel) to come back as a *bride*; she can only come back by becoming *part of the second bride*.

The reason that remarriage to the first bride after a second marriage is forbidden is based on God’s relationship to His brides. After He divorces His first bride, He can only approach her again via the second bride, the Church. So, remarriage to the original spouse is strictly forbidden if there has been a second marriage in the interim, bringing this one qualification to the issue of remarriage. But even this qualification proves the basic idea of this chapter: what happens in the God-to-man covenant is found by analogy in the marriage covenant. As there is an Old and New Covenant, so a sinful marriage becomes analogous to the Old Covenant that died, and so a faithful marriage becomes analogous to the New Covenant.

Summary

1. I began with the story about a lady who was married to an AIDS-infected homosexual to raise the question, “Can she remarry if she gets a divorce?”

2. The real issue at stake in the remarriage question is whether or not there can be a *new covenant*.

3. The Biblical covenant has two aspects: old and new. The Old Covenant died when sin destroyed a transcendent relationship with God; man no longer was in covenant with God, who is truly transcendent.

4. The New Covenant restored this transcendent relationship through the Death and Resurrection of Jesus Christ. So a New Covenant was possible because of the payment made through the death of Jesus Christ. Then He could become the new Spouse, since marriage is a picture of man's covenant with God.

5. The New Covenant principle was applied to marriage. The Deuteronomy 24:1-5 passage at the beginning of this chapter teaches that the "new wife" in verse 5 is a *second* wife. And, the story of David and Bathsheba illustrates the new covenant, new spouse principle.

6. Application of this principle can be made to the innocent and guilty parties involved in a divorce. The innocent party can remarry, and the guilty party can remarry after he has repented and he has paid restitution.

7. The only real exception is the guilty party who has an incurable, fatal and contagious disease.

8. I concluded with a discussion on the qualification to remarriage. I referred to the Deuteronomy 24:1-4 passage where remarriage to the original spouse is forbidden if there has been a second marriage in the interim. The basis for such reasoning is the analogy between God's relationship to the two brides of the Bible, Israel and the Church. God does not go back to Israel as His bride, but ethnic Israel can only come into the kingdom through God's second bride, the Church.

II. Hierarchy/Authority

7

THE PERIOD OF COVENANTAL TRANSITION

And being assembled together with them, He commanded them not to depart from Jerusalem, but to wait for the Promise of the Father, "which," He said, "you have heard from Me; for John truly baptized with water, but you shall be baptized with the Holy Spirit not many days from now" (Acts 1:4-5).

One of the most serious problems facing divorced people is the problem of remarrying too quickly, what has been called marrying on the rebound. Because this is a serious problem, we know that it must be related in some way to a Biblical principle. We need to search for a Biblical norm that is being violated.

Jesus had told His followers that the Holy Spirit could not come until He had gone to His Father in heaven. Christ's language is that of a man warning His friends of His coming death.

But now I go away to Him who sent Me, and none of you asks Me, "Where are You going?" But because I have said these things to you, sorrow has filled your heart. Nevertheless I tell you the truth. It is to your advantage that I go away; for if I do not go away, the Helper will not come to you; but if I depart, I will send Him to you. And when He has come, He will convict the world of sin, and of judgment" (John 16:5-8).

So the disciples did what He told them to do. After His ascension, which took place forty days after His resurrection (Acts 1:3), they returned to Jerusalem. They waited. They waited for another

week. Then, on the day of Pentecost, forty-nine days after Passover (the day of Christ's crucifixion, according to the Pharisees' reckoning),¹ the Holy Spirit fell upon them (Acts 2:1-4).

Why had they been asked to wait a week? There are many possible theological answers, such as the symbolism of a sabbatical period during a change of covenantal administration, but there is no doubt that they were not out in the highways and byways, spreading the news of the gospel. They were in Jerusalem, waiting. Despite the fact that preaching the gospel is a holy calling, it was one that God required them to postpone.

There was a *transfer of covenantal authority* going on, from God in the flesh to God in the Spirit. God the Father and Jesus Christ were seated next to each other in heaven for a week before the Spirit fell upon the disciples. In Christ's absence, but before the Helper came, the disciples were instructed to wait. They had mourned His death during the days He had spent in the tomb; now they would have to spend a week to adjust to His absence in anticipation of a new stage in their lives. "But you shall receive power when the Holy Spirit has come upon you; and you shall be witnesses to Me in Jerusalem, and in all Judea and Samaria, and to the end of the earth" (Acts 1:8)—starting next week, not this week, Christ had insisted.

So, because of the transition taking place, a waiting period was required. To see this more fully, let's begin with an illustration, and then develop the principle in greater detail.

Greta's Haste Made Waste

Recently, I met a middle-aged woman who had gone through a painful experience; her name is Greta. Greta had been married to a Christian man for twenty-five years; I'll call him Richard. He was a medical doctor who had become one of the leading surgeons in his field. Their relationship started while Richard was finishing up his residency. They were just dating, and Greta was concerned

1. Harold W. Hoehner, *Chronological Aspects of the Life of Christ* (Grand Rapids, Michigan: Zondervan, 1977), ch. 4.

that he was not a Christian. Then one day, he went to church with Greta because she said a very good preacher was going to be there, and she thought that he might be interested in what the man had to say. Reluctantly, he went . . . and apparently he was converted, or so everyone thought.

Richard and Greta were married, and he quickly rose among the ranks of leadership in his evangelical church. He was intelligent, more able than most to grasp many of the new Christian concepts coming his way. He was rich. He was outgoing. And with this combination, he soon became an elder in his church.

Richard was a fine leader in his church, his family, and his community.

He assumed church responsibilities as though he had been around the church all his life. Because he was so perceptive, he even became the head-elder, and some were beginning to suggest that he consider going into the ministry, maybe even become a medical missionary.

In his family, he had two wonderful daughters. He loved them very much. He wanted them to grow up strong in the Christian faith, and so, he sent them to the best Christian school in the area. He spent time with them, and he gave himself to their interests.

Over the years, he became known as Dr. Christian in his community, because he was such a zealous witness. He placed tracts everywhere. He witnessed on the airplane, and he witnessed at the hospital. He witnessed as a lifestyle. But he did more than just talk the faith. He got involved in a service organization for the blind, having been quite impressed by a blind evangelist who had come through his church on a preaching tour.

Greta was thrilled. After considerable time praying and having her friends pray, she was happy to see Richard become a Christian and so thoroughly demonstrate a love for the Lord. She thought to herself, "I'm finally going to be married to a Christian!"

All went pretty well for about twenty-five years, until late one evening, Richard said he had to go back to the office. He was gone for a long time, and he ended up being gone all night. He was a doctor though, and Greta was used to sudden all night calls;

she went to bed knowing that he would be back the next day. But he didn't come back: not the next day, not the next week, and not ever!

What happened?

Greta faced the worst time of her life. After Richard could not be found the next day, she told the police and they began to search. After weeks, she discovered that they had given up and that Richard had been placed among the countless ranks of missing persons, his file being filed in the largest file drawer she had ever seen. Then, six months later she received a letter.

Dear Greta:

I'm sorry I've had to do what I've done to you, but I think it is safe to write. I'm in a far away country, and I will never come back. I can't come back. I don't want to come back. But, I owe you an explanation.

I realize now that my religious experience was all because of you. I loved you so much that I wanted to please you. I think everything I did was probably to please you and not out of real sincerity of heart. I don't know . . . I'm still confused because you see, I've become a drug addict and a drug dealer.

I met a young woman when I was back in (*City deleted*). She was an addict and I took it upon myself to help her. I thought she was responding, but I fell in love with her. She ended up converting me to her way of life. I started taking some cocaine to prove to her that I was strong enough not to become addicted. And eventually, after becoming mildly addicted, even while I was still with you, I decided to run away with her. . . .

Since then, I've gotten deeper and deeper into the life I've been living. I've needed money, and so I've cashed in all of our insurance policies to support my new lifestyle and habit. I've decided to marry the new woman of my life, and so my lawyer will be contacting you in the future. I'm sorry, but I'm happy now, and I know you will be happier without me. . . .

Richard

Greta was heart-broken. She had gone through the trauma of thinking Richard had been murdered or kidnapped, and now she

knew that he faced a worse kind of death. She didn't know what to do, but within a few days, her decision was made for her.

Richard kept his word, and Greta was notified of divorce proceedings, which were easy to obtain in the state where she lived. As the story goes, Richard did divorce her. She was left with no education to speak of because she had worked to put him through medical school, no money except for about twenty thousand dollars that she got out of the sale of their expensive home, which didn't bring much because of the hefty mortgage, no job, and two daughters to put through college. And remember, she was used to living at the income level of a doctor. Almost overnight, her standard of living went from a six-figure-income to *nothing*.

Greta found the best job she could as a secretary at a bank. Of course it didn't provide as much as she was used to, but it was enough to live on meagerly. She dug in and prepared for a life as a single person. But she found it hard to adjust to the lifestyle. She had been married for a long time, and she was used to the companionship. She was restless, and she found that single and divorced men started to circle her life like vultures over a dead animal. She was disgusted with all of them, because all they wanted was a quick one-night stand.

But there was one man who was a vice president at the bank; I'll call him Jim. He came into her life about two months after her divorce with Richard was finalized. He brought her flowers, and he took her to lunch. He had been married, but his wife had died in a car accident a couple of years before. He had two children, and he was a church-goer; he was not an evangelical Christian, but he did go to a sort of semi-liberal church in the community.

Greta liked him, but she was concerned that Jim had never accepted Christ as his personal Savior. She had gone to his church, but it was not like the evangelical church that she was used to. She talked to Jim and she tried to lead him to the Lord, and eventually she was successful, Jim having told her that he had experienced Christ.

They were married.

But within three months, Greta knew that she had made a

mistake, and it was at this time that she came to me for counsel, asking what she should and could do. *She had married on the rebound*, and she had walked into an unbelievably horrible situation. Thirty days after she was married, she was told by Jim that he had deliberately *faked* his conversion experience story. She was informed that he was a Christian in his own way, but he didn't have to believe in the Bible, and he certainly didn't have to believe that Jesus was the only way to God. She realized that he was not a true Christian and that he had intentionally lied to her, because he wanted sex, and he knew that she would not give it if she were not married to him.

And that's not all. Greta learned that one of his teenage daughters was a lesbian and that the church where this family had been attending was a notorious gathering place for homosexuals and lesbians; it had even been rumored that the minister was a homosexual.

Greta was quite confused, and she didn't know what to do. She was a Christian and she wanted to do what God required of her. But she knew that *she had married on the rebound from the trauma of her previous marriage*. She said, "If I hadn't been so desperate, and if I hadn't been in such a hurry, I would have taken more time to evaluate the situation, and I would not have ignored the warning signals."

Greta's story introduces us to all of the problems of marrying on the rebound. It relates to the main issue on which I want to focus this chapter: the importance of *timing*, or to put it in the form of a question, "When should I get remarried?" Just because a person legitimately secures a Biblical divorce does not mean that he can and should immediately go out and remarry. Even in the case of the guilty party who has paid restitution, he should consider the whole question of timing. So in this chapter I want to introduce you to the principle that will provide a guideline for the *timing* of remarriage.

The Biblical Principle: Statute of Limitation

Normally, the phrase statute of limitation is used to refer to the amount of time that someone can be prosecuted for a crime. In this chapter, however, I am using it to describe the amount of

time it takes for the *effect* of the covenantal death of a spouse to pass before it would be advisable to remarry. The principle of *statute of limitation* goes back to the Old Testament.

Before Jesus' death and resurrection had cleansed the world from the effects of sin, in Israel when someone entered the place where another had died, he was *unclean* for a period of time, what I am calling a statute of limitation (Numbers 19:14). Why? The Fall of man brought death into the world for the first time; God had promised man that he would die if he ate of the tree of the knowledge of good and evil, and that is exactly what happened. Furthermore, the effect of death was so potent that man needed to avoid it. It was insidious, meaning that death spread to death, and it became so expansive in its effect that anything coming in contact with a dead animal or person was contaminated with death—not physical contamination, but ritual contamination. It was dealt with in the law by express commands forbidding any such contact:

He who touches the dead body of anyone shall be unclean seven days. He shall purify himself with water on the third day and on the seventh day; then he will be clean. But if he does not purify himself on the third day and on the seventh day, he will not be clean (Numbers 19:11-12).

So this passage concerns the *effect* of death. It deals with the effect two ways: ritual cleansing and time, a statute of limitation for the passing of the effect of death. The ritual cleansing was done by special water mixed with the ashes of a red heifer (Numbers 19:1-11). And the time required to allow the effects of death to pass are the standard numbers of death and resurrection in the Bible: three is the number of the passing of death, since Jesus was raised on the third day, and seven is the number of the passing of time, since seven is the number of the days in a week. By merely washing oneself with the water and by merely allowing the allotted time to pass, one could be rid of the *effects* of death.

After the coming of Jesus Christ, the curse of death was lifted, so that none of the cleansing rituals are required any longer. It

was removed so that the ritual described above is no longer necessary when a person accidentally steps on a dead bug; in fact, we can even step on offensive bugs without fear of having to go through the water ritual! But even though the specific law has passed, the redemptive and ethical principle taught by the law is still in force, namely, *the moral effects of covenantal death on the person who has lived near it are so great that a period of time is usually needed to recover.*

Paul's Period of Adjustment

For example, the Apostle Paul killed Christians before he was converted. Then one day, he was approached and knocked down by a blinding light, what Scripture tells us was the presence of Jesus Christ (Acts 9:1-9). After he had come to know the Lord, he was sent into virtual oblivion for a long period. He spent a number of years in areas that are only described in generalities, and the specific *time* that God held him in abeyance parallels the statute of limitation period. Most important, he saw fourteen years—two periods of sevens, a double sabbath—elapse before he emerged in any kind of leadership capacity. Also, as one of the time periods noted by Scripture points out, he spent three years of one leg of his sojourn before he could go up to Jerusalem (Galatians 1:18), which recalls the period of three referred to in the statute of limitation period of time mentioned in Numbers for coming in contact with death.

Why? I believe that Paul was taken through a time of overcoming the effects of the covenantal death from which he had been converted. I don't think the specific number is hard and fast, but I think we can observe that the Bible mentioned these key numbers of three and seven, numbers repeatedly noted in Scripture, for a reason. I suggest that the reason is connected with the statute of limitation *principle*. He was not given any leadership, as the instructions for leadership indicate that a novice should not be allowed to lead (1 Timothy 3:6), perhaps because he was not trusted. He was allowed to study, think, and prepare. He was given a statute of limitation.

The Death of a Loved One

In another example a little closer to home, the statute of limitation principle is often applied in relation to the death of a loved one. It used to be that a person was expected to mourn for a certain period of time. It may have been largely out of respect, but it also provided a period of time to overcome the effects, or the grief, of the loss of a loved one. And, if one lost his spouse, it was generally understood that he (she) should not remarry for an extended period of time, usually one year. In addition, I recently learned that British law requires anyone filing for a divorce to wait one year before the process is completed, limiting him as to when he could remarry.

The Marital Covenant

The same principle of the statute of limitation can also be applied to marriage. It seems to be related to the second principle of divorce: *jurisdiction*. Under this principle, I referred to Paul, who says that a person is under the hierarchy of his spouse as long as he lives (Romans 7:1-3). I said that according to Paul, that meant covenantal as well as physical life. I concluded that the covenantal death of one's spouse released him from the marriage covenant.

We should add that moral and covenantal death have certain effects, just like physical death has. Technically speaking, we can say that a person is free from his marriage covenant when his spouse dies; the jurisdiction of one in relation to the other is dissolved. But we should also realize that there are effects of the jurisdiction that previously existed. According to the passage at the beginning of the chapter, we should see that the effect of death spreads all through the "tent," or the general proximity of the one who has died.

The Innocent Party

What do I mean? How would the covenantal death of a spouse leave certain effects on the innocent party? At one level of hierarchy, a spouse is called to submit, if a wife for example, and he is called to lead, if he is a husband. A spouse gets used to responding

and initiating accordingly. At a practical level, however, a married person gets used to another kind of hierarchy: *the jurisdiction of learning to cope with how a mate's habits and ways structure his life*. He learns to orient his whole life around his spouse. Even if he's trying to avoid that spouse, he's still under the hierarchy or jurisdiction placed on him. When covenantal death occurs, the innocent spouse is forced to adjust to cope with the situation, and most of the time the adjustment blurs the innocent party's judgment.

For example, if a woman has had to live with an adulterous spouse who has become totally thoughtless, she starts to crave any attention. By the time the divorce finally occurs, she is emotionally malnourished. She will tend to elevate the characteristics that her previous spouse lacked, almost to the exclusion of very basic and necessary characteristics, maybe even characteristics that if they are not present will be much more destructive to her than her previous spouse's problems. At any rate, the woman who has been emotionally starved will be tempted to marry the first man who comes along and does a few things for her. She has not adjusted so that she thinks clearly and so that she looks at many other areas of her new suitor's life, often glaring weaknesses that far outweigh the fact that he brings her flowers at the office where she works. But she was affected by the covenantal death of her husband who committed adultery, and has become infatuated with someone else and completely neglected her mental and emotional needs. She is vulnerable.

The Guilty Party

As for the guilty party, he too falls under the same jurisdictional influence of his spouse *and* his mistress. Remember that he enters a pseudo-covenant, according to the Apostle Paul, and so he has two hierarchies that force him into certain habits and ways of thinking that in turn influence him. If he repents, assuming that he has lost his innocent spouse to another marriage, he may want to remarry to another. But he will need to be even more careful in allowing a statute of limitation to pass on the effects of his own death, and in allowing his head to clear from the moral

effects of having been in sin and spiritual death. He may also have to wait a considerable amount of time to have old patterns disciplined out of him so that he doesn't make the same mistakes again.

Solomon speaks of the effect of covenantal death resulting from adultery when he contrasts the effects of God's law with the effects an adulterous relationship. He has already been referred to in the third chapter, but he is consulted again to illustrate why the guilty party needs a statute of limitation. Here is what Solomon says:

My son, keep your father's command, and do not forsake the law of your mother. Bind them continually upon your heart; tie them around your neck. When you roam, they will lead you; when you sleep, they will keep you; and when you awake, they will speak with you. For the commandment is a lamp, and the law is light; reproofs or instruction are the way of life, to keep you from the evil woman, from the flattering tongue of a seductress. Do not lust after her beauty in your heart, nor let her allure you with her eyelids. *For by means of a harlot a man is reduced to a crust of bread* (Proverbs 6:20-26).

As the Word of God brings a man under its inescapable jurisdiction, so the relationship with a harlot seeks the same. She reduces the guilty party to a "crust of bread" (Proverbs 6:26). What does it mean to be reduced to this? She *consumes* him and instead of being the *consumer*, he becomes the *consumed*. She dominates him, destroying his ability to dominate and making him into the *passive one*. Ironically, adulterers and fornicators never think of themselves this way. They generally perceive themselves as being "in control," but they're not. They are literally dough in the hands of sin. Thus, it is this passivity, vulnerability and weakness that has to be overcome. It takes time, what I have called a *statute of limitation*.

I believe that it is the effect of the loss of the jurisdiction of one's spouse that the surviving partner has to defeat. I think that the death of this hierarchy affects the judgment and everything about a person. I am convinced that it takes a statute of limitation

to adjust. How long exactly the Bible does not say; it only mentions the principle. Normally, a divorced person should wait a minimum of *one year*. Preferably he (she) will wait at least three years, if he had been married a long time, and if he had established deep patterns with the previous spouse.

Overcoming Vulnerability

What should a divorced person do to overcome his vulnerability to a bad relationship?

1. Realize that it takes time to heal from a death. For the innocent party it takes time to heal from all the bruises: emotional, spiritual and so forth. For the guilty party, it takes time to recover from the guilt of knowing he has caused so much death and destruction, and it takes time to deal with the *deadly* patterns in his life. So there is some truth in the old saying, "Time cures all ills." Time, *plus the grace of God*, cures all ills.

2. But time is not enough. The time should be used to renew one's covenant with the Lord. I recommend that a divorced person get involved in a church that has a good single's program, and better, a divorce recovery program.

3. The divorced person should seek out a small group discipleship program that will allow him to refocus his spiritual and other priorities around the Lord.

4. A divorced person should seek true Biblical pastoral counseling that will help him evaluate what has happened. He doesn't need an "I'm O.K., you're O.K. approach." He may need lots of encouragement, but he should be lovingly forced to take a realistic look at his life. And he should be guided into a constructive program for improving on the kinds of things that may have contributed and/or caused the failure of his marriage. If he doesn't do this, he will more than likely make the same mistakes all over again.

Whatever a divorced person does, he must be careful *who* he remarries. This will be the subject of the next chapter, but let's summarize what has been said.

Summary

1. I began with the story of Greta, who lost her husband to adultery, and who remarried too quickly before her judgment was clear and she could make a sound decision.

2. The principle I proposed for determining *when to remarry* is the *statute of limitation* concept.

3. It is based in part on the prohibitions in the Old Testament about touching anything dead. Although Christ has done away with the physical spread of contamination, the moral effect of moral death is still a reality. So the redemptive principle of these Old Testament prohibitions still stands. It says that the effects of being near covenantal death are so great that a period of *time* is necessary to rid oneself of these effects.

4. The specific time periods for overcoming death in the Bible are three and seven.

5. In the New Testament, we observed that these time periods were still morally and covenantally operative in the life of the Apostle Paul.

6. I applied the principle of the statute of limitation to the divorce/remarriage situation. I said that the principle touches the jurisdictional and hierarchical principle of the covenant because it is actually the loss or death of the jurisdiction of one's spouse that creates the difficult effects.

7. I applied it to the innocent and the guilty, and I explained that covenantal death makes both of them extremely *vulnerable*.

III. Law/Dominion

8

BINDING TWO OR STRANGLING ONE

Do not be unequally yoked together with unbelievers. For what fellowship has righteousness with lawlessness? And what communion has light with darkness? And what accord has Christ with Belial? Or what part has a believer with an unbeliever? And what agreement has the temple of God with idols? For you are the temple of the living God (1 Corinthians 6:14-16).

Divorced people tend to remarry the same kind of persons they have divorced. I see a lot of *repeat performances*, in other words. I know this may be hard to believe, because divorcees will swear to you that they will never marry the kind of person to whom they were married to before, but then they will often end up with a very similar kind of person. Not always, but often enough for counselors to be alerted to the pattern, and as I said, it is a pattern that I've seen more than I care to admit.

For example, Jake was a highly successful computer analyst. He first came across my path when I was teaching a Bible study in the community where I was living at the time. He was a member of the local Catholic church, and he was part of the ever-growing renewal occurring within this large body of believers. He sticks out in my mind because he was so hungry for the Scriptures, and as I recall, he never tired of learning more about the Bible.

He was extremely talented. He knew several languages besides being a mathematical whiz. He was personable and quite articulate.

He was also a family man. He was married to Liz, a nurse, for almost twenty years, by whom he had five children. As I remember, he showed me their picture the first time we met in the Bible study that I mentioned. He was the kind of father who was always doing things with the kids. In a way, he had to spend extra time with them because Liz was at the hospital all the time.

In fact, Jake began to wonder about how much time she was spending at the hospital. One night, after dinner and after Liz had left to return to the hospital for what she had said was an unexpected call to work the night shift, he phoned her a couple of hours later to check up. He didn't really know why, he just began to get a kind of suspicious feeling in the pit of his stomach. When he talked to the head nurse, he became even more suspicious. He learned that Liz had not been asked to work all night, nor had she showed up. He knew then that she had lied, and that she had deceived him. He settled in for one of the longest nights of his life, as he waited for her to come home, planning what he was going to say and weighing his options.

When Liz returned the next morning, Jake was waiting for her. He demanded an explanation the moment she came through the door. She calmly told him about an involved affair, realizing that she had been caught, yet acting as though she had no remorse. He heard many things that he did not want to hear, things that were quite painful. He learned that she had hated him for a long time, and that she had only stayed with him for the sake of the children. He found out that she had been having an affair with one of the doctors at the hospital, and that she was going to marry him.

Jake and Liz got a divorce. He got the kids some of the time, and she had them most of the time. He was forced out of the house, and she was awarded it in the final settlement. (This is the familiar story: she got the house, and he got the mortgage payment book.) He started living the life of a bachelor, and true to her word, she married the doctor within three months of the divorce.

Jake was devastated. He didn't know what to do. One day in

the midst of all of this trouble, however, he received an invitation to his twenty-year high school reunion. He didn't want to go at first, but he decided that maybe seeing some of his old friends would cheer him up.

When Jake went to the reunion, within ten minutes he had seen his old high school sweetheart, Peggy. He thought she was as beautiful as ever, and he quickly struck up a conversation. He spent the whole evening with her, since she was also a divorcee and she was not with anyone else. For the first time, he felt relieved of the emotional pain of losing his wife. He had found someone who understood and with whom he could talk. Late in the evening, just before the party was over, he thought to himself, "Maybe I married the wrong woman, and now God is leading me to the right one, the woman I should have married in the first place! We were always so happy together. I never should have broken up with her. If I hadn't, we would probably still be married today."

He fell madly in love with her, and within a few weeks they were married. All went well for about three months, and then something happened that totally shocked Jake.

He received a call at the office from his oldest daughter, who was frantic, and who was asking him between sobs to come home as soon as possible. When he got there, he found all of the kids huddled in one of the bedrooms around the youngest child, Thomas, the four-year-old, who was badly bruised about the face and who was bleeding from the nose. He found out that Peggy had gone into a rage, beating Thomas about the face with her bare fists, because the little boy had inquisitively dumped her purse out and had written on the bathroom floor with her lipstick. He wasn't happy with Thomas's behavior, but he knew that the little guy did not deserve this kind of abuse. He became angry, and he could not find Peggy anywhere.

Eventually Jake did find her down the street at a park, but things were never the same again, because the whole incident had provoked Jake to do some checking. He remembered that Peggy was not awarded custody of her children from her previous mar-

riage. He had been told that her wealthy husband had bought off the judge in the small town where they had lived, and that she had not been allowed to have the kids. As it turns out, he discovered that one of her children had died, and that the police had suspected child abuse as the cause, but they couldn't prove it. As a result, he realized that this incident had precipitated the divorce. He had only begun to find out about Peggy's life.

About this time, Jake came for counsel. I remember the question he asked after he had told his story, "Where did I go wrong?" Jake had gone from one bad situation to another. *He had married one woman who had abused him, and now he had married another who was abusing his children.* Fortunately for him, he was starting to realize that he had better find out where he went wrong, so that he would not end up with a third failed marriage. He seriously wanted an answer, and the answer to his question is the topic of the present chapter. He wanted to know "Whom shall I marry?"

Principle: Equal Yoke

Jake failed because he did not know the principle found in the passage at the beginning of the chapter. He did not understand the implications in Paul's command not to be *unequally yoked*. What was Paul talking about? He referred to the ancient command found in the third part of the Biblical covenant (the "ethics" section)¹ not to enter any "new" covenants with those outside the covenant. He was applying Moses' warnings to the people of Israel, which says,

When the Lord your God brings you into the land which you go to possess, and has cast out many nations before you, the Hittites and the Girgashites and the Amorites and the Canaanites and the Perizzites and the Hivites and the Jebusites, seven nations greater and mightier than you, and when the Lord your God delivers them over to you, you shall conquer them and utterly destroy them. You shall make no *covenant* with them nor show mercy

1. Ray R. Sutton, *That You May Prosper: Dominion By Covenant* (Tyler, Texas: Institute for Christian Economics, 1987), ch. 3.

to them. *Nor shall you make marriages with them.* You shall not give your daughter to their son, nor take their daughter for your son. For they will turn your sons away from following Me, to serve other gods; so the anger of the Lord will be aroused against you and destroy you suddenly (Deuteronomy 7:1-4).

Paul taught this Mosaic principle with the analogy of a *yoke*. It was a harness with two openings for oxen or some other domestic animals. It kept the two animals moving in the same direction, so that they would not pull against each other. But it was assumed that the two animals being yoked would be the *same kind of animals*. It was powerless to hold a donkey and an ox together, for example, and in this regard it illustrated one of the fundamental principles of the covenant. It taught that the people of God are only to enter covenant with another who is covenanted to the Lord.

Applied to marriage, the equal-yoke principle means that two people should only marry if they are bound by the same yoke. Or to put it another way, the principle means that anyone considering marriage, whether for the first, second, or third time, should marry someone who is *covenantally compatible*. What is this? I believe that Moses placed the equal yoke command at the beginning of the ethics segment of the covenant to imply that the stipulations of the covenant itself would lay down the *ethical boundaries* for entering any kind of new covenant. So, I think that we can go to the terms of the marriage covenant to find the proper guidelines for being *equally yoked* in a new marriage.

Terms of Equal Yoke

The terms of the marital covenant parallel the terms of the Biblical covenant, as expressed in the Ten Commandments. They are found in the first marriage.

And Adam said: "This is now bone of my bones and flesh of my flesh; she shall be called woman, because she was taken out of man." Therefore a man shall leave his father and mother and be joined to his wife, and they shall become one flesh. And they were both naked, the man and his wife, and were not ashamed (Genesis 2:23-25).

Term #1: "This is now bone of my bones" (Genesis 2:23).

Adam makes this transcendent legal declaration, as we saw in Chapter One. He declares what God had established. He recognizes that God had authored the relationship, just as God had authored the covenant with him at creation (Genesis 2:8ff.) The term is a transcendent declaration before God, obligating the marriage partners to one covenant.²

A divorcee should only marry a person who is willing to make legal the terms of the covenant through a legitimate marriage. He will be tempted with the "no strings attached" relationship, because he has seen a previous marriage fail. But he is headed for more disaster, if he does not marry a person who is serious enough to make his love legal.

Also, the first term of the covenant means that a divorcee should marry a person who is a *Christian*; he should find a person who is committed to Christ and His Word, and who will *marry in the Lord*. This term indicates that a *transcendent declaration* should be made, and if anything, a transcendent declaration (point one of the Biblical covenant) is an expression of personal faith in Jesus Christ, a reaching upward (point two: hierarchy) through God's Son. It implies that if a person, especially one who has experienced a failed marriage, is not willing to turn to the Lord for help in creating a lasting marriage, then he is not ready to remarry. It means that if a divorcee, or any person for that matter, is not ready to turn his life over to the Everlasting God, the Creator, who created the first permanent marriage, then he is not the right person to marry.

Marriage was made by God, and it was designed to function in and around Him. It cannot *exist* without Him, for even an unbeliever marriage would not be possible without Him. But a

2. Even in common law marriages, the *implied covenant* transcends the relationship, declaring it to be a valid union. Besides, a civil authority would have to recognize the relationship as having an implied covenant in the event that there was a dispute over property. He is distinct in his appointment as an official and in that sense transcendent, and his judgment rendered transcends the relationship in question.

divorcee should want more than just mere *existence*, he should want a living, dynamic marriage. If so, he can only find that kind of dynamic life in marriage by means of the God who says, "I [Jesus] have come that they may have life, and that they may have it *abundantly*" (John 10:10).

Term #2: "Therefore a man shall leave his father and mother" (Genesis 2:24a).

The mother/father relationship is an old authority structure (point two of the Biblical covenant) that a married man or woman is no longer to serve, just as Israel was no longer to serve (worship) the gods of Egypt after they had left (Exodus 20:4-6). It represents a previous covenant on which the departing person has been dependent for everything: finances, emotional support and so on. It is a covenant that is supposed to be left before a new covenant can be adequately created. It is a term of the marriage covenant that is the term of *hierarchy*, specifically, a *departure from the old hierarchy*.

Anyone considering remarriage should evaluate whether the person has *left his father's and mother's house*. He should ask the following questions:

- Is he emotionally dependent on his parents?
- Is he financially relying on his parents for continued support?
- Is he going to share our problems with his parents?
- Is he going to use them to drive a wedge between us?
- Will he allow the relatives to drive a wedge between us?

Since the parent's house in the Bible refers to any other relatives associated with it, a person should anticipate whether any of the extended family is a psychological, financial, or moral crutch. He will want to weigh whether or not any of them will interfere.

A divorcee considering remarriage should also consider whether the candidate has left his *previous marriage*. He should ask the following questions:

Does he continue to see his ex-spouse? If so, how often?

Does he still rely on his "ex" for anything: money, emotions, and so forth?

Is he dependent on his "ex's" relatives for anything: finances and so on?

Then he should be especially cautious if there are children from the previous marriage. They will tend to pull the old marriage into the new, because they will be receiving gifts and visits from the previous spouse, as well as, presents and visits from the relatives of the "ex."

All of these issues represent a previous hierarchy around the spouse to be. They should be examined carefully in a remarriage situation, because the in-law problems are literally being compounded.

Term #3: "And be joined to his wife" (Genesis 2:24b).

A new covenant is to be formed by an ethical union, faithfulness. (Ethics is point three of the Biblical covenant.) A man is to be united to his spouse, and although this includes physical union, this is not the primary meaning. The word for "joined," often translated "hold fast," is a covenantal term. It is one of the key covenant terms in the book of Deuteronomy, being placed parallel to words like fear, serve, love, obey, swear by His name, walk in His ways, and keep His commandments. Also, it is mostly used in the third section of the book, which we would expect since this is the third term of marriage.

You shall fear the Lord your God; you shall serve Him, and to Him you shall *hold fast*, and take oaths in His name (Deuteronomy 10:20).

For if you carefully keep all these commandments which I command you to do—to love the Lord your God, to walk in all His ways, and to *hold fast* to Him (Deuteronomy 11:22).

You shall walk after the Lord your God and fear Him, and keep His commandments and obey His voice, and you shall serve Him and *hold fast* to Him (Deuteronomy 13:4).

The use of "hold fast" indicates that "being joined to" a person's spouse is more the idea of *faithfulness*, which is the true meaning of love, and which is the correct understanding of the third term of the marriage covenant: *the term of faithfulness*.

For the person considering remarriage, it means that he should examine the new spouse to see if there are indicators that this person will be faithful. He should examine the person's morals, standards, and philosophy of life; ideas have consequences, and if the candidate for marriage is committed to a man-centered system of theology and philosophy, then he will tend to be selfish. The one investigating the degree of faithfulness should find out if the individual being evaluated for marriage has been divorced, and why he or she was divorced; remember, a divorced person will tend to repeat.

The woman should look at the spouse-to-be's work record and habits; if he has not been able to hold a job, he will probably not be a faithful spouse; and if he has no definite calling, he may not think he has any definite calling to the marriage commitments that will be demanded.

Furthermore, the investigator should even take some time to talk to the people who work around this person, because there are not many ways to determine faithfulness. Finally, he should look at the church attendance record, as well as the kind of church member he has been.

The key is to try to measure how effectively this candidate for marriage will be faithful. It may take some time, but it will be time well spent. Keep in mind that if a person is unfaithful in one area, he will probably do the same in another.

Term #4: "And they shall become one flesh" (Genesis 2:24c).

The relationship is to be *consummated*, just as the original covenant with Adam and Eve was to be *consummated* on the Lord's Day by receiving a blessing (Genesis 2:1-3). The term is consummation through oneness. Again, although it includes the physical, oneness is more. It has a positive and a negative side to it, just as the sanctions of the covenant consist of blessings and cursings.

(Sanctions are point four of the Biblical covenant.)

The positive side to oneness is communication. According to the *Family Life Conference*, sponsored by Campus Crusade for Christ International, there are five levels of communication:

1. *Cliché Communication*: Allows one to remain safely isolated and alone. It is restricted to greetings and comments which express no opinions, feelings or real information.

2. *Fact Communication*: Consists only of the objective discussion of facts; gossiping or data analysis holds others at arms length.

3. *Opinion Communication*: Involves sharing of ideas and opinions that will open a person up as he expresses what he really thinks.

4. *Emotional Communication*: Involves sharing feelings and emotions leading to true communication; it involves conveying ones hopes, fears, likes, dislikes, aspirations, disappointments, joys, sorrows, needs, dreams, failures, desires, stresses, sources of fulfillment, discouragements and burdens.

5. *Transparent Communication*: Involves the complete emotional and personal truthfulness. Transparency is sharing your heart.³

A famous Christian counselor once told me, "All family problems can be ultimately boiled down to the problem of *communication*." He was right, and his observation indicates that a person considering remarriage ought to take stock of how well the intended spouse can communicate at these levels. The one doing the evaluating should look at all of the prospective spouse's relationships to determine whether there will be true oneness in the marriage. Remember, if there is going to be positive oneness, there will have to be communication at all five levels.

The negative side to oneness, or the responsibility of oneness, is what James Dobson calls *mutual accountability*. He says,

3. *Family Life Conference* (Family Life Conference Bookstore, P.O. Box 8510, Little Rock, AR 72215), p. 75. I highly recommend this conference, which is a division of Campus Crusade for Christ's outreach to the family.

Adults will occasionally challenge one another for the same reasons they challenged their parents as children. Unconsciously, perhaps, they are asking the question, "How much courage do you have, and do you love me enough to stop me from doing foolish things?" What they need in that moment is loving discipline that forces them to choose between good and bad alternatives. What they don't need, . . . is permissiveness, understanding, excuses, removal of guilt and buckets of tender loving care. To dole out that kind of smother-love at such a time is to reinforce irresponsibility and generate disrespect. It deprives the marriage of *mutual accountability*.⁴

When two people marry, they enter a relationship of mutual love. They will both have to be willing to carry responsibilities. If one refuses to accept his responsibility, or if he deliberately ignores it, such as in the case of adultery, then the covenantally faithful spouse will need to be willing to confront the wayward spouse. He will need to try to stop the wayward spouse from destroying him and the marriage.

For the person considering remarriage, he should ask himself, "Am I marrying the kind of person who will assume mutual accountability? Am I marrying a person who shrugs off his responsibilities or who takes them seriously? Am I marrying a person who will confront me when I'm going astray, or am I marrying a person who will let me get away with anything?" These are hard questions. They cannot be answered easily, and they can only be answered by serious evaluation and examination of the spouse-to-be's over-all lifestyle. They are necessary to be answered, however, if one is going to be able to determine a person's capacity for *oneness*.

Term #5: "And they were both naked, the man and his wife, and they were not ashamed" (Genesis 2:25).

This verse describes the *benefits* of the new one flesh union. They had sexual purity, no guilt in their sexual relationship. And

4. Dr. James C. Dobson, *Love Must Be Tough* (Waco, Texas: Word, Inc., 1983), p. 55.

they had a new inheritance together. The woman is described as "his wife," meaning the wife is actually part of his new inheritance (see the tenth commandment, Exodus 20:17). The fifth term of the Biblical covenant is inheritance, as is the fifth term of the marriage covenant.

A person preparing for remarriage should not be naive about money matters. He should realize that remarriage complicates the situation because two people who have been married before bring an assortment of possessions from the previous marriage: house, car, and so forth. He should consider all of these items that are part of the inheritance. For example, if he is going to live in the house of the spouse-to-be, and the house belonged to the spouse-to-be's "ex," will he be able to handle this situation? Many remarried people have found that they are unable to live in the house because there are so many attachments with the previous marriage.

How about the car? If the person remarrying has an automobile, will the intended spouse be able to drive it? Will his *teenage child* be able to drive it?

And then there is the problem of debt! First, the person remarrying should be aware of the fact that debt makes a person *look* wealthier than he really is. Many a person has entered a new marriage thinking that the new spouse is much better off than he is in reality. Second, debt is often shared by the spouse, so the person entering a new marriage should know the level of debt that the candidate for marriage has accumulated. I can imagine some woman with a nice house looking for a husband to make the mortgage payments (especially if the first husband has walked away from this responsibility), while the prospective husband is impressed with the great house he will walk into when he marries her. These illusions can lead to mutual irresponsibility.

Don't underestimate the effect that money, the estate and other finances can have on a marriage. Remember, most marriage counselors recognize that money is one of the top three killers of a marriage.

I have completed our study of the five terms of the marriage

covenant. I hope you have a better idea of what should be considered before remarriage. I think Jake, the man about whom I spoke at the beginning of the chapter, could have saved himself a lot of heartache if he had only considered the terms I have outlined in this chapter. I believe he could have found an *equal yoke*!

Summary

1. I started the chapter with the story of a man, Jake, who was victimized in his first marriage, and who then married another woman who victimized his children. I introduced a problem that often occurs in remarriage, the problem of choosing a bad second spouse.

2. The principle that I introduced to offset this problem is the *principle of equal yoke*. I referred to the Biblical covenant that forbade covenanting with outside nations. Then, I applied this to the passage at the beginning of the chapter where Paul tells the Corinthians not to be "unequally yoked" in their covenants, which would certainly include marriage covenants.

3. The terms of an equal yoke in marriage are expressed in the first marriage covenant's terms (Genesis 2:23-25). They provide an objective standard by which a person can evaluate his spouse-to-be.

4. The first term is that of *transcendent declaration*. Adam made his covenant legal before the Lord. One should not enter a sexual relationship with a person who is reluctant to make the union legal through marriage, or who will not marry in the Lord, meaning the person is not a true Christian.

5. The second term is the term of *hierarchy*. It says that a person leaves the old hierarchy of his parent's house, or previous spouse's house. It means for the remarrying person that he should consider whether or not his intended spouse can do and has done this.

6. The third term is the term of *faithfulness*. Faithfulness is a covenantal term meaning long-term obedience. The fact that a person has been divorced should raise questions anyway, but a person contemplating remarriage should try to evaluate whether or not he is going to marry a person who is faithful to his commitments.

7. The fourth term is the term of *oneness*. Oneness has a

positive (blessing) and negative (cursing) side to it. On the positive side, it is communication that consists of five levels: cliché, fact, opinion, emotional, transparent. On the negative side, it is *mutual accountability*, the willingness to assume responsibility not to let your spouse destroy the covenant.

8. The fifth term of the marriage covenant is *inheritance*. Two divorced people headed for remarriage should beware of all the problems associated with money, because they bring possessions from previous marriages.

IV. Sanctions/Judgment

9

FOOLS RUSH IN WITHOUT COUNSEL

Without counsel, plans go awry, but in the multitude of counselors they are established (Proverbs 15:22).

There's an old saying, "Fools rush in where angels fear to tread." I'm changing that slogan a bit, as you can tell from the title of this principle on remarriage. I'm calling it, "Fools Rush in without Counsel," because it captures the essence of the verse: "Without counsel, plans go awry, but in the multitude of counselors they are established" (Proverbs 15:22). The whole Book of Proverbs is designed to prevent a man from becoming a "fool," meaning the kind of *moral* foolishness that results in a covenant-breaking lifestyle.

In a sense, all of the principles on remarriage have been designed to prevent a *covenant-breaking remarriage lifestyle*. They have focused on principles to help you understand not only if a person can remarry after a legitimate divorce, but to enable you to see the key problems associated with remarriage. They have all begun with an actual counseling experience of some sort that describes the particular issue I've tried to address.

As I consider these situations, they have all had their unique differences, but there is one common denominator that virtually all of them have had: *almost all failed to get counsel*. That's right, they are like most people who get into serious trouble. They rushed in without seeking the insights and advice of Biblical counselors: pastors, teachers, Christian friends and counselors.

If they had known nothing about the other principles I've discussed, and if they had only known the principle I'm about to present, they probably could have been delivered from repeated heartache. They would have found a sort of *safety-net* to catch all of their foolish tendencies, because one or more of these many counselors would have said, "Wait a minute, are you sure you have a Biblical reason for divorce? Are you sure you really want a divorce? Are you sure you really want to marry this person? Aren't you moving a little too fast? Aren't you unequally yoking yourself? Hadn't you better consider the status of your children in this new marriage?" Perhaps, they would have been stopped by these questions, and at least, they would have been forced to think through some of the problems that soon confronted them.

Good counsel makes up for a lot of ignorance. It is necessary for everyone because no one has perfect and comprehensive knowledge. It therefore provides a whole field of insight and knowledge that no one person would or could possibly accumulate. Since I've used negative examples in all of the other chapters, let me give you a positive example where a man didn't know much, but he did know enough to go to his pastor for counsel before he married a second time.

John was a very prosperous corporate executive, who had been married for ten years to Lois. Both were deeply committed Christians, and they had a good family consisting of three children. Both had struggled at times like most people, but they had reared reasonably good children and they were quite happy. Unexpectedly, however, Lois died of cancer within an eighteen month period.

John was devastated by her death, as you might imagine. He was so happy, and suddenly, it was all taken away from him. He didn't know what to do with his feelings. At times he was extremely sad, and most of the other time he was angry at God. He knew he shouldn't be, because cancer was a result of man's sin in the world, and if anything, God was restoring the world through His redemption. But try as he did, he kept getting more and more bitter, as the first three months after Lois's death ticked by.

John had to go to the national convention for his company, which was being held that year in Hawaii. He thought it might provide a little relief, but on the other hand, even the thought of going to the scenic Hawaii did not appeal all that much to him. He didn't want to be around other people having fun, but in this case, he didn't have any choice. He had to go because he was one of the top officials of the company.

The first night that he was there, he could not sleep. He decided to try to tire himself out by swimming a few laps at the hotel pool. After he finished he sat by the pool for a moment and ordered a snack through room service. Just as he was about to leave, he noticed a very attractive woman across the pool from him who was frantically looking for something on the ground. Being a fairly helpful person, he went over and inquired if he could help.

She kept looking around through the flower bed behind the pool, as she explained that she had lost the key to her room a little earlier. She had been swimming, and she remembered putting her key in the pocket of her beach top. But she also remembered throwing the garment over the back of a chair next to the flower bed where they were now looking.

After John found out that her name was Dorothy, he suggested that maybe someone had turned the key in at the main desk. He said that he was more than willing to walk with her down to the main lobby since it was getting kind of late. After she had agreed, John found himself walking and talking with her about why she was in Hawaii. He learned that she was vacationing from her executive secretary's position in a town fairly close to his in the Midwest. He also discovered that she was not married and that she never had been.

From that little walk to the lobby, they progressed rapidly in their relationship. They had breakfast the next morning, and they spent every spare moment with each other. They fell in love in romantic Hawaii, and they planned to get married as soon as John could talk to his pastor.

John knew enough as a Christian to seek counsel from his pastor. He had gotten to know this man over the years, and the

Reverend had been a lot of help throughout Lois's illness. So, when he got back from his trip, he went to see the pastor, and he told him the whole story.

To his surprise, the pastor did not share John's enthusiasm. He was not even impressed when John told him that her name was Dorothy and that the name means, "Gift of God," implying that God had given him this woman as a replacement for Lois. He just started pointing out all of the negatives. He pointed out that John had only known this woman for a week. Furthermore, he was quite troubled about her story. He flat out told John that he didn't know anything about the woman. And then he almost insulted John when he said, "How do you know this woman isn't lying to you about her past? How do you know she hasn't been married before?"

John was really upset, but he concealed it out of respect for his pastor. He left quietly, bothered about the whole meeting. He walked and walked and walked. He went home and found himself full of energetic anxiety. He could not get the pastor's conversation out of his mind. Then he was struck with the thought that he would do a little checking on Dorothy to prove that she was telling the truth.

Well, after John hired a detective to do some work, he was surprised. He learned that Dorothy had been married *five* times, the last two times to fairly wealthy business executives, and her last husband had died with some serious questions around his death. John had been forced to find out information that may have literally saved his life. He had been driven to decide not to marry this woman all because a good Biblical counselor had smelled a problem and provoked him into doing the right thing: "Without counsel plans go awry, but in the multitude of counselors they are established" (Proverbs 15:22).

John had sought to improve his judgment by allowing a counselor to pass judgment on his feelings and decisions. He had spared his life a great deal of headache and heartache through this invaluable principle. Let us understand this principle and then consider how to apply it, so that you will know properly how to seek this confirmation.

The Principle of Judgment

Judgment is a concept found in the fourth part of the covenant: continuity (Deuteronomy 27-30). Moses, the great leader of Israel was about to die, and so he called all of Israel to allow itself to be judged through a ratification process. They made new promises before the Lord, and allowed Him to judge them *up front in their commitment*. It is best to see a counselor and let him judge a person's judgment *before* the mistakes are made.

Counseling is a judgment process spelled out in more detail in the verse at the beginning of the chapter. It says, "Without counsel plans go awry, but in the multitude of counselors they are *established*" (Proverbs 15:22). The idea is that life falls into judgment when there are no counselors to pass judgment beforehand. But, when there is counsel, there is judgment unto life, resurrection. The Hebrew word for "established" means "to raise up," and it is translated *confirm* in other contexts (Ruth 4:7; Esther 9:29, 31). The Hebrew is interesting because the word implies resurrection, which you can see in the basic idea of "to raise up." So, the verse in Proverbs means that a man's plans go the way of death, but with counselors, they go the way of life, or *resurrection*, which ties into the role that Moses played with Israel. He was their counselor par excellence. He raised them up, or established them through his judgment. He directed them to a new life, or we could say, he lead them to a *second chance*.

Biblical counsel should provide the same. It should attempt to keep people from death, and it should seek to resurrect them from their past. It should *establish* and *confirm* them through the Word of God. But the problem is that most people don't know how to use a counselor. The problem is that they don't know what good counseling is. The problem is that they don't even know how to do what John did. So, let's apply the principle of confirmation and apply several counseling situations from the Bible to explain what you should be looking for in the confirmation of a potential second marriage.

1. Seasoned Counsel

Then King Rehoboam consulted the elders who stood before his father Solomon while he still lived, and he said, "How do you advise me to answer these people?" And they spoke to him saying, "If you will be a servant to these people today, and serve them, and answer them, and speak good words to them, then they will be your servants forever." But he rejected the counsel which the elders gave him, and consulted the young men who had grown up with him, who stood before him. And he said to them, "What counsel do you give? How should we answer this people who have spoken to me, saying, 'Lighten the yoke which your father put on us?'" Then the young men who had grown up with him spoke to him, saying, "Thus you should speak to this people who have spoken to you, saying, 'Your father made our yoke heavy, but you make it lighter on us'—thus you shall say to them: 'My little finger shall be thicker than my father's waist! And now, whereas my father laid a heavy yoke on you, I will add to your yoke; my father chastised you with whips, but I will chastise you with scourges!'" (I Kings 12:6-11).

Rehoboam was the son of the great king, Solomon. He had been asked by the people to lighten up on the demands that had been placed by his father. So, he went to the elders to seek counsel, which was a good thing. But they didn't tell him what he wanted to hear. They were older and wiser, and they told him to think about serving the people, to endear them to him so that they wouldn't mind the demands placed on them. Rehoboam did not like their counsel, so he did what so many people do: he found counselors who would tell him what he wanted to hear! In this case, he chose *young* counselors who would give him a quick and easy solution. They told him to use force instead of service to gain the compliance of the people.

The principle of confirmation is *seasoned counsel*. Anyone seeking counsel should go to an *older*, and/or *wiser* counselor who has gained lots of experience dealing with his particular problem. He does not have to go to a counselor older than he is, but he should go to someone who has matured in his abilities and insights. An older counselor will have firmer and wiser counsel. He will not tell

a person what he wants to hear. He will tell him what needs to be done, and he will usually tell him things to do that will take more time. An older person usually has a more stretched-out view of time, enabling him to see things more in the long term.

All of this is especially important when considering remarriage. A person needs objective guidance. He needs someone who is not afraid to tell him what he doesn't want to hear. And he needs someone with a different view of time, someone who can slow him down. He needs seasoned counseling.

2. Structured Counsel

And so it was, on the next day, that Moses sat to judge the people; and the people stood before Moses from morning until evening. So when Moses' father-in-law saw all that he did for the people, he said, "What is this thing that you are doing for the people? Why do you alone sit, and all the people stand before you from morning until evening?" And Moses said to his father-in-law, "Because the people come to me to inquire of God. When they have a difficulty, they come to me, and I judge between one and another; and I make known the statutes of God and His laws." So Moses' father-in-law said to him, "The thing that you do is not good. Both you and these people who are with you will surely wear yourselves out. For this thing is too much for you; you are not able to perform it by yourself. Listen now to my voice; I will give you counsel, and God will be with you: Stand before God for the people, so that you may bring the difficulties to God. And you shall teach them the statutes and the laws, and show them the way in which they must walk and the work they must do. Moreover you shall select from all the people able men, such as fear God, men of truth, hating covetousness; and place such over them to be rulers of thousands, rulers of hundreds, rulers of fifties, and rulers of tens. And let them judge the people at all times. Then it will be that every great matter they shall bring to you, but every small matter they themselves shall judge. So it will be easier for you, for they will bear the burden with you" (Exodus 18:13-22).

The father-in-law of Moses, Jethro, noticed that Moses' leadership responsibilities were too large for one man to handle. He

proposed a solution to divide the nation into the sociological structure of a pyramid, with Moses at the top and officers over increasingly smaller groups toward the bottom. This way, he could take some of the load off of Moses. What he really did was to structure Moses' administration of leadership by structuring Israel. He placed Moses *under* a hierarchy, as much as he did over one, by restricting Moses' involvement in matters until they were too difficult for someone else to handle.

Jethro did what any good counselor should do. He saw the big picture of what was happening to Moses. He observed that Moses had entered a relationship that was about to consume him. And so, he provided a solution to the problem by dealing with it in terms of a hierarchy.

A good counselor should do the same for the person considering remarriage. He should look at the total lives of the individuals. He should evaluate how the new marriage is going to affect their lives. But most importantly, he should relate their problems to a hierarchy. What do I mean? According to the system laid out by Jethro, the court system of Israel was *layered*, moving from the bottom up. Everyone had what has come to be called in the West, *due process*; he had somewhere to which he could appeal.

A good counselor should navigate people toward such a structure. If they are not members of a church, they should be encouraged to become members of a good Bible-believing congregation, because the elders in the church are the proper appeals court for the family in non-criminal matters. If they are not members of a church that has its own appeals system, they should be warned. Remember, according to Jethro's counsel, everyone was accountable to someone, and so the elders of the church are to be accountable to other elders and so forth. In other words, a good counselor moves people into a position where they can obtain a *multitude of counselors*, which is exactly what an appeals system church offers.

3. Lawful Counsel

Then the days of David drew near that he should die, and he charged Solomon his son, saying: "I go the way of all the earth; be strong, therefore, and prove yourself a man. And keep the charge

of the Lord your God: to walk in His ways, to keep His statutes, His commandments, His judgments, and His testimonies, as it is written in the Law of Moses, that you may prosper in all that you do and wherever you turn (I Kings 2:1-3).

David, the great giant-killing king, was about to die when he called his son to offer some final counsel, much the same as Moses had done with Israel, even using the same summary purpose of his counsel: "That you may prosper in all that you do" (Deuteronomy 29:9; I Kings 2:3). And not only did David give the identical summary purpose, he also offered the same basic counsel as Moses who had attached to the front of "that you may prosper," "Keep the words of this covenant, and do them" (Deuteronomy 29:9a). So David echoes the same ethical thrust in his counsel by telling Solomon to prove himself a man by keeping God's law. He did what a true Biblical counselor was supposed to do. He moved Solomon toward God's law.

Two people considering marriage for a second time should go to a counselor to have him point out any of God's laws that might affect their situation, which presumes that he should be a Biblical counselor who knows the Old and New Testament. They should be leery of a counselor who knows more psychology than the Bible, and that's not to say that certain aspects of research done in the field of psychology can't help a Biblical counselor; but he should know more about the Word of God and how it applies to the practical problems that man faces.

They should go with the counsel of Jethro in mind, who said to Moses, "You shall teach them the statutes and the laws, and show them the way in which they must walk and work they must do" (Exodus 18:20). And with these words in mind, they should expect their counselor to do no less. He should be able to tell them if they had Biblical grounds for divorce, and if they have Biblical grounds for remarriage. He should know the principles of this book, because I have tried to approach the question of divorce and remarriage with the Old and New Testament in mind. And he should warn them of *any* part of God's law that the couple might be violating or coming near to violating if they should marry.

4. Protective Counsel

Then a wise woman cried out from the city, "Hear, Hear! Please say to Joab, 'Come nearby, that I may speak with you.'" When he had come near to her, the woman said, "Are you Joab?" He answered, "I am." Then she said to him, "Hear the words of your maidservant." And he answered, "I am listening." Then she spoke, saying, "They used to talk in former times, saying, 'They shall surely ask counsel at Abel,' and so they would end disputes. I am among the peaceable and faithful in Israel. You seek to destroy a city and a mother in Israel. Why would you swallow up the inheritance of the Lord?" And Joab answered and said, "Far be it, far be it from me, that I should swallow up or destroy! That is not so. But a man from the mountains of Ephraim, Sheba the son of Bichri by name, has raised his hand against the king, against David. Deliver him only, and I will depart from the city." And the woman said to Joab, "Watch, his head will be thrown to you over the wall." Then the woman in her wisdom went to all the people. And they cut off the head of Sheba the son of Bichri, and threw it out to Joab. Then he blew a trumpet, and they withdrew from the city, every man to his tent. So Joab returned to the king at Jerusalem (2 Samuel 20:16-22).

In ancient Israel, a rebel arose who wanted to overthrow David named Sheba. He was found out and pursued by David's body guard, Joab. Because Joab was a powerful man, Sheba fled for his life to a place named Abel. He thought that he could find safety there because it was known for being a city for settling disputes (2 Samuel 20:18). Maybe he thought that his conflict with David and Joab could be settled there. But when he took asylum in the city, he brought the whole town into jeopardy, because Joab was in hot pursuit.

While in route, a wise counselor of Abel, whose name we are not told, knew what would happen if Joab arrived and found out that Abel had been hiding out a rebel. So she devised a plan. She sent a message to Joab to find out what she could do to avert the annihilation of her home and city. She was told that Sheba had to be given to him. Upon learning this information, she then coun-

seled the leaders of the city to execute Sheba on behalf of the king to demonstrate their loyalty and to remove any possibility of retaliation on the part of Joab. She was successful and the city of counsel was saved.

This woman demonstrates perhaps the greatest skill of a counselor: the ability to lead people away from the judgment of God, or the ability to protect from God's wrath. A counselor should believe in the reality of the judgment of God first and foremost. If he doesn't believe, then he will give counsel with no thought of the consequences for either his bad counsel, or the wrong actions of the people he is counseling; everybody loses, better, everybody gets judged. If he doesn't believe, then he will not try to lead people to Christ, who removed the judgment of God from man. Instead, he should beware of the consequences, spiritual and otherwise, of not obeying God's Word.

For two people considering a second marriage, protection is very important. The first failed marriage has already had enough bad effect, and they probably feel as though there has been enough judgment on them. They need to be guided away from, not into, more judgment, so they need to be told frankly whether or not they should remarry, or whether or not they should be marrying each other. They need to be made aware of the negative consequences if they marry unlawfully, and I should add, they need to realize the consequences of obeying as well. They need to be shown how to please, and not *anger* God with their new marriage!

5. Lasting Counsel

When they heard this, they were furious and took counsel to kill them. Then one in the council stood up, a Pharisee named Gamaliel, a teacher of the law held in respect by all the people, and commanded them to put the apostles outside for a little while. And he said to them: "Men of Israel, take heed to yourselves what you intend to do regarding these men. For some time ago Theudas rose up, claiming to be somebody. A number of men, about four hundred, joined him. He was slain, and all who obeyed him were scattered and came to nothing. After this man, Judas of Galilee rose up in the days of the census, and drew away many people after

him. He also perished, and all who obeyed him were dispersed. And now I say to you, keep away from these men and let them alone; for if this plan or this work is of men, it will come to nothing; but if it is of God, you cannot overthrow it—lest you even be found to fight against God (Acts 5:33-39).

Gamaliel's counsel is perhaps the most famous counsel ever given to the Jews. He gave it in the context of John's and Peter's being imprisoned for preaching in Jerusalem, after which they were brought to a trial where he gave this counsel. He very simply reasoned that a man named Theudas had claimed to be the Messiah, and his movement had never amounted to anything. He concluded that it was not of God. But, he was really trying to say that something which is of God lasts, to his own people's utter condemnation after two thousand years of expanding Christianity.

The principle of counseling for those entering a second marriage is that a marriage founded in the Lord "*cannot be overcome*" (Acts 5:39), to use Gamaliel's words. It will not be temporary, but it will last as long as two people are physically alive. For this reason, it should not be approached hurriedly or carelessly. It is like building a house, which if built haphazardly will not be a permanent structure. So, any counsel given to them should be to this end. Two people should not enter the marriage thinking "temporary," or that they can get out of the marriage if this one doesn't work, rather they should think *permanent*! And they should be counseled by being told the principles of marriage that maintain it over the long haul.

Summary

1. I began with a story about John who lost his wife and almost made the biggest mistake of his life. He was prevented from making it by good Biblical *counsel*.

2. Counseling is grounded in the fourth point of the covenant: judgment. In this section of the covenant, Israel allows itself to be judged up front in their new walk with the Lord. They allowed Moses to be their judge and counselor, leading them into this judgment. Thus, counseling is a process of judgment, as I verified this

point with the verse at the beginning: "In the multitude of counselors they are established" (Proverbs 15:22), which means *confirmed*.

3. But I pointed out that most people don't know how to use a counselor. They don't know what to ask him to obtain the right answers. I gave five guidelines for seeking judgment from a counselor.

4. First, a couple should be judged with *vintage counseling*, meaning advice given by someone who is mature and experienced enough in their particular problems to give them wise counsel.

5. Second, a couple should be judged with *structured counsel*, meaning they should be advised to join a church where they would have an appeals court system, a hierarchy of counselors around them.

6. Third, a couple should be judged with *lawful counsel*, meaning the counsel should be according to the laws of the Bible and not the laws of man.

7. Fourth, a couple should be judged with *protective counsel*, meaning advice given to them should protect them from the judgment of God.

8. Fifth, a couple should be judged with *lasting counsel*, meaning they should be counseled how to have a lasting relationship.

V. Continuity/Inheritance

10

EVERYONE NEEDS TO BE ADOPTED

And Mordecai had brought up Hadassah, that is, Esther, his uncle's daughter, for she had neither father nor mother. The young woman was lovely and beautiful. When her father and mother died, Mordecai took her as his own daughter (Esther 2:7).

The problems related to stepchildren go back a long time. Have you ever thought about how many fairy tales focus on the “wicked step-parent” theme? There is the most famous story, *Cinderella*, where wicked stepsisters bully and suppress the sweet Cinderella. Then there is Hansel and Gretel, where the two of them run off into the woods because of a mean stepmother. So, although we're not told exactly why the characters in both stories ended up with step-family, anyone who reads them gets the general idea: step-family creates problems.

Nowhere is the step-family problem more obvious than in a remarriage situation involving children. For example, a few years ago, I came across a couple who had serious step-children problems.

George was a very successful doctor. He was a heart surgeon, who had an excellent reputation in the medical community. He was a Christian and he was married to Mary, the mother of his four children: ages 24, 21, 18, and 16. One day he came home to an empty house because Mary had left. He found a note on the floor in the hall.

George:

I've had it. I feel trapped and I want out. . . . I've watched you go through medical school, and I even helped. I've tried to raise our four kids to the best of my ability. But I'm worn out.

I think you ought to know that Richard (an associate of George's at the hospital) and I have been having an affair for over a year. I find him very attractive, and most of all, he doesn't have any children. I can't say that I don't love my children, but I just don't want to be around them any more. I'm not going to say that I don't ever want to see them again, but I've already wasted away too much of my life in car-pools and sack lunches. Well, all of that is over now, and I've got a lot of catching up to do, and I don't have time for them. Maybe after they have their own families and I've begun a new life, I'll be interested again.

As the saying goes, I've got places to go, and I've got people to see. And, I've decided that I'm going to those places and that I'm going to see those people with Richard. I hope you will come to see it my way.

Mary

George was not totally surprised, but he was crushed by Mary's letter. The divorce was awful, one where both of them battled for the estate, except in this case, Mary didn't want the children. George got them and because the judge could see the kind of person he had been married to, he was awarded the house.

But now George faced a real problem: what does a divorced middle-aged man with four children do for a spouse? Where is he going to find a woman who is old enough, but not too old, who would want to marry into the demands of a family his size? Because George was a Christian, he was not about to go sleeping around. Besides, that would have provided a bad example for the kids. So, he prayed and kept his eyes open.

George met Judy, a beautiful middle-aged hair stylist who worked at, you guessed it, the place where he got his hair cut. He made all the classic mistakes: not checking to see if she was a Christian and marrying too soon. But he was convinced that Judy was the woman for him. She had a son from a previous marriage,

and she seemed to love George's kids. She took them places and she bought them presents. But the kids didn't take to her for some reason. They talked to their dad, and they tried to persuade him out of the marriage. They were unsuccessful, and George and Judy were married.

Since George was a doctor, he made a substantial income. He could afford the long honeymoon with Judy, and when he returned, he thought everything was going to be perfect. That is, he thought so until Judy walked into his house. She started complaining about the decor, because all of the color schemes and designs had been picked out by George's "ex," Mary. She talked George into a new home.

What Judy really wanted, however, was a rather complicated scheme that involved getting George's children disinherited. The first thing she did by getting George to buy a new home was practically to turn George's kids into orphans by dissolving the inheritance that was to go to them. When the other home was sold, all of the money was rolled over into the new home, which was owned jointly by George and *Judy*. Believe me, the older kids understood the implications, and they were furious at their father. They tried to talk to him, but he would not listen. Eventually they were turned against him, as he persisted in defending Judy.

The second thing that Judy accomplished in the selling of the old home was that she got complete control of the house. She decided who got what rooms and who got what privileges. She gave her son the first choice of a room, and of course, he chose the nicest room with its own bathroom and stereo system. By doing this, she set her son against George's two children who were still at home. The two were outraged at the fact that their "real home," as they used to call it, had been sold out from under them. They too understood the implications that this sale had for their inheritance, but they were more impressed with the immediate sting of not being able to choose their own room.

They appealed to their father. But he just said, "Look, the adjustment on Judy is really hard. I know it's been a little difficult for you all, but you've got to see things from Judy's point of view.

Just give her some time to adjust and bear with some of the things you don't like." As you can imagine, George's words were not very comforting. But the two kids decided to go with their father.

That is, they went along with him until a huge conflict broke out between Judy's boy, Timothy who was fifteen, and the same two kids who had been bumped out of their choice of a room. Timothy had been used to being the only child. He had had everything he had ever wanted. But when he became part of this larger family, suddenly, he was the youngest and the low man on the totem pole so to speak. His plan was to "let the other kids know who was boss." He did so by getting his mother to give him all kinds of privileges that the other kids didn't have. For example, he didn't have to take his turn mowing the lawn because of his allergies. That's understandable, but he didn't have to do any inside chores either, because Judy said he was such a good student that he shouldn't have to do menial old housework.

The long and short of this sad tale is that Judy ended up turning the whole family against George. And it all happened right under George's nose. All he saw was constant conflict with his own children. And since he was too busy with his own practice, and since he had become insensitive to the needs of his own kids, he basically lost them all. The wicked old stepmother struck again!

What's the solution to "Cinderella's nightmare"? Can there be a peaceful way of bringing children from a previous marriage into a new marriage? Is there a way to join two groups of children together without creating all sorts of rivalries? Yes to all of these questions.

The problem, however, in this situation is a common one. Believe it or not, very little thought usually goes into just how each other's kids will be viewed in a remarriage situation. The boundary lines are sort of set by the courts because they determine who gets the children when, which creates a sort of musical kids situation. But other than these boundary lines, there is usually sort of an assumption of "do unto your kids as you do to mine," which quickly leads to trouble and which does not deal with the issues.

The issues seem to hinge on a *my kids, your kids* attitude. Take George and Judy's situation. George had taken in Judy's son, but Judy had not taken in George's kids. In fact, she was trying to drive them out, because she did not see them as hers, nor did she want them to be hers. She had *her* kid, and he had his kids. But there was not an understanding that "what's yours becomes mine, and what's mine becomes yours," including the children. So Judy viewed George's kids as unwelcome boarders who were not paying rent and who were not wanted. She did not view them as "our" kids, but as George's.

As a variation of this problem, often it is assumed that one set of kids becomes "our" kids, whereas the other set doesn't. I know of a situation where a woman with three high school and college aged children married a man with two pre-schoolers. It was never stated, but he just assumed that she would give herself to the raising of *his* children, and because *hers* were older, he didn't have the same kind of responsibility toward *them*. Granted, older kids don't demand as much attention, but they usually demand much more money the older they get. So this man set the stage for conflict, and there was definitely conflict in the relationship.

These are only a few of the many problems associated with what I have called "Cinderella's nightmare." They occur often and they appear in the Bible. The principle that commonly appears as the solution is the principle of *adoption*. Let's understand the principle and then we will see how it applies to modern day remarriage problems.

The Principle of Adoption

Adoption largely falls in the fifth point of the covenant, because it involves a *transfer of inheritance*. In the final segment of the covenant, the new heirs received their inheritance from Moses, who was about to die (Deuteronomy 31:1-13). Part of the inheritance given to them was special instruction to preserve their children:

And Moses commanded them saying: "At the end of every seven years, at the appointed time in the year of release, at the

Feast of Tabernacles . . . gather the people together, men and women and little ones, and the stranger who is within your gates, that they may hear and that they may learn to fear the Lord your God and carefully observe all the words of this law, *and that their children*, who have not known it, may hear and learn to fear the Lord your God as long as you live in the land which you cross the Jordan to possess" (Deuteronomy 31:10-13).

Why were these instructions given about their children? As the Psalmist says, "Children are a heritage from the Lord" (Psalm 127:3). And these children were receiving their inheritance, just as the parents had received them as an inheritance. So anything having to do with children touches on the issue of inheritance, and here is the central issue on the stepchildren question.

But to understand fully what adoption involved, we should examine an actual rite of adoption, circumcision.

When Abram was ninety-nine years old, the Lord appeared to Abram and said to him, ". . . I will make My covenant between Me and you, and will multiply you exceedingly. . . . No longer shall your name be called Abram, but your name shall be Abraham; for I have made you a father of many nations. . . . [And] this is My covenant which you shall keep, between Me and you and your descendants after you: Every male child among you shall be circumcised; and you shall be circumcised in the flesh of your foreskins, and it shall be a sign of the covenant between Me and you. . . . As for Sarai your wife, you shall not call her name Sarai, but Sarah shall be her name" (Genesis 17:1, 5, 10-11, 15).

When Abraham ratified his covenant with God, he was given five things. First, he was given a new *name*. He was told by God that he and his wife's names had been *changed* from Abram to Abraham and from Sarai to Sarah through this ratification process; he and his family were being *adopted*. The covenantal principle here is quite important for understanding salvation. It teaches that man is not saved by *race*, rather he is saved by a legal act called *adoption*, something Jesus had to remind the Jews of when He said, "But as many received Him, to them He gave the right to

become children of God, even to those who believe in His name, who were born not of blood, nor of the will of the flesh, nor of the will of man, but of *God*" (John 1:12-13).

Second, Abraham was given a new position as a *son*. A son in the Bible is set in contrast to a slave. He rules, whereas a slave is ruled. Perhaps the most graphic story in the Bible of this contrast is the account of the prodigal son. He shows what happens when sonship is lost and then regained.

A certain man had two sons. And the younger of them said to his father, "Father, give me the portion of goods that falls to me." So he divided to them his livelihood. And not many days after, the younger son gathered all together, journeyed to a far country, and there wasted his possessions with prodigal living. But when he had spent all, there arose a severe famine in that land, and he began to be in want. Then he went and joined himself to a citizen of that country, and he sent him into his fields to feed swine. And he would gladly have filled his stomach with the pods that the swine ate, and no one gave him anything. But when he came to himself, he said, "How many of my father's hired servants have bread enough to spare, and I perish with hunger! I will arise and go to my father, and say to him, 'Father, I have sinned against heaven and before you, and I am no longer worthy to be called your son. Make me like one of your hired servants.'" And he arose and came to his father. But when he was still a great way off, his father saw him and had compassion, and ran and fell on his neck and kissed him. And the son said to him, "Father, I have sinned against heaven and in your sight, and am no longer worthy to be called your son." But the father said to his servants, "Bring our best robe and put it on him, and put a ring on his hand and sandals on his feet. And bring the fatted calf here and kill it, and let us eat and be merry; for this my son was dead and is alive again; he was lost and is found" (Luke 15:11-24).

The story of the prodigal son is about adoption. It is a case where a man's son gave up his sonship (his inheritance), became a slave, and had to be adopted back into the house. And when he was adopted, he became a king. He was given a ring, a robe, and

new shoes by which he could have dominion. He was given a new position.

Third, Abraham was given a new *law*. God told Abraham, "I am Almighty God; walk before me and be blameless" (Genesis 17:1). The understanding was that Abraham could become a new son in God's household, but he had to be willing to live on the terms of the head of the household.

Fourth, Abraham was given a sign which reminded him of God's pledge, and the reception of which became his pledge to God. Circumcision was a picture of death through the shedding of blood. It reminded Abraham that his new life could only come about as a result of his death, in this case his death was symbolically acted out; remember that in the story of the prodigal son, the father said, "My son is dead but is alive again," implying that the adoption had been a death to resurrection process. Finally, since circumcision involved the removal of the foreskin from the organ of reproduction, it told him that his new life had not come through natural birth or bloodline, but that it had come through *adoption*.

Fifth, Abraham was given a new inheritance. As a result of his adoption, he was told by God, "I will make you exceedingly fruitful; and I will make nations of you, and kings shall come from you. . . . Also I will give to you and your descendants after you the land in which you are a stranger, all the land of Canaan, as an everlasting possession" (Genesis 17:6-8). He was actually considered an orphan, which is a person with no inheritance, but he moved from this status to that of an adopted son and he received an inheritance. I summarized this effect of adoption in *That You May Prosper*:

Adoption is covenantal. It allows someone outside the family line to become an heir. Since the Fall, man has been outside God's family. His parents are "dead." He lost them when Adam sinned. And along with his parent's death, he even lost his inheritance. *Covenantally, man is an orphan.* The only way that God can become his parent and he can become God's son is through adoption. He is not, never was, nor will he ever be part of God's essence. He cannot go rummaging through lost archives to prove that he is a legiti-

mate heir by natural descent.¹

So, adoption involves a transfer of inheritance to all five of these features. When we turn to the family covenant, the same process of adoption appears.

Family Adoption

Esther in the Bible is a story about *adoption*. As the verse at the beginning of this chapter indicates, she had been adopted into the family of Mordecai when her parents had died (Esther 2:7). Since it says that *death* made her an orphan, the same could be said of *covenantal death*. When a parent dies covenantally, he also dies to his covenant with his children. He releases them to the innocent party, and in a partial sense he makes his children covenantal orphans. In addition, his death makes it possible for his children to be adopted by a new spouse. The adoption appears in another way in Esther. She was also adopted by the King of Babylon when she married him, as indicated by her change of name from Hadassah to Esther. Notice how similar her marriage and coronation are to the feast thrown for the adoption of the prodigal son:

So Esther was taken to King Ahasuerus, into his royal palace, in the tenth month, which is the month of Tebeth, in the seventh year of his reign. The king loved Esther more than all the other women, and she obtained grace and favor in his sight more than all the virgins; so he set the royal crown [a ring on the head analogous to the ring on the finger] and made her queen instead of Vashti. Then the king made a great feast, the Feast of Esther, for all his officials and servants; and he proclaimed a holiday in the provinces and gave gifts according to the generosity of the king (Esther 2:16-18).

On a little wider scale, Mordecai is adopted into the king's house in chapter 8. He had been pursued by Haman, who was attempting to destroy Esther. But when the king found out, he was delivered by the execution of Haman. As a result, he was

1. Ray R. Sutton, *That You May Prosper* (Tyler, Texas: Institute for Christian Economics, 1987), p. 93.

treated like royalty, meaning that he had become an adopted son by being awarded a crown, a robe and a place beside the king in his chariot, a place where only a son could stand (Esther 8:15-17).

Finally, at another level of understanding, and perhaps the main message of the Book of Esther, Israel was brought back to the Promised Land through Esther's and Mordecai's adoptions. As a result of the good favor shown to the Jews, they were later granted permission to return under Ezra and Nehemiah. Interestingly, the return was facilitated through a gentile, pointing to the New Covenant times where the Jews are said to return to the kingdom of God through the *gentiles*, and not apart from them (Romans 11:11-32).

So, all of these adoptions point to the same five areas I mentioned above:

New Name
New Position
New Law
New Sign
New Inheritance

What happened in the covenant is also found in the process of adoption in the family. When a spouse dies covenantally, he loses his family covenantal relationship to his children, allowing for adoption. I believe that this is the key principle to solving the problems related to stepchildren. So, let's apply it to see how it works.

How to Deal with Stepchildren

Using the story of George and Judy from the beginning of the chapter, and applying the principle of adoption, here are some suggested steps for any two people entering a second marriage with children from previous marriage(s).

1. At least discuss how any children from a previous marriage will be viewed by each partner in the new marriage. George and Judy should have decided ahead of time whether or not her son would be *their* son or Judy's, and whether or not George's kids

would be *their* children or simply George's.

2. Preferably, previous children will be adopted into the new marriage. I know that State no-fault divorce laws make it nearly impossible to adopt children from previous marriages in the eyes of the State, but it would not prevent a *Biblical* adoption such as I have described above. Here is how the process would take place:

(1) The children who are old enough would be given the choice of whether or not they would be adopted into the new home.

(2) The ones who decide to be adopted would be given some symbol of adoption, maybe a ring or some other piece of jewelry, a large party would be thrown, and they would be included in the new family's inheritance. And they would also share in the responsibility of taking care of the new parents when they are old.

I should add that adoption into the new family does not necessarily nullify the relationship with the previous parent(s). For example, David was adopted into Saul's family, so that he could be heir to the throne (1 Samuel 18:1-5), but there is no indication that he was disinherited by his original father. Obviously, dual membership would complicate matters, but it would also mean double inheritance.

(3) The parent of children too young would make the decision for them on the same basis that Abraham had his infant male children circumcised before they understood the adoption process.

(4) Finally, the children who decide not to be adopted would be considered "working guests" in the house, who will be assigned definite responsibilities in exchange for room and board until they are legal age. But they would not be given first preference in the new family covenant. And they would not have the same status as the children who had decided to be adopted.

This process of dealing with the stepchildren problem gives the new parents a system by which they can deal with so many of the problems that arise. As I have seen time and again in counseling, it will work! It will help them around the naive idea that *everyone can be treated equally*. It will guide them away from *Cinderella's nightmare*!

Summary

1. I began the chapter with story of George, a doctor who was married to a woman, and who was deserted by her. I pointed out the stepchildren problems that emerged in his second marriage to Judy.

2. I presented the principle of adoption as the solution. Adoption is directly tied to the continuity/inheritance point of the covenant. It has five aspects to it, which I illustrated from the ratification of Abraham's covenant.

New Name

New Position

New Law

New Sign

New Inheritance

3. I moved from the Biblical covenant to the family covenant by referring to the story of Esther. The whole book is about the principle of adoption, but it is clear that Esther was adopted by her uncle Mordecai when her parents died. Just as the physical death of a spouse enables his child to be adopted, so his covenantal death will permit the same.

4. The Book of Esther teaches adoption at several levels since not only Esther, but Mordecai and the nation of Israel were adopted.

5. The steps for applying the principle of adoption to the step-child problem are the following:

(1) Two people with children from a previous marriage who are considering a second marriage should at least discuss how the kids will be viewed and treated.

(2) The children who want to should be adopted in the five-fold manner above.

(3) The children who do not want to be adopted should be treated as working guests in the new home and they should be given responsibilities to pay for the cost of room and board.

CONCLUSION

I have presented a Biblical view of divorce and remarriage. To be precise, I have laid out a *covenantal* view of divorce and remarriage. Do you remember the five points of the covenant? They are:

1. Transcendence: God is the Sovereign Creator, and so He is the originator of all covenants.
2. Hierarchy: God establishes authorities over us in our covenant with Him.
3. Ethics: God demands faithfulness, teaching a cause/effect relationship between man's obedience to Him and what happens in his life.
4. Sanctions: The covenant is entered by receiving and making promises under the condition of death.
5. Continuity: Faithfulness to the covenant is rewarded with *inheritance*.

The key to understanding what has been said in this book is the covenant. I have attempted to establish that marriage is a covenant with God, and because of this one observation, the covenant itself becomes our guide for understanding how any covenant works, especially marriage. I have said many times that what is true in the Biblical covenant is also true by analogy in the marriage covenant. It is not that one enters covenant with God *through* marriage. Rather, it is that marriage is a picture of the God-to-man relationship. And so, any study of any aspect of marriage should begin with the covenant.

Divorce

I began in the first half of book with the subject of divorce. I started each chapter with the covenant to understand how a marriage covenant is dissolved and broken. Accordingly, I isolated five principles of divorce according to the five points of the covenant.

First, I presented the principle of *creation*. All covenants begin here, so we had to begin here before we could ever understand anything about divorce. The principle is that God creates the marriage covenant and consequently there can be no such thing as *no-fault divorce*. It also teaches that God creates through imputation, a legal declaration on the basis of faithfulness, or a pledge to be faithful. It means that He also dissolves a covenant relationship on the basis of unfaithfulness, or a particular *moral fault*.

Second, we considered the principle of *jurisdiction*. It says that a person is bound to his spouse's jurisdiction, or hierarchy, as long as that spouse is alive covenantally or physically. It is based on Paul's comments at the beginning of Romans 7, where he uses life and death in a covenantal context to refer to the termination of a marriage covenant.

Third, we examined the *ethics* principle. It is the principle of *cause and effect*. In marriage, it means that if certain capital or covenantal offenses are committed then a person's relationship to God is destroyed and his marriage covenant dies.

Fourth, we studied the principle of *protection*. It teaches that death is a sanction attached to the covenant, when it is ratified, to protect the innocent party. Death in the form of execution, excommunication or restitution is the appropriate penalty for breaking the covenant vows. When the guilty party enters a false covenant, the third party ends up sanctioning the innocent party through his infidelity.

Fifth, the principle of *transfer* was presented. Upon the covenantal death of a spouse, the estate should be transferred to the faithful by means of a certificate of divorce.

Remarriage

When I approached *remarriage*, I used the same covenantal guide. I started with the covenant, specifically the New Covenant, to see how a new marriage covenant could be formed. I suggested five covenantal principles of remarriage.

First, I laid out the principle of *new covenant*. I said that if God can create a new covenant between man and Himself, then there can be such a thing as remarriage. I clarified that a new covenant is a way of transcending the older covenant, tying this principle into the first point of the covenant.

Second, I established the principle of the *statute of limitations*. Returning to the second point of the covenant, hierarchy, I said that the death of a spouse has a moral effect on a person that may take a period of time, a statute of limitations, to wear off, before remarriage should be entertained.

Third, I developed the principle of *equal yoke*. A person considering a second marriage should be careful whom he marries. The Bible says that there should be an equal yoke, so I used the terms of the marriage covenant to clarify what kind of person a divorcee should remarry.

Fourth, the principle of *judgment* was examined. Before remarriage takes place, two people should go to Biblical counselors to receive *judgment* on their decision. In other words, they should receive some competent and Biblical person's blessing or cursing. In this chapter, I also gave some guidelines for using counsel.

Fifth, I presented the principle of *adoption*. I said that the way to deal with the *stepchildren* problem is to adopt children from previous marriages into the new marriage, to transfer inheritance to them. This way, a whole new life and a whole new inheritance is created for them, removing the level of hostility toward the second marriage.

So, the arguments of this book stand on the idea that marriage is a *covenant*, as expressly stated in the Bible (Malachi 2:14). If it is a covenant, and I believe it is because I believe the Bible, then it will have all of the marks of a Biblical covenant. Not only will it

have those marks in its formation, but it will have those marks in its dissolution. Accordingly, divorce and remarriage, as painful as they may be, can at least be understood with this simple, yet profound, covenantal model. As covenant is the key to everything in the Bible and life, so it is the key to divorce and remarriage! Indeed, the key to a *second chance*.

Part II

RECONSTRUCTION

WHAT THE FAMILY SHOULD DO

And it came to pass, about three months after, that Judah was told, saying, "Tamar your daughter-in-law has played the harlot; furthermore she is with child by harlotry." So Judah said, "Bring her out and let her be burned!" When she was brought out, she sent to her father-in-law, saying, "By the man to whom these belong, I am with child." And she said, "Please determine whose these are—the signet and cord, and staff." So Judah acknowledged them and said, "She has been more righteous than I, because I did not give her to Shelah my son." And he never knew her again (Genesis 38:24-26).

This is a vaguely familiar Bible story for most people, yet it is not one that is frequently preached about. The details of the story seem so distant culturally. What was really going on here? How could Tamar have been regarded by Judah as more righteous than himself? What were the signet, cord, and staff all about? What did his son have to do with either her guilt or innocence? What were the consequences of Judah's actions? Does any of this relate to modern marriage?

To understand the story, we need to consider it in its entirety. It begins with a marriage—a marriage to a Canaanite woman—though perhaps a convert to the true faith.

It came to pass at that time that Judah visited a certain Adullamite whose name was Hirah. And Judah saw there a daughter of a certain Canaanite whose name was Shua, and he

married her and went in to her. So she conceived and bore a son, and he called his name Er. She conceived and bore a son, and she called his name Onan. And she conceived yet again and bore a son and called his name Shelah. He was at Chezib when she bore him. Then Judah took a wife for Er his firstborn, and her name was Tamar. But Er, Judah's firstborn, was wicked in the sight of the Lord, and the Lord killed him. And Judah said to Onan, "Go in to your brother's wife and marry her, and raise up an heir to your brother." But Onan knew that the heir would not be his; and it came to pass, when he went in to his brother's wife, that he emitted on the ground, lest he should give an heir to his brother. And the thing which he did displeased the Lord; therefore He killed him also. Then Judah said to Tamar his daughter-in-law, "Remain a widow in your father's house till my son Shelah is grown." For he said, "Lest he also die as his brothers did." And Tamar went and dwelt in her father's house.

Now in the process of time the daughter of Shua, Judah's wife, died; and Judah was comforted, and went up to his sheepshearers at Timnah, he and his friend Hirah the Adullamite. And it was told Tamar, saying "Look, your father-in-law is going up to Timnah to shear his sheep." So she took off her widow's garments, covered herself with a veil and wrapped herself, and sat in an open place which was on the way to Timnah; for she saw that Shelah was grown, and she was not given to him as a wife. When Judah saw her, he thought she was a harlot, because she had covered her face. Then he turned to her by the way, and said, "Please let me come in to you"; for he did not know that she was his daughter-in-law. So she said, "What will you give me, that you may come in to me?" And he said, "I will send you a young goat from the flock." And she said, "Will you give me a pledge till you send it?" Then he said, "What pledge shall I give you?" So she said, "Your signet and cord, and your staff that is in your hand." Then he gave them to her, and went in to her, and she conceived by him. So she arose and went away, and laid aside her veil and put on the garments of her widowhood. And Judah sent the young goat by the hand of his friend the Adullamite, to receive his pledge from the woman's hand, but he did not find her. Then he asked the men of that place, saying, "Where is the harlot who was openly by the roadside?" And they said, "There was no harlot in this place." And he returned to

Judah and said, "I cannot find her. Also, the men of the place said there was no harlot in this place." Then Judah said, "Let her take them for herself, lest we be shamed; for I sent this young goat and you have not found her."

And it came to pass, about three months after, that Judah was told, saying, "Tamar your daughter-in-law has played the harlot; furthermore she is with child by harlotry." So Judah said, "Bring her out and let her be burned!" When she was brought out, she sent to her father-in-law, saying, "By the man to whom these belong, I am with child." And she said, "Please determine whose these are—the signet and cord, and staff." So Judah acknowledged them and said, "She has been more righteous than I, because I did not give her to Shelah my son." And he never knew her again.

Now it came to pass, at the time for giving birth, that behold, twins were in her womb. And so it was, when she was giving birth, that the one put out his hand; and the midwife took a scarlet thread and bound it on his hand, saying, "This one came out first." Then it happened, as he drew back his hand, that his brother came out unexpectedly; and she said, "How did you break through? This breach be upon you!" Therefore his name was called Perez. Afterward his brother came out who had the scarlet thread on his hand. And his name was called Zerah (Genesis 38:1-30).

Up to this point, I have mainly centered my attention on the *principles* of divorce and remarriage. I have established the Biblical basis for divorce, which is covenantal death, and I have laid out the Scriptural rationale for remarriage, which is resurrection and new covenant. I have attempted to lay down general guidelines in both areas. In each half, however, I have operated on the basis of the God-to-man covenant as a guideline for the man-to-woman covenant.

In the divorce section, I attempted to clarify the overall concept of covenantal death, outlining the specific causes and summarizing the main effect as *disinheritance*. If you follow where I ended in the first half of the book, I primarily concluded that the covenant-breaker gets disinherited because of his own covenantal death. Then, in the remarriage segment, I tried to show that remarriage is possible under certain Biblical guidelines. I mainly

concentrated on the issues involved, but I ended on the note that remarriage is a process of *adoption*, the opposite of being disowned through divorce.

As yet, however, I have not discussed the details of *how to*, about which I'm sure you're probably concerned with such questions as, "How do I proceed with a divorce? Where do I begin? What should I do? How do I approach the remarriage question? What's involved?" So, in the final part of *Second Chance*, I want to turn to an application of all of the principles that I have presented. I particularly want to put them in a *how to* context. Specifically, I want to focus on how the Family, Church and State enter the divorce/remarriage process.

How a Family Pursues a Divorce Lawsuit

I am starting with the family by using an Old Testament account of an attempted lawsuit on the part of one family member (Judah) against another (Tamar). Although the story may not appear to be a case of a divorce lawsuit, I think that it actually is one, if we again keep in mind that *divorce is fundamentally a process of disinheritance*. I see the passage as a clear example of Judah's attempting to disinherit Tamar by means of his lawsuit against her. And by analyzing what Judah did and did not do, I believe that we can arrive at some specific steps. You will notice that I use the Bible's five-point covenant model as the basis of my discussion of the divorce lawsuit in all three chapters on practical applications.

1. Examine Yourself Before the Lord

Before a person considers bringing a covenantal lawsuit of any kind, and especially a divorce lawsuit, *he should go before the Lord and examine his own life*. What does he look for? He looks to make certain that he himself is not guilty of the *same offense* as his spouse, because the law says that a person cannot bring a charge against another for something that he too is doing wrong. For example, Judah was prepared to prosecute against Tamar, his daughter-in-law, when he heard that she had committed harlotry. But when he was found out to be the man who had committed adultery with

her, he was not legally able to prosecute. The same kind of judicial example appears in the ministry of Jesus, where some religious leaders attempted to convict a woman of the very offense they were committing with her.

The scribes and pharisees brought to Him a woman caught in adultery. And when they had set her in the midst, they said to Him, "Teacher, this woman was caught in adultery, in the very act. Now Moses, in the law, commanded us that such should be stoned. But what do you say? This they said, testing Him, that they might have something of which to accuse Him. But Jesus stooped down and wrote on the ground with His finger, as though He did not hear. So when they continued asking Him, He raised Himself up and said to them, "He who is without sin among you, let him throw a stone at her first." And again He stooped down and wrote on the ground. Then those who heard it, being convicted by their conscience, went out one by one, beginning with the oldest even to the last. And Jesus was left alone, and the woman standing in the midst. When Jesus had raised Himself up and saw no one but the woman, He said to her, "Woman, where are those accusers of yours? Has no one condemned you?" She said, "No one, Lord." And Jesus said to her, "Neither do I condemn you; go and sin no more" (John 8:3-11).

The most obvious fact of this case is seldom discussed by the commentators: the accusers brought only the woman, yet she had been caught "in the very act." Where was the adulterous man? Why were they asking Jesus to pronounce judgment only against her? Biblical law requires that they both be put to death (Leviticus 20:10). This legal requirement is what always undergirded God's covenant lawsuit against Israel, but also against her false lovers, the pagan nations around her. They were both under His judgment. By bringing only the woman to Christ, the Pharisees were symbolically bringing charges against Israel, the bride of God (Ezekiel 16), and therefore against themselves.

What was Jesus saying? He said that a person cannot bring charges against another if he is guilty of the same offense. When Jesus said, "He who is without sin among you, let him throw the

first stone," He was really saying, "If the accusers were not involved in adultery with this woman or another woman, then let them throw the first stone." He had to have been saying this because they backed down. They knew that He had hard evidence, or at least they thought He had enough to convict them, and so they did not want to risk it.

Jesus was not saying that a person has to be "without sin" in the sense of *sinless*. If He was, then no one would ever be able to try to restore a fallen brother by taking him before a Church court (Matthew 18:15-18; Acts 15:1-21), because no one is, or ever can be, *sinless*: "If we say that we have no sin, we deceive ourselves, and the truth is not in us" (1 John 1:8). Rather, Christ was simply affirming the law that you can't bring a charge against someone for the very thing of which you yourself are guilty. I believe that this is the true meaning of His often misquoted statement,

Judge not, that you be not judged. For with what judgment you judge, you will be judged; and with the same measure you use, it will be measured back to you. And why do you look at the speck in your brother's eye, but do not consider the plank in your own eye? Or how can you say to your brother, "Let me remove the speck out of your eye," and look, a plank is in your own eye? Hypocrite! First remove the plank from your own eye, and then you will see clearly to remove the speck out of your brother's eye. Do not give what is holy to dogs; nor cast your pearls before swine, lest they trample them under their feet, and turn and tear you to pieces (Matthew 7:1-6).

Clearly, Jesus was not saying by this passage that we can never judge anyone, else how would we determine whether or not a person was a "swine" before whom we should not cast our pearls? No, He was saying that we ought not to bring a judgment, probably a lawsuit, against a person for the same offense of which we ourselves are guilty.

I believe that this simple principle, if applied, would force many persons considering a divorce to stop the proceedings. Furthermore, if we take seriously Jesus' comment, "With the same

measure you use, it will be measured back to you" (Matthew 7:2), we should conclude that we receive the same judgment rendered to our spouse if we are guilty of the same offense. For example, if we are involved in adultery and pursue a lawsuit against our spouse for the same, then we will be simultaneously ruled covenantally dead by God when the judgment is rendered to our spouse. I believe that this would have a canceling out effect, just as it did with Tamar and the woman caught in adultery. I don't believe that a person could legitimately pursue a divorce if he is guilty of the same offense.¹

2. Proceed with Accountability

When Judah found out that Tamar had committed what he thought was an act of immorality, he sentenced her to death. How could he do such a thing? As I pointed out in Chapter Three, he could divorce his wife according to Old Testament law (Deuteronomy 24:1-3). But he would have still needed to have acted with some kind of check and balance on his behavior. If he falsely accused his wife, he could receive a rigorous penalty, and he would not ever be allowed to divorce her (Deuteronomy 22:13-21). In his case, he was checked by the very pledge that he had made to Tamar, when she produced it in front of everyone.

Also, in the case of perceived immorality of any kind, an Old Testament man could take a suspected woman to the priest, and he could have her submitted to the *ordeal of jealousy* where the priest made her drink a special mixture of purified water from the tabernacle. If she was guilty, she died instantaneously (Numbers 5:11-31).² So the ecclesiastical authorities could in some sense serve as a check and balance on an unlawful divorce proceeding.

1. The historic court guidelines for the Presbyterian Church indicate precedent for the principle that a person cannot charge another when he is committing the same offense. The *Book of Church Order* for the Presbyterian Church in America says, "Great caution ought to be exercised in receiving accusations from any person who is known to indulge a malignant spirit towards the accused; who is not of good character; who is himself under censure or process; or who is known to be litigious, rash or imprudent" (32-8).

2. See Chapter 12.

As I mentioned in Chapter Four, they were not a mandatory court of appeal, because the father was the agent of blessing and cursing in the Old Testament; he had the power by himself to divorce, unless he falsely accused his bride. The priests only helped the father to keep from this false presumption. By the ordeal of jealousy, they protected the father, and therefore, the integrity of the family.

The New Testament system of accountability protects the integrity of the family even more so. It shifts the agent of blessing and cursing to Christ, as well as the Body of Christ, the Church, as I demonstrated in Chapter Four, which requires a Christian family to go to the church to secure a divorce; the father (or head of the house if there is no father) can no longer act on his own; he must be checked by the church court if he is a believer, and the civil court if he is an unbeliever.

There is another important reason why the ecclesiastical authorities of the New Covenant provide accountability to the family. The act of baptism is the point where the family gives the children and other members of the family to the *church* to be baptized. While baptism does not remove the family members from their household, it does place them in an additional court besides the family's. It puts them in a heavenly court, the highest possible court of appeal. It appoints them to the church covenant that lasts forever, whereas the family covenant is temporary. I said it this way in *That You May Prosper*:

The Church is the agent that baptizes "into the faith." As such, the church is by definition a hierarchy, meaning authority. There can be no law without some kind of institutional authority to apply it. Holiness cannot take place in a vacuum. It can only come about in the context of a lawfully constituted authority. To say one is committed to Christ, therefore, and not be a member of a local church, is a contradiction to his baptism. It is a contradiction to the Christian faith.

Why? Everyone should be accountable. If one does not have real accountability to the Body of Christ, then he is symbolically and covenantally *autonomous*. Not only is this extremely dangerous

to one's spiritual health, but it implicitly destroys the Church. To be accountable means to be in submission to the [local] church, and this means that one can be pursued in a process of discipline, as in Matthew 18:15. If one is not a member of a church, then he cannot be disciplined. He cannot be *excommunicated*. How can a person be excommunicated from something that he is not a member of?³

The local church to which a Christian family⁴ belongs provides accountability. It helps the family to avoid autonomy, and it aids against all kinds of abuses; since it holds the keys to the kingdom, it has the power of a final court of appeal.

Thus, the Church is the proper institution for a Christian to go to for a divorce, and at least get *permission* to conduct a covenant lawsuit before civil authorities. Before any church member pursues a divorce, he should go to his pastor and/or church officers for counsel and advice, as I developed in Chapter Ten. But the injured person should even ask them to give a ruling and to grant a divorce, if he has legitimate grounds. This way, he (she) will be checked in his behavior. This way, he will go through the proper authorities. This way, he will be acting with proper accountability and not autonomously.

3. Make Sure There Is Biblical Justification

Too often we find that people, and even Christians, enter divorce proceedings without ever considering whether they have Biblical grounds. They only think of the State's reason, which amounts to no reason, no-fault divorce. They only think of the expediency of the matter, and of relieving the emotional pain as quickly as possible.

The Bible story at the beginning of this chapter is an example of a man who came to the realization that he had no Biblical grounds for divorce. Yet the passage does not say anything about divorce. It does not specifically mention divorce, but it does refer

3. Ray R. Sutton, *That You May Prosper* (Tyler, Texas: Institute for Christian Economics, 1987), p. 169.

4. I talk about the court of appeal for the *unbelieving family* in the application chapter on the State.

to Judah's attempt to have Tamar put to death, which would have amounted to divorcing her because he had "pledged" himself to her (Genesis 38:18). He had married her, even though he didn't know it. Yet, when he found out that he was married to her, he realized that he could not put her to death, even though Biblical law did not allow a person to marry an in-law, within degrees of consanguinity (Leviticus 18:15), a violation of which received the death penalty.

Why didn't he have her put to death? Why did he say that she had acted "more righteously" (Genesis 38:26)? He realized that she had acted to protect the *seed-line* of the Bible, which is the line that leads to Christ. He understood that she had utilized a special Old Covenant law, called the levirate marriage law, which says that a widow without an heir could marry her deceased husband's brother in order to maintain his inheritance in the land (Deuteronomy 25:5-10). Judah came to an awareness that he had not given his third son to Tamar for fear that he would also be killed. But he also knew that he would now be killed if he had Tamar executed, and he did not fulfill his responsibilities to the child she carried in her womb. Why? Because as it turns out, she was carrying twins, and one of those was in the line of Christ!

So, anyone interested in pursuing a divorce should make sure that he has Biblical grounds. Just because he feels like it, or he "thinks" God has told him to get a divorce, as I have heard so many say to me, does not count. What counts is what we know God has said for certain. Besides, God is not going to tell something that is contradictory to what He has already told the people of God in the Bible!

4. Make Sure There Is Evidence

Judah was prepared to have Tamar executed on the basis of what his friends told him. In fact, he didn't have any evidence, and when Tamar revealed her evidence, it incriminated Judah. He had unknowingly given the pledge of his ring, cords and staff to Tamar. He never dreamed that Tamar, his daughter-in-law, was the one with whom he had a sexual affair. He never considered

that the tables would be reversed on him. But, then again, nobody ever does.

Civil and ecclesiastical courts cannot rely on hearsay and innuendo. They can and should only act on the basis of "cold hard facts and evidence." Furthermore, they have to gather both sides of a story, and they often discover in the process that the accuser has more evidence *against* him (her) than the accused. For most laymen, the necessity of evidence is frustrating. They don't know what will stand up in court, and they are usually a little timid about attempting to find out what they need to know, or they are reluctant to do what is necessary.

If a person wants to sue for divorce, then he (she) will have to be very careful to gather sufficient evidence. Of course, he should try to save his marriage by confronting his spouse in the manner described in chapter five. But as is often the case, he won't get satisfactory answers from the suspected party. Then, if he is still sure he wants to pursue a divorce, especially before a Church court where much more evidence is usually required because these courts do not allow no-fault divorce, then a person has to go all the way in gathering evidence. My rule of thumb is, "It is hard to gather too much evidence." Get pictures and video-tape if possible. Get witnesses. It will not be a pleasant process, so get all the evidence you can. *But, don't actually try to get it yourself!* I recommend hiring a private detective, because he is experienced at these matters. You're probably not, and you are likely to get hurt if you try to free-lance it yourself. I knew a woman who got into a serious automobile accident when she was following her husband. After she saw him with another woman, she literally got so mad that she lost control of the car.

5. Consider the Consequences

Judah had not considered the possibility that he might end up marrying his daughter-in-law. He was surprised at the outcome. He should have been more cautious.

Anyone contemplating a divorce should sit down with a good Christian counselor and/or pastor, as well as a competent Chris-

tian lawyer. He should ask them to alert him to possible negative consequences to the divorce. After he listens for a while, he may decide that it would be better to remain married, even to someone who was covenantally dead. For example, what if a woman has no ability whatsoever to provide for her children, who are being fed, clothed and educated at a good Christian school? As long as her husband does not have AIDS or herpes, she might be better off waiting it out, hoping and praying that her husband will repent and come to his senses. If she goes ahead with the divorce and has to put her kids in a public school, her children might be in a much more potentially damaging situation. So, consider the consequences.

How a Family Approaches a Remarriage as an Adoption

Let's turn to the remarriage question. We can allow the same Bible story to give us some guidelines about remarriage. Remember that we have already concluded that remarriage is a process of adoption. An adoption is a process whereby a person receives the following:

New Name
New Position
New Law
New Sign
New Inheritance

Keeping these points in mind, let us consider how a family should approach remarriage.

1. A Name Change is Essentially Religious

The Bible text gives us considerable information about the backgrounds of Judah and Tamar. Judah's name meant "praise." He was a Jew, a descendent of a long line of patriarchs, the fourth son of Jacob by Leah. He had special privileges by virtue of his birth to a patriarch, but he had special responsibilities. He was also in the Messianic line; he was an extremely important person in terms of the kingdom of God.

Tamar, on the other hand, was more than likely a Canaanite,

because Judah chose her for his son, when he himself had already chosen a Canaanite bride (Genesis 38:2); it would have been highly unlikely that he would have chosen a Jewish girl. Tamar's name meant "palm," which apparently had no particular significance that we can determine from the Bible text. Since she was probably not a Jew, she was the daughter of someone outside the covenant. Ordinarily, she would not have been married to one of Judah's sons, but Judah was fleeing from the covenant and his covenantal responsibilities; he was running from the Word of God. She was married to a Jewish boy (Er) simply because his father (Judah) was acting sinfully. She may not have been required to convert to Judaism, because her husband was himself the son of a Canaanite woman (Genesis 38:2-3). Apparently however, she was a true convert, because she knew that Judah was part of the seed-line, an heir to the kingdom of God. She wanted to be part of this family's inheritance, and for this reason, she was called, "More righteous" than Judah (Genesis 38:26). She wanted the name of Judah.

Name and religious affiliation are closely associated, because religion essentially means covenant. They are not related in that a name may have some direct religious meaning. Rather, they are associated in that a name primarily stands for a much broader covenantal umbrella. What do I mean? It used to be that a person received his surname at baptism; in some churches this is still the case. A Christian name was placed in front of the family name, indicating that the family and its name belonged to Christ. Even though this may not be understood, another's name means coming under his covenantal and religious affiliation.

The custom of the woman's receiving the husband's name is a Christian tradition, but it is also found in other religions. It is religious in nature, and it points out that a woman is basically being expected to adopt the religion of the husband, even though it doesn't always work out this way; the man often adopts the religion of the woman.

Nevertheless, a person should always consider the religious question before remarrying someone else. He should make cer-

tain that the person is the same religion. In the case of a denominational difference, he should evaluate whether or not the two can become the same in denominational affiliation. He should weigh heavily the problems involved either way. Above all, he should not underestimate the importance of the religious issue, or how it is closely tied to the adoption of a new name.

2. *Family Structure and Related Problems*

Marriage is never just between two individuals, because each individual is part of a larger family unit. Yes, Biblical marriage requires leaving and cleaving, but there will still be an assortment of in-law related problems. Why? There are many reasons, but most often the presence of a new family member raises questions about where he (she) fits in the scheme of things.

Consider Tamar's situation. If you read the other chapters around Judah's and Tamar's story, she was going into a family with many problems. Judah was the son of Leah, the first wife of Jacob, his father. He was from a home with two mothers; and you think you have in-law problems. Also, he was a man on the run. He had just participated in selling his brother Joseph into slavery, a brother who represented the *revelation* of God because he was the brother who could interpret dreams. So he was literally running from the Word of God.

And if all this is not enough, Tamar had been the wife of Judah's son. She had been the wife of two of his sons who had been killed because God was angry with them: one we are not told why, and the other because he failed to perform his levirate responsibilities. Can you imagine how frightened Judah must have been when he realized that he was not only pledged to his daughter-in-law, but a daughter-in-law whose first two husbands, his sons, had been killed? Suddenly, however, she found herself the queen mother of Judah's household, because she carried the seed-line in her. Under Judah, she was in charge. She took over the control of a household where she had previously been at the bottom.

Add to this that she carried a child, so she thought. She actually carried twins. When they were born, she quickly tied a scarlet

thread around the hand of the one who stuck out his hand and then pulled it back in. In a world where first-born meant everything, she was destined for endless disputes between these children who would most certainly quarrel endlessly about who was really born first.

Tamar's adoption into a new position is an extreme example of the kinds of problems involved. Even so, she does alert us to the fact that adoption means *new legal position*. When any marriage is formed, the partners should always consider the change of position on the part of the woman. But in the case of remarriage, the partners should be especially alerted to the significance of the new legal position. Usually there are children from a previous marriage. Usually there are in-laws and relatives. Usually there are countless numbers of problems related to the change of position in each other's families when a second marriage takes place.

A couple should seriously evaluate the effect of the change of position that is rightly part of the adoption process. They should be sensitive to children or other members of the household that may be knocked out of special positions. They should make certain that the woman is given her place as the new queen mother of the house, and they should have a good understanding of the woman's responsibility to submit to the husband, so that the husband is not undermined, nor is he allowed to become abusive with his new position.

3. Family Custom

Tamar obviously knew the Old Testament laws because she was able to use the levirate marriage law to secure her position in the relationship with Judah. This gets at the need to learn the customs of the *family* into which a person is going. And it also points out the need to make sure you know the family customs of the *person* you're marrying. Here are some areas to consider:

- Vacation Customs
- Eating Customs
- Holiday Customs
- Work Customs
- Education Customs
- Special Responsibility Customs

There are sure to be more customs, but one thing you might do before considering remarriage is to write down and discuss all of the family customs that will come to bear on the second marriage.

4. The Importance of the Ceremony

Tamar realized that she needed a pledge from Judah to validate her marriage to him. She knew that in order to keep the inheritance, she needed to stay married to one of the sons according to the levirate marriage law. When she discovered that Judah would not give his third son to her because he was afraid that God would kill him, she deceived him into pledging himself to her. She knew that she needed his pledge, or else the marriage would not be valid.

Judah did not know what he was getting himself into, but he knew that he needed to honor the pledge, which was the same as marriage. From all indication, however, he went ahead and gave her to his son because the Bible text says, "He never knew her again" (Genesis 38:26). He literally transferred the marriage obligation to his son which was precisely the essence of the levirate law: the transference of marital responsibilities to the male next of kin. He had been brought to do what he was supposed to do.

The ceremony of a remarriage is important, because it involves an official exchange of pledges. In fact, the traditional ceremony is worded, "I pledge my troth (covenant)." It may not seem important to two who have already been through one before, however, because they want to get on with the actual marriage. But official ceremonies also force people to slow down and evaluate carefully whether they really want to go through with marriage. Is this good? Yes, even though it is not an infallible test of two people's commitment.

5. Work out the Inheritance

Tamar demanded a pledge from Judah, forcing him to ask, "What pledge do you want?" (Genesis 38:18). She then told him that she wanted his ring, his cords, and his staff. Why did she ask him for these things? Because they all represented some aspect of his inheritance.

The ring was actually a signet-ring or seal. The same word is translated in Exodus in connection with the engraving on the stones the names of the sons of Israel (Exodus 28:11, 21, 36; 39:6, 14, 30). These stones were to be worn on the shoulder of Aaron. The same type of engraving was also to be used on the plate worn on Aaron's turban.

The cord was probably a rope that was attached to the seal so that it could be hung around the neck. Later in the Judah and Tamar passage, Tamar ties a piece of scarlet around the first-born child's hand. Perhaps this was the cord that had held the family seal of inheritance.

And finally, the staff in this context was more than likely the special tribal staff. Judah literally gave away his inheritance with these symbols, which indicates how far he had fallen from the Lord. If Tamar had not been faithful to the covenant, he would have lost everything. By her faithfulness, he actually got the family inheritance back in his family.

This points out the need to resolve all inheritance problems before the marriage takes place. A couple should know what each other's estate involves. They should sort out all inheritance problems relating to the children. They should be sensitive to the fact that children from a previous marriage may view a new mother as a potential threat to the estate. At any rate, don't be naive about money.

Summary

I opened the chapter with the story of Judah and Tamar because it is clearly a case of disinheritance and adoption. I allowed this account to be a guide to related problems. Divorce is actually a covenantal lawsuit, and I noted five areas to which a person should be sensitive before and during his pursuit of a divorce.

First, he should examine himself to make certain that he is not guilty of the same offense of which he is accusing his spouse. Second, he should proceed with accountability. He should take the matter to his church officials to seek guidance and counsel. Third, he should make sure that there is a Biblical justification for his lawsuit. Fourth, he should make sure that he has proper evidence.

Fifth, he should consider the consequences. He may have legitimate grounds for a divorce, but it may still be unwise to pursue it.

I pointed out that remarriage is an adoption process, and I listed five areas involved: New name, new position, new law, new sign, and new inheritance. First, change of name is essentially religious. Second, I spoke about the family structure and related problems involved in remarriage. Third, I talked about the need to know the family customs of the person you're marrying. Fourth, I discussed the importance of the ceremony. Fifth, I noted the need to work out inheritance issues.

WHAT THE CHURCH SHOULD DO

If any man's wife goes astray and behaves unfaithfully toward him, and a man lies with her carnally, and it is hidden from the eyes of her husband, and it is concealed that she has defiled herself, and there was no witness against her, nor was she caught—if the spirit of jealousy comes upon him and he becomes jealous of his wife, who has defiled herself; or if the spirit of jealousy comes upon him and he becomes jealous of his wife, although she has not defiled herself—then the man shall bring his wife to the priest. He shall bring the offering required for her, one-tenth of an ephah of barley meal; he shall pour no oil on it and put no frankincense on it, because it is a grain offering of jealousy, an offering for remembering, for bringing iniquity to remembrance (Numbers 5:12-15).

The spirit of jealousy must be dealt with judicially. The suspicious husband is required to go to the ecclesiastical authorities. They are in turn to deal with the case in order to see if there are grounds for this jealousy. In the Old Testament, there was an ordeal of jealousy that involved a supernatural manifestation of God in their midst, one which had further public consequences. A guilty wife became a visible curse, while a righteous wife was able to bear children.

And the priest shall bring her near, and set her before the Lord. The priest shall take holy water in an earthen vessel, and take some of the dust that is on the floor of the tabernacle and put

it into the water. Then the priest shall stand the woman before the Lord, uncover the woman's head, and put the offering for remembering in her hands, which is the grain offering of jealousy. And the priest shall have in his hand the bitter water that brings a curse. And the priest shall put her under oath, and say to the woman, "If no man has lain with you, and if you have not gone astray to uncleanness while under your husband's authority, be free from this bitter water that brings a curse. But if you have gone astray while under your husband's authority, and if you have defiled yourself and some man other than your husband has lain with you—then the priest shall put the woman under the oath of the curse, and he shall say to the woman—"The Lord make you a curse and an oath among your people, when the Lord makes your thigh rot and your belly swell; and may this water that causes the curse go into your stomach, and make your belly swell and your thigh rot." Then the woman shall say, "Amen, so be it."

Then the priest shall write these curses in a book, and he shall scrape them off into the bitter water. And he shall make the woman drink the bitter water that brings a curse, and the water that brings a curse shall enter her to become bitter. Then the priest shall take the grain offering of jealousy from the woman's hand, shall wave the offering before the Lord, and bring it to the altar; and the priest shall take a handful of the offering, as its memorial portion, burn it on the altar, and afterward make the woman drink the water. When he has made her drink the water, then it shall be, if she has defiled herself and behaved unfaithfully toward her husband, that the water that brings a curse will enter her and become bitter, and her belly will swell, her thigh will rot, and the woman will become a curse among her people. But if the woman has not defiled herself, and is clean, then she shall be free and may conceive children.

This is the law of jealousy, when a wife, while under her husband's authority, goes astray and defiles herself, or when the spirit of jealousy comes upon a man, and he becomes jealous of his wife; then he shall stand the woman before the Lord, and the priest shall execute all this law upon her. Then the man shall be free from iniquity, but that woman shall bear the guilt (Numbers 5:16-31).

To settle this dispute, the husband was required to go to the

local church. What is the greatest restraining force in a society? It is the *Church of Jesus Christ*. Do you believe me? Listen to what Jesus said, "You are the salt of the earth; but if the salt loses its flavor, how shall it be seasoned? It is then good for nothing but to be thrown out and trampled under foot by men" (Matthew 5:13). The "you" to whom Jesus is addressing is the people of God, the Church of Jesus Christ, and the "you" is the *salt*, which means the Church functions like salt on a society. So what does salt have to do with restraining sin and corruption?

Salt and Judgment

Salt in the Bible is a symbol of the *judgment of God*, because it pictured a *cleansing process*. For example, the sacrifices were rubbed and offered with salt because they had to be perfectly clean to be pure sacrifices; in a sense the salt judged the sacrifice (Leviticus 2:13). This same salt is said to be present eternally in the fiery judgment of covenant-breakers: "For everyone will be seasoned with fire, and every sacrifice will be seasoned with salt" (Mark 9:49).

Perhaps the greatest example of salt as a symbol of judgment and purification is the story of Sodom and Gomorrah, where God turned Lot's wife into a pillar of *salt* (Genesis 19:26). Sodom and Gomorrah had become the home of Lot and his family. When they fell into gross sin, particularly the sin of homosexuality, they were faced with being judged by God, as He says is the last phase of any civilization before it meets with total annihilation (Romans 1:18-32). In the midst of this corruption God delivered Lot and his family through Abraham. But the Lord placed one condition: *that they not look back as they left the city*. In other words, He wanted them to leave what they had experienced, indicating that a look back meant a return in their heart to the life of Sodom and Gomorrah. When Lot's wife did not obey, the Lord judged her by making her into a human symbol of judgment to remind everyone that God does not tolerate sin.

The Church is to provide this salting function in society. It is to be a community of salt to remind the world of the judgment to

come. In other words, as the Church deals with its own sin, the society is preserved for the sake of and by means of the Church's judgment on itself. If the Church is holy, then it can change society, but not until then. If it would deal properly with the divorce and remarriage question within its own walls, it could change family life in the world, but not until then. So, how does it perform this function?

It must be prepared to process *divorce lawsuits* and become a superior system of justice to the civil realm. It must lovingly and righteously prosecute its own offenders. Why am I picking on the divorce issue? Because divorce is probably the most often violated Biblical offense in the Church. If it were dealt with in the proper manner, it would set the stage for dealing with *any other offense in the Church*.

One good discipline case in a Church goes a long, long way to sending a message that the Church is not going to tolerate unrepentant behavior any longer. It would drive away the wolves, and it would encourage the righteous. And then, when the world sees the Church dealing with its own, it will respect the Church as a place with people and leaders of integrity. And then, the world will not only watch its behavior, but it will flock to the Church for the right answers. So, let us consider how the Church should respond to the covenantal lawsuit of divorce, and then examine how it should deal with remarriage as an adoption.

The Church and Divorce Lawsuits

As in the previous chapter on the family, I have structured my discussion in terms of the Bible's five-point covenant model.

1. Bring it Before the Lord

The very first thing that the Church should realize is that it represents *Christ walking on the earth*, because it is the *Body of Jesus Christ*. It is the agency which brings people to the Lord, and it is to the Lord that people in the Church should go when they have a dispute, especially a divorce lawsuit. The text at the beginning of the chapter is quite clear about this emphasis. It talks about a

suspected case of adultery, and it describes a judicial process whereby the accused is prosecuted. It instructs the parties concerned to go to the *ecclesiastical* authorities, not the civil. And it says that when people come before the ecclesiastical authorities, they are being *set before the Lord* (Numbers 5:16).

Does this mean that people cannot go directly to the Lord in prayer, or directly to the Lord on their own? No, of course not. But it does mean that in *judicial matters*, where people in the Church are publicly charging one another, that they should go to the officers of the Church to present their case *before the Lord*. It means that members of the Church should take their divorce lawsuits before the Church officers, and it means that the officers of the Church should be prepared to handle such matters. The Apostle Paul says,

Dare any of you, having a matter against another, go to law before the unrighteous, and not before the saints? Do you not know that the saints will judge the world? And if the world will be judged by you, are you unworthy to judge the smallest matters? Do you not know that we shall judge angels? How much more, things that pertain to this life? If then you have judgments concerning things pertaining to this life, do you appoint those who are least esteemed by the church to judge? I say this to your shame. Is it so, that there is not a wise man among you, not even one, who will be able to judge between his brethren? But brother goes to law against brother, and that before unbeliever (1 Corinthians 6:1-6).

The instructions are fairly obvious. Paul tells the Corinthian church that it is bad enough that two Christians are going against each other. But, above all else, he counsels them to avoid a situation where an unbeliever will be judging a believer. He advises them to have their own court system to deal with such matters. This is how a believer is to bring any judicial dispute with another believer *to the Lord*: through the local church officers.

2. Establish an Appeals System

Numbers 5 tells what a man should do if he suspected his wife of adultery. It also assumes that the problem would have gone

through a prescribed appellate system, such as the one explained by Jethro to Moses.

You shall select from all the people able men, such as fear God, men of truth, hating covetousness; and place such over them to be rulers of thousands, rulers of hundreds, rulers of fifties, and rulers of tens. And let them judge the people at all times. Then it will be that every great matter they shall bring to you, but every small matter they themselves shall judge. So it will be easier for you, for they will bear the burden with you (Exodus 18:21-22).

The judicial system here has three characteristics. First, it was a *bottom-up* system; the movement started at the bottom and worked its way up to the top, not the reverse.

Second, it was a *layered* system. It had a safety valve, or a check and balance. It had small local levels where there was a ruler, or "captain," over ten families, and it had larger geographical areas of thousands, so that everyone was accountable to someone else; no one in the system was left autonomous, and certainly not a "ruler," for he had a higher court to which his decisions were answerable.

Third, it was a *representative* system. It had its leaders selected through some kind of decision-making process on the part of the people (Deuteronomy 1:13), and through Moses' own selection process, as mentioned in the Exodus version of the passage. The people had a say as to who ruled over them, and when a man suspected his wife of adultery, he would more than likely have taken the matter to the ruler over his ten families for advice and counsel. Maybe he would have just taken the matter straight to the priest. In any event, the ecclesiastical body served as a court of appeal, and the appeals concept is still valid.

But is this just some kind of Old Testament idea? Definitely not. When religious leaders in the churches started teaching that a person had to be circumcised to be saved, a large dispute was created, a dispute so large that the local churches couldn't handle it. The dispute was sent through an appellate process:

And certain men came down from Judea and taught the brethren, "Unless you are circumcised according to the custom of Moses, you cannot be saved." Therefore, when Paul and Barnabas had no small dissension and dispute with them, they determined that Paul and Barnabas and certain others of them should go up to Jerusalem, to the apostles and elders, about this question (Acts 15:1-2).

Notice the same three elements found in the Old Testament appellate system. First, the crisis started at the local level and was appealed up. Second, the crisis indicates a layered system, whereby there was a check and balance on the local church. Third, the crisis involved elected officials such as elders, which indicates why this system is still practiced today in many churches. And so it should!

As a church decides that it will attempt to establish what Paul describes above, it should understand that an *independent church, especially a small one, will find it nearly impossible to conduct a church court*. Why? A local church will soon discover that people are not happy when things don't go their way. It will face serious backlash from people in the congregation who have taken sides. It may even find that the people are severely divided. It will need a court of appeal beyond the local church. Warning: any churchman who tries to deal with a divorce lawsuit in the church, but who doesn't have a wider support base of other churches and leaders is doomed; it will only be a matter of time until a sticky situation consumes his congregation. In fact, in this day of rebellion, it will be hard enough to make any kind of discipline hold with the best of appellate systems.

3. Make Sure the Case is Actionable

"Actionable" is a legal term that means a court must have sufficient basis for handling the lawsuit. The Numbers 5 passage specified that a spirit of jealousy had to have come over the party who suspected his spouse. In this regard, it is not like a standard court proceeding; it is analogous to a person's taking the Lord's Supper in sin, which I believe becomes an ordeal of jealousy in this case (1 Corinthians 11:27-30).

Normally, however, a local church should require four things before it proceeds with any kind of hearing. First, the church court will need to make sure that there are Biblical grounds for the divorce. It may have to meet to make sure the leaders agree on the Biblical grounds, but it must make certain that the accuser is bringing a charge for a legitimate offense.

Second, the church court should check to see if the offended party has sufficient proof to even hear the case. This may seem like an unnecessary step, but a lot of time will be saved if the officials simply ask to see the evidence.

Third, the church should require that the parties involved agree to abide by the decision. Basically, this agreement was part of entering the local church, but since most churches will be inaugurating a court system for the first time, and most people don't understand that church membership means abiding by the decision of the officers and their appellate system, some sort of agreement should be drawn up. I don't know of a single mediating organization, Christian or otherwise, that will attempt reconciliation without some sort of statement of agreement beforehand.

Fourth, the church court should make sure that the offended party has gone through the proper steps of discipline and confrontation that I mentioned in chapter 5 (Matthew 18:15-18). If a church court will decided to do these things before any hearing takes place, it will avoid many problems.

4. Conduct a Hearing Under Oath

When the accuser brought his wife before the priest, the servant of the Lord conducted a trial by oath. He used an oath to invoke God as a witness, because God is the One who carries out the final judgment. He implemented the oath by making the accused drink the purification water of the tabernacle, and he said to her,

If you have gone astray while under your husband's authority, and if you have defiled yourself and some man other than your husband has lain with you . . . the Lord make you a curse and an oath among your people, when the Lord makes your thigh rot and

your belly swell, and may this water that causes the curse go into your stomach, and make your belly swell and your thigh rot (Numbers 5:19-22).

Then her response was, "Amen, so be it" (Numbers 5:22). So the trial began with an oath before the Lord. Again, is this just an Old Testament practice? Consider what happened with Ananias and Sapphira.

But a certain man named Ananias with Sapphira his wife, sold a possession. And he kept back part of the proceeds, his wife also being aware of it, and brought a certain part and laid it at the apostle's feet. But Peter said, "Ananias, why has Satan filled your heart to lie to the Holy Spirit and keep back part of the price of the land for yourself? While it remained, was it not your own? And after it was sold, was it not in your own control? Why have you conceived this thing in your heart? You have not lied to men but to God." Then Ananias, hearing these words, fell down and breathed his last. . . . Now it was about three hours later when his wife came in, not knowing what had happened. And Peter answered her, "Tell me whether you sold the land for so much?" And she said, "Yes, for so much." Then Peter said to her, "How is it that you have agreed together to test the Spirit of the Lord? Look, the feet of those who have buried your husband are at the door, and they will carry you out." Then immediately she fell down at his feet and breathed her last (Acts 5:1-11).

Notice that Peter asked for a statement under oath, meaning God was the witness. And then he proceeded with the trial. The key to the trial is the oath.

The trial itself should be an opportunity to hear witnesses, evidence and both sides of the story. A church court should always remember that there are always two sides to every account. It should also keep in mind an important principle in Proverbs: "The first one to plead his cause seems right, until his neighbor comes and examines him" (Proverbs 18:15). The first person to present his story will always seem right, but a church court should be patient and it should hear both sides.

5. *A Decision*

After the trial, the court will have to make a decision about several matters that will all determine who gets to continue to come to the Lord's Table for communion. First, it will have to decide whether or not to grant the divorce. If it does, then it will need to issue a certificate of divorce. Here is a sample of an Old Testament familistic type of certificate.

On the _____ day of the week _____ in the month _____ in the year _____ from the beginning of the world, according to the common computation in the province of _____ I _____ son of _____ by whatever name I may be known, of the town of _____ with entire consent of mind, and without any constraint, have divorced, dismissed and expelled thee _____ daughter of _____ by whatever name thou are called, of the town of _____ so as to be free at thy own disposal, to marry whomsoever thou pleasest, without hindrance from anyone from this day for ever. Thou art therefore free for anyone [who would marry thee]. Let this be thy bill of divorce from me, a writing of separation and expulsion, according to the law of Moses and Israel.¹

Of course, there are some obvious problems with this statement. A church court would be the one to grant the divorce and not the family, as I indicated in the last chapter, on the basis of the shift from the Family to the Church in the distribution of blessings and cursings. Also, a church court should not allow the guilty party to remarry until there is repentance and restitution.

Second, beyond this decision, a church court may have to discipline the guilty party if he (she) is unrepentant. It may even need to excommunicate him from the church (Matthew 18:17).

Third, a church court will also have to decide who gets the children. If teenage children voluntarily decide to go with the guilty party, the church may have to proceed with discipline against them.

1. W. W. Davies, *International Standard Bible Encyclopedia*, 5 vols. (Grand Rapids: Eerdmans, 1949), II, p. 865.

In summary, the church court will have to decide who gets to come to the table, finalizing the lawsuit process.

The Church and Remarriage

Remarriage is a process of adoption. As such, the Church should consider several issues.

1. The Lord's Name at Stake

The Church should protect God's name, which could be affected by a remarriage. As the change of name in a human relationship brings change in the life of the congregation, it could taint God's name, if it is an unlawful remarriage. It is God's reputation and name that the Church should be most concerned not to tarnish. When David and Bathsheba sinned, here is what Nathan the prophet said to David:

Why have you despised the commandment of the Lord, to do evil in His sight? You have killed Uriah the Hittite with the sword; you have taken his wife to be your wife, and have killed him with the sword of the people of Ammon. Now therefore the sword shall never depart from your house, because you have despised Me, and have taken the wife of Uriah the Hittite to be your wife. Thus says the Lord, "Behold, I will raise up adversity against you from your own house; and I will take your wives before your eyes and give them to your neighbor, and he shall lie with your wives in the sight of this sun. For you did it secretly, but I will do this thing before all Israel, before the sun." . . . And Nathan said to David, "The Lord also has put away your sin; you shall not die. However, because by this deed you have given great occasion *to the enemies of the Lord to blaspheme*, the child also who is born to you shall surely die (2 Samuel 12:9-14).

Nathan's primary argument is that David has brought disgrace on the name of the Lord, allowing the unbelievers to "blaspheme" His name. When the Church is not careful about whom it remarries, it invites trouble. It will bring division, just as David's sinful relationship brought the "sword" to his house.

Could it be possible that the divisiveness in the Church largely stems from the immoral relationships within? Nathan's words to David would indicate so.

How is a local church careful? It should not be passive about remarriage. It should avoid turning its head, and it should find out about the parties getting married. It should seek information from their previous church, if they are coming by transfer of letter to be remarried, as is so often the case. Remember, a passive church on the remarriage question could be paving the way of its own demise, better, division!

2. New Position and Church Officers

A new marriage creates a new position for both parties. But what about church officers? Will their remarriage force a new position on them because they have been divorced and remarried? Some would say that the Apostle Paul forbids church officers to be remarried when he says they must be, "The husband of only one wife" (I Timothy 3:2, 12; Titus 1:6). Jay Adams has an excellent summary of why this statement does not mean husband of one wife in the sense of only being married once.

Of course, opponents to remarriage are thinking about divorced persons remarrying when they arrive at this interpretation. But their view proves too much: not only does it exclude divorced remarried persons from the two offices in the church but all remarried widowers as well!

That is strange, I say, not only because it excludes from office some of the most highly qualified persons in many congregations, but it conflicts with that fact that . . . the NT always speaks favorably about remarriage and, indeed, in some situations even commands and encourages it. It would be a great surprise to discover such an interdict! If for no other reason, that conflict should make us wary of the interpretation of the phrase "the husband of one wife" that makes it mean one only and never [even after the death of one's spouse] another.

. . . There was a perfectly good Greek word that Paul might have used [*gameo*] to indicate that one could never remarry [even after the death of his spouse] and hold office in the church if that is

what he had wanted to say. The phrase would have read: "married [*gameo*] only once." That would be clear. But he did not use *gameo*; indeed, he was not talking about how often one was married. Rather, . . . he was concerned *not* about how many times a man had been married, but about how many wives he had!

The phrase "the husband of only one wife," strictly speaking, permits only one interpretation: a prospective elder or deacon [because he must be an example in all things—including marriage practices] may not be a polygamist. The phrase means "husband of only one wife" *at any given time*. It says nothing whatsoever about remarriage.²

So I agree with Jay Adams that an officer can be divorced and remarried.³ But I think a couple of other Biblical lines of counsel should be kept in mind. First, I referred to the *statute of limitations* principle in the seventh chapter. I would apply it to an officer who has been divorced and remarried to mean that he may have to take a temporary leave of absence to wait a period of time before he resumes his responsibilities.

Second, Paul also cites as an officer qualification that he be "above reproach" (1 Timothy 3:2), and that he "have a good reputation with outsiders" (1 Timothy 3:7). It may be that a divorce and remarriage might affect his reputation inside and outside of the church such that he should take a leave of absence until things cool down. Then he could return to active duty. Given these qualifications, therefore, the Church should be sensitive to the problems associated with a new position brought about by remarriage.

3. *New Cause and Effect*

Conversion brings a new dynamic of cause and effect into the issue of remarriage. Adams clearly states the matter.

2. Jay Adams, *Marriage, Divorce and Remarriage in the Bible* (Phillipsburg, New Jersey: Presbyterian and Reformed, 1980), pp. 80-81.

3. In the Old Testament, the priest could not marry a divorced woman. He could only marry a virgin, because he could not take the risk of any impurity, since he had to go into the Temple and offer sacrifices (Leviticus 21:7, 13-15; Ezekiel 44:22). So the law would not apply to the elder in the New Covenant, strictly speaking, since he is not offering an atoning sacrifice.

Converts have all sorts of sinful irregularities in the past. They have become “involved in every sort of uncleanness,” as Paul puts it in Ephesians 4:19c. How should this past be viewed when considering remarriage? Should we haul out the record, review it in detail, and on the basis of what we find determine one’s eligibility for marriage? Yes and no. Let me consider the no. Some want to rehash every detail, irrespective of its relevance to the issue of remarriage. That’s plainly wrong, as most would agree. . . .

There are, of course, any number of complications that might arise. . . . Suppose unsaved relatives marry within the forbidden degrees of consanguinity and now become Christians? Should they dissolve their marriage? A prostitute is converted. Now she has met a Christian man who wants to marry her [fully aware of her past]. A man who has divorced two wives for incompatibility. He has now become a Christian. Must he go back to one of his unsaved wives? If so, which? Or may he marry a believer—a third wife, forgetting the past?⁴

What is the answer? I explained in the third chapter that there is a cause/effect relationship between breaking the covenant and covenantal death. But there is another cause/effect relationship at conversion, which is described as a death/resurrection process. Paul says,

If we have become united with Him in the likeness of His death, certainly we shall be also in the likeness of His resurrection, knowing this, that our old self was crucified with Him, that our body of sin might be done away with, that we should no longer be slaves to sin (Romans 6:5-6).

At conversion, a person dies with Christ and he is resurrected. Regardless of what he has done, he is forgiven. On the basis of the same principle of cause and effect—namely that he covenantally dies when he broke the covenant in Adam—he is made alive and free to remarry, even if he has previously been unlawfully divorced. Granted, he may have to continue to meet past responsibilities, such as paying alimony, or he may suffer other consequences, but

4. Jay Adams, *Marriage, Divorce and Remarriage in the Bible*, p. 92.

the cause/effect of knowing Christ delivers him from his past. Christ's death frees him from the death of his previous life. The only exception to this principle is if the new convert is still married to an unbeliever. He (she) must remain with the unbeliever in this case (I Corinthians 7:12-16).

4. Lawsuit against Remarriage

Adams has raised some questions about the remarriage of a new convert. But what should the Church do about an unlawful remarriage between two believers? Does it just turn its head the other way, and does it just let matters go? Or, does it bring a lawsuit against the second marriage? And if it brings a negative judgment, what should it do? Should it split up the second marriage, or what? And horror of horrors, what if there are children involved in the second, unlawful marriage?

To answer these questions, the principle of the *effect on marriage of the shift from wrath to grace in history* must be understood. What is it? In the Old Testament, there is an interesting story of what happened to Israel after they returned from being exiled. They almost immediately began to commit the same sins that had previously caused them to be expelled. One of the sins they committed was that they married unbelievers. Significantly, Nehemiah and Ezra told them to "put away their foreign wives" (Ezra 10:2-3). Yet, in the New Testament, the Apostle Paul tells believers to remain married to the unbeliever if he was married to him when he converted (1 Corinthians 7:12-16). Why the difference?

In the Old Covenant, death spread to death, meaning there was no way to stop the spread of the curse. For example, if a person touched some unclean thing, the contamination extended to him. There was no way of stopping it. In the New Testament, however, this principle seems to have been significantly altered. The clearest example is the unclean woman who touched the garment of Jesus. The moment she did, she was healed. Her death did not spread to Him, rather, His life spread to her. The explanation is that Christ's presence reverses the effect of the curse. The shift from wrath to grace in history changes the effect of the curse.

This explains why we don't have to keep the cleansing laws of the Old Testament. Even though some of them have good medical consequences, the New Covenant man is not *morally* impure if he eats pork or shrimp (and I am thankful!).

Applying this principle to unlawful second marriages, I believe that they should be prosecuted against, but not broken up, especially if there are children involved. The Church goes through the steps of Church discipline. If the couple repents, then they make public confession of sin and pay restitution. If they do not repent, then they would have to be excommunicated.

5. Protection of Inheritance by Remarriage

The Church protects the inheritance of the family by encouraging remarriage. As Adams noted above, "The New Testament always speaks favorably about remarriage," and the reason is that the Church maintains a special role in the life of the family when it encourages lawful remarriage.

First, Paul indicates that the Church and not the State is the guardian of the family, when he entrusts the Church with the responsibility of taking care of widows and orphans (1 Timothy 5:3-16). (Since those who are lawfully divorced are widows, there may be a Biblical basis here for the Church's taking care of the lawfully divorced.)

Second, Paul encourages the young widow to remarry. He says, "I desire that the younger widows marry, bear children, manage the house, give no opportunity to the adversary to speak reproachfully" (1 Timothy 5:14). By encouraging remarriage, he moves the Church into a unique guardian role of the family estate. He implies that the Church protects the estate through a second marriage. If remarriage occurs, the Church will not get the inheritance and certainly not the State.

Thus, as we saw with the Church's involvement in the divorce lawsuit, its relationship to the remarriage process is vitally important!

Summary

I began with the account of the ordeal of jealousy to introduce the Church's role in a divorce lawsuit (Numbers 5:12-31). Any Church that attempts to handle the divorce lawsuit should do five things. First, I said that a legal dispute between believers should be brought before the Lord by being processed through the Church and not the State. Second, a Church should be part of an appeals system because some of the problems become bigger than the local congregation can handle. Third, a Church should make sure the case is actionable, meaning there is a Biblical ground for the divorce, and also meaning there is Biblical evidence. Fourth, a hearing should be conducted under oath. Fifth, the Church should make a decision, either granting the divorce, and/or excommunicating the unrepentant guilty party.

Next, I discussed the issues related in the Church's involvement in the remarriage process. First, the Church should realize the Lord's name is at stake more than the name of the parties wanting to remarry. Second, the Church should allow its officers to divorce and remarry for Biblical reasons, even though they may have to allow for a statute of limitations to pass.

Third, conversion introduces a new cause/effect relationship that would allow an unlawfully divorced person who converts to remarry. Fourth, the Church should bring a judgment against unlawfully married believers, but not force them to dissolve their marriage if they are repentant and they are willing to pay restitution. Fifth, the Church protects the family inheritance by encouraging lawful remarriage.

WHAT THE STATE SHOULD DO

For Herod himself had sent and laid hold of John, and bound him in prison for the sake of Herodias, his brother Philip's wife; for he had married her. For John had said to Herod, "It is not lawful for you to have your brother's wife." Therefore Herodias held it against him and wanted to kill him, but she could not; for Herod feared John, knowing that he was a just and holy man, and he protected him. And when he heard him, he did many things, and heard him gladly. Then an opportune day came when Herod on his birthday gave a feast for his nobles, the high officers, and the chief men of Galilee. And when Herodias' daughter herself came in and danced, and pleased Herod and those who sat with him, the king said to the girl, "Ask me whatever you want, and I will give it to you." He also swore to her, "Whatever you ask me, I will give you, up to half of my kingdom." So she went out and said, "The head of John the Baptist!" Immediately she came in with haste to the king and asked, saying, "I want you to give me at once the head of John the Baptist on a platter." And the king was exceedingly sorry; yet, because of the oaths and because of those who sat with him, he did not want to refuse her. And immediately the king sent an executioner and commanded his head to be brought. And he went and beheaded him in prison, brought his head on a platter, and gave it to the girl; and the girl gave it to her mother. And when his disciples heard of it, they came and took away his corpse and laid it in a tomb (Mark 6:14-29).

We come to the third institutional application: the State. We have seen the role of the family and the church in bringing a cove-

nantal divorce lawsuit, and in forming a covenantal adoption through remarriage. Now we want to consider the State's lawful Biblical role in the same processes, as well as examine some very critical issues that face our civilization. Once again, therefore, we turn to an illuminating Biblical passage on the issue, the story of John the Baptist before Herod and his unlawful wife, Herodias.

What is it about? Herod, the king of Israel had committed two great sins. First, he had permitted unlawful remarriage. He had unlawfully married his brother's wife, Herodias, which was clearly forbidden by Biblical law. He had broken the Levitical law of *affinity*, "You shall not uncover the nakedness [A euphemism for, 'You shall not marry'] of your brother's wife" (Leviticus 18:16), which forbids marrying an in-law.

Second, he had permitted unlawful divorce. Because he had unlawfully married this woman, *she* was an unlawfully divorced woman, who was still married to her husband. Consequently, the State, in this case Israel's king, was involved in sanctioning unlawful marriages and in creating total disruption for the society.

More importantly, however, Herod was supposed to be a Messianic king, a king representing the Messiah, the deliverer who was expected to bring redemption and establish righteousness (Biblical law) on the earth. He was supposed to represent the Messiah by applying the *Word of God*. When he didn't, he faced a covenantal lawsuit by the prophet, John the Baptist, who himself embodied the Word of God; when he spoke, his words were direct revelation. In other words, Herod was having a divorce lawsuit brought against him and his people by God's messenger, because he was permitting unlawful divorces, namely his wife's, and he was allowing unlawful remarriages, in this case, his marriage to Herodias.

The point: the family is a reflection of man's relationship to God, because the man-to-woman union is given as a *picture* of the God-to-man covenant. When the State allows unlawful divorces and it performs unlawful marriages (remarriages), it participates in undermining this picture of man's relationship to God. It enters a conspiracy to project a sinful and corrupt image of the God-to-

man covenant. Hence, God brings His own covenantal divorce lawsuit against the State, warning that if the lawsuit goes through, He will bring the death penalty on the very State that is allowing unlawful divorce and remarriage, thereby correcting the wrong image of the God-to-man relationship that is being projected!

Let us examine the passage to learn about the State's correct role in the divorce/remarriage process.

The State and Covenantal Divorce Lawsuits

As in the previous application chapters on family and Church, I have structured my discussion in terms of the Bible's five-point covenant model.

1. The Lord is Sovereign

The State is supposed to uphold the sovereignty of God, by only adjudicating Biblical covenantal divorces. When the State doesn't, it becomes antagonistic to God's lordship. How so? The unlawful marriage of Herod and Herodias asserted themselves and their marriage above God and His Word; they were making themselves Sovereign, and not God. Their declaration couldn't thwart God's lordship, for nothing can do that, but they were attempting to lay seige on the throne of God over the State. They set up the State as "Lord," instead of God, because they ignored God's *blueprint for rule*, specifically in the area of divorce and remarriage. And what is the blueprint for government? Gary DeMar says in his book in the Biblical Blueprints Series that the blueprint begins with God's sovereignty over all government.

The word "government" has a comprehensive definition that includes self-government, family government, church government, and civil government. The operation of these plural governments (families, churches, and civil government at the local county, state, and federal levels) is dependent upon the one government of God as expressed in Isaiah 9:6,7 and other passages. Jesus "upholds all things by the word of His power" (Hebrews 1:3) and "for by Him all things were created, both in the heavens and on earth, visible and invisible, whether thrones or dominions or rulers

or authorities—all things have been created by Him and for Him. And He is before all things, and in Him all things hold together” (Colossians 1:16,17).

God then is the *model* for all types of governments. The created order *images* God. The study of the law given to individuals, families, churches, and nations will show that these divine directives reflect God’s attributes.¹

The Bible is quite clear that God is in sovereign control over the State. It says that *He* is Lord. It declares that He is Lord of a pagan State, even though the officials may not acknowledge the fact; acknowledging God as Lord has nothing to do with the fact that He is Lord. It says to the Church at Rome, during the reign of Nero, one of the worst enemies of the Church:

Let every soul be subject to the governing authorities. For there is no authority except from God, and the authorities that exist are appointed by God. Therefore whoever resists the authority resists the ordinance of God, and those who resist will bring judgment on themselves (Romans 13:1-2).

It clearly says here that *God is Lord over the State*. Therefore, the State is supposed to uphold God’s lordship in every area, especially marriage. God created marriage, and He established the terms under which marriage was to be performed, dissolved, and re-formed. He is Lord of marriage, divorce, and remarriage. When the State participates in the destruction of the proper application of marriage, divorce and remarriage, God takes it as a personal challenge to His sovereignty. And when He is challenged, He always wins!

2. Appeals Court for the Unbeliever

Herod ruled a Biblical society, even though his civilization had departed from its original Biblical blueprints (much like the American culture). Given Herod’s position, however, he was to

1. Gary DeMar, *Ruler of the Nations* (Ft. Worth, Texas: Dominion Press, 1987), p. 15.

serve as the highest court of appeal in the land. He was at the top of the appellate system described by Moses, which was explained in the previous chapter on the Church as a bottom-up, representative and layered system. He was like Moses at the top, who represented God's true, righteous justice. He was to perform the function that was so marvelously exemplified in Solomon's rule:

Then two women who were harlots came to the king, and stood before him. And one woman said, "O my lord, this woman and I dwell in the same house; and I gave birth while she was in the house. Then it happened, the third day after I had given birth, that this woman also gave birth. And we were together; there was no one with us in the house, except the two of us in the house. And this woman's son died in the night, because she lay on him. So she arose in the middle of the night and took my son from my side, while your maidservant slept, and laid him in her bosom, and laid her dead child in my bosom. And when I rose in the morning to nurse my son, there he was, dead. But when I had examined him in the morning, indeed, he was not my son whom I had borne." Then the other woman said, "No! But the living one is my son, and the dead one is your son." And the first woman said, "No! But the dead one is your son, and the living one is my son." Thus they spoke before the king.

And the king said, "The one says, 'This is my son, who lives, and your son is the dead one'; and the other says, 'No! But your son is the dead one, and my son is the living one.'" Then the king said, "Bring me a sword." So they brought a sword before the king. And the king said, "Divide the living child in two, and give half to one, and half to the other." Then the woman whose son was living spoke to the king, for she yearned with compassion for her son; and she said, "O my lord, give her the living child, and by no means kill him!" But the other said, "Let him be neither mine nor yours, but divide him." So the king answered and said, "Give the first woman the living child, and by no means kill him; she is his mother" (1 Kings 3:16-27).

Herod was an adulterer whose adultery broke down the whole system of justice, which also was true of Solomon. Herod jammed up the court system with his own bad judgment in the highest

court of the land. How? As the king, he was supposed to be a model of Biblical behavior and living. He was supposed to assure the people that if all the other courts broke down, his court would be run by Biblical law. On the other hand, if he blatantly broke the law, he inescapably sent a message to the courts below him. He told them that they could not count on good judgment. He preempted them by his own sinful behavior.

In Herod's case, he had demonstrated to them how he would rule in divorce and remarriage cases. *If he would tolerate incest, then he would tolerate anything.* He was saying by the judgment in his own case that "anything goes" in society. In essence, Herod had reversed the bottom-up process by imposing his own unlawful Biblical behavior on everybody else, because he had ruled immorally at the highest court in the land.

How does this apply to society today? As I explained in Chapter Four, the Old Covenant judicial authority to pronounce marriage and divorce was given to the father, as the agent of blessing and cursing. In the New Covenant, this is given to the church. But this raises an interesting question: "What about unbelievers' marriages and divorces?" As I will show later, the State has a legitimate role in marriage and divorce as a *witness*, and because the witness in the Bible could bring a lawsuit, the State can lawfully handle divorces. But it should not judicially initiate the divorces of *believers*, meaning that it should be the court of appeal only for the unbeliever in matters pertaining to divorce and remarriage.²

As the court of appeal for unbelievers' divorces, it is just as important for the State to operate by the Word of God as it is for the Church. Why? Because it is bound by Biblical law, just as much as the Church. It is on the "shoulders of Jesus" no less than the Church is carried by Christ, according to the prophet Isaiah (Isaiah 9:6,7), to whom Gary DeMar referred above. When the State functions according to the Word of God, it says to the unbeliever

2. Of course the State has a legitimate role to play in all civil and criminal matters, any situation where the "sword" could be applied (Romans 13:1-4).

that *there is no area of neutrality*. It communicates that he cannot live in evil outside the Church and also be allowed to escape the judgment of God in history. It tells him that he is accountable to God, whether he acknowledges God's existence or not. It says to the unbeliever that God is the highest and final court of appeal in history, and it should remind him that God will judge him on Judgment Day. Finally, when the State conforms to Biblical law, it becomes a primary agent that helps to create revival, because the unbeliever will see Christ judging him through the State. So, the State plays an important role as an appellate court, but it should only be the court of appeal for the unbeliever.

3. *No Law Is Above God's Law*

When Herod violated the Word of God and allowed the State's law to depart from Scripture, he was setting up his own law system. He was attempting to elevate his law-word above God's. Because of this action, he was drawn into a lawsuit that was brought by John the Baptist. Don't misunderstand. The State can have its own laws, but these laws should be a reflection of and not antagonistic to Biblical law, the highest law in any land.

Moreover, neither should the State allow the application of its laws to overturn Biblical law. What do I mean? There is a flaw in a prevalent interpretation of the U.S. Constitution that has virtually made it impossible to enforce Biblical laws of divorce and remarriage. Article 4.2 of the Constitution says,

The Citizens of each State shall be entitled to all Privileges and immunities of Citizens in the several States.

This clause has been used to mean that the divorce and remarriage laws of one State have to be honored by other States. For example, before no-fault divorce became so popular, it was commonly known that a person desiring a divorce could live in Nevada for six months, establish his citizenship there, and then apply for divorce under the liberal laws in that state. Then he could return to his home state, and the divorce would have to be honored. This created a sort of *lowest common denominator* of morality on the

divorce/remarriage question, because eventually every state was virtually forced to comply with the lowest standard of morality. Is there any legal precedent on which such a course of development has been based? Yes; in *Paul v. Virginia*, Justice Field ruled,

It was undoubtedly the object of the clause in question to place the citizens of each State upon the same footing with citizens of other States, so far as the advantages resulting from citizenship are concerned. It relieves them from the disabilities of alienage in other States; it inhibits discriminating legislation against them by other States; it gives them the right of free ingress into other States, and egress from them; it insures to them in other States the same freedom possessed by the citizens of those States in the acquisition and enjoyment of property and in the pursuit of happiness; and it secures to them the equal protection of their laws.³

The effect has been that today it is virtually impossible to change our culture to reflect Biblical law, until this view of Article 4.2 is abolished. Not only will the Christian run into divorce and remarriage problems created by this interpretation, he will run into every imaginable civil problem until states recognize that their laws ought not be placed above God's law, either in principle or practice.

4. *State's Right to Grant Divorce*

Since the right to perform marriages has been transferred to the Church, on what basis can the State be involved in issuing divorces, or performing marriages, for that matter? It functions as a *witness* to the marriage ceremony, and the witness in the Bible is allowed to participate in the formation and dissolution of covenants. In the Biblical covenant, the fourth part of the covenant where the covenant is actually ratified, called the *sanctions principle*, the vassal (person entering the covenant) invoked God and His representatives to be the witness of the covenant. Moses says,

I call heaven and earth as witnesses today against you, that I

3. *Paul v. Virginia*, 8 Wall, (75 U.S.) 168, 180 (1869) (Justice Field for Court).

have set before you life and death, blessing and cursing; therefore choose life, that both you and your descendants may live (Deuteronomy 30:19).

The "heavenly" witness is the Lord and the "earthly" witness is Moses, who was the appointed prophet called to be a witness of the covenant (Deuteronomy 18:15-22). Significantly, the prophet in the Bible was a servant of the ecclesiastical and civil authorities. He anointed both of them (Leviticus 8:10-13; 1 Samuel 9:27-10:1), and he was sent to bring lawsuits against both of them. Thus, the witness has a special place in the formation and prosecution of covenants and lawsuits.

One other observation: the prophet in the Bible was allowed to wield the sword and to execute (1 Kings 18:40). He was only allowed to do so as God's appointed witness to the covenant. In the New Covenant, however, the prophetic office is spread evenly between the Church and the State: the Church is given the power of excommunication, and the State is given the power of the sword.

Thus, the State has a legitimate role in issuing a divorce, and especially in the case where the State should apply the death penalty for certain offenses. As I established in the fourth chapter, it has a Biblical responsibility to apply the death penalty for capital offense, although it is not Biblically required to apply the death penalty in every capital offense, seeing that murder is the only *mandatory* death penalty offense. All the others, including adultery (Matthew 1:19), have the death penalty as the *maximum*. So it would be up to the circumstances as to whether or not a person would receive the maximum penalty. I have said in *That You May Prosper* that the key is "reformability."⁴

5. Protection of Inheritance

The particular Biblical crime of Herod and Herodias was *incest*. This offense was an illegal attempt to protect the family in-

4. Ray R. Sutton, *That You May Prosper* (Tyler, Texas: Institute of Christian Economics, 1987), pp. 188-90.

heritance, and in their case it was an unlawful effort on the part of the *State* to combine the power of the State and the inheritance of the family. How? If someone kept marrying within his own blood-line, he could guarantee that the inheritance would stay in his family. Eventually, if incest were allowed to go unchecked, a huge family clan could be built, leading up to an *empire*. This is precisely what happened in the powerful Egyptian, Assyrian, Babylonian, Greek and Roman empires. But God crushed them all, declaring that the final kingdom on earth would be His own, which by the way was immediately to follow the Roman Empire (Daniel 2:24-45). God has not allowed incest to go unchecked, allowing inheritance to be unlawfully stored up against Him.

He wants the family inheritance protected and He wants the State to protect the family's inheritance. But He never permits the family inheritance to be mixed with the power of the State. So in cases where the State is prosecuting the divorce lawsuit, it should never be allowed to seize the family inheritance, nor should it be allowed to give the inheritance into the hands of the wicked. It should protect the inheritance by allowing it to pass to the righteous.

The State and Remarriage

Many of the remarriage issues have already been hinted at in the divorce section. Nevertheless, the State's involvement in remarriage is worth considering, just as we have found the family's and church's involvement in this area worth contemplating.

1. State Can Transfer the Name

The State has a legitimate Biblical role in participating in the transfer of a name. If it can participate in the divorce and remarriage process, then it has the power to allow the woman to be adopted by her husband, expressed by taking his name. The John the Baptist passage seems to be an obvious play on the name of Herod, when the text says that his wife's name was *Herodias*. Perhaps Herod had given her this name, when he married her.

Perhaps the indication is that Herod autonomously validated his marriage with Herodias.

The point, however, is that God is the One who gives permission to remarry, and *the State is allowed to permit remarriage only because God is the Lord of the State*. It is an agent of the Lord, a “minister” according to Paul (Romans 13:4). But what it does as an institution is only valid in so far as God has authorized it. So, if the State allows remarriage where the Bible expressly forbids it, then the marriage is not valid. On the other hand, if the State does not allow remarriage, or even marriage, as was the case in the Soviet Union in the 1920s, two people could be married by the church and have a valid marriage because God has allowed it. In fact, they could even have a Biblical common law marriage. God is the Lord of remarriage and He is the one to whom all men must answer.

2. *Remarriage of Civil Magistrates*

The Bible allows for civil magistrates (representatives at all federal, state, and local levels) to be remarried. It permits remarriage for the same reason that it grants the privilege to ministers where a true Biblical offense has been committed. But it would also give the same cautions to magistrates, as it would to ministers. In fact, on the basis of the Biblical precepts, Scripture would warn us to be more cautious about voting for a magistrate who had been divorced and remarried.

Ironically, most people are more concerned about the remarriage of ministers than they are about the remarriage of civil magistrates. They surely do not want a clergyman to be remarried, while it doesn't seem to make any difference whether their state and federal representatives have been divorced and remarried. And what about judges? People seem to think that it is acceptable for a judge to be an adulterer, even though he is the man who has the power to issue the death penalty, and in the case of the Supreme Court, these judges have issued the death warrant on millions of unborn infants since the infamous *Roe v. Wade*.

Yet the Bible says more about the negative effects of the

unlawful remarriage of magistrates than it does of the effects of remarried ministers. Moses says,

When you come to the land which the Lord your God is giving you, and possess it and dwell in it, and say, "I will set a king over me like all the nations that are around me," you shall surely set a king over you whom the Lord your God chooses; one from among your brethren you shall set as king over you; you may not set a foreigner over you, who is not your brother. But he shall not multiply horses for himself, nor cause the people to return to Egypt to multiply horses, for the Lord has said to you, "You shall not return that way again." Neither shall he multiply wives for himself, lest his heart turn away; nor shall he greatly multiply silver and gold for himself (Deuteronomy 18:14-17).

Notice what God groups together: the amassing of horses, wives, and gold. He forbids horses because they are offensive military weapons of the ancient world; He forbids His people to be the aggressors in war.

He also forbids the hoarding of gold and silver, because His form of government is to be decentralized, not allowing a large, centralized bureaucratic system. Besides, the Lord knew that a Biblical government would not need a lot of money, if it were not the aggressor in war, and if it stayed out of domestic issues that were none of its concern.

Finally, God forbids unlawful remarriage—actually multiple marriages—because the practical application is the same. He knew that a magistrate would collect many wives for one of three reasons: perverseness, power, and wealth. All three were unacceptable to Him, because all three were a form of power totally unacceptable to Him!

3. Ethical not Power Remarriage

The king or civil magistrate was to be a man of God, one who ruled by the law of God. Significantly, in the same passage quoted above that forbid collecting horses, women, and gold, he was commanded in the following passage to write out his own personal

copy of the law for his own personal guidance. He was told by Moses,

Also it shall be, when he sits on the throne of his kingdom, that he shall write for himself a copy of this law in a book, from the one before the priests, the Levites. And it shall be with him, and he shall read it all the days of his life, that he may learn to fear the Lord his God and be careful to observe all the words of this law and these statutes, that his heart may not be lifted above his brethren, that he may not turn aside from the commandments to the right hand or to the left, and that he may prolong his days in his kingdom, he and his children in the midst of Israel (1 Kings 17:18-20).

What an assignment for a king or civil magistrate! Copying the Word of God would have taken months. Reading it would have taken years. Applying it would have taken a lifetime. But the bottom line was that this intimate encounter with the Word of God made him humble, a servant. It kept him from "lifting his head above the people." It kept him from collecting horses, gold and wives. It kept him from being a power-religionist.

Remarriage was to be on an *ethical* and not on a political or power basis. It was allowed only under the conditions that I have explained in earlier chapters. Even when it was allowed, it was a potentially dangerous situation. Consider what happened to Solomon, the wisest man in the world. He got carried away with remarriage and became an idolater, as well as the world's worst power-broker, because he certainly was remarrying for political reasons (1 Kings 11:1-13). Any State allowing for non-discretionary remarriage is a power state, condoning its own right to be a power-broker. To limit it in the area of divorce and remarriage, therefore, will limit its own power. To make the State remarry people on the basis of ethics will limit its ability to marry on some other basis. What do I mean?

Inter-racial marriage has been somewhat of an issue in the history of the U.S.⁵ Nevertheless, it is not a significant area of con-

5. Lawrence M. Friedman, *History of American Law* (New York: Simon and Schuster, 1973), pp. 435-36.

cern in the Bible; God allows inter-racial marriage, because marriage is a covenant based on creed and ethics, and not on race or color. Nowhere does the Bible condemn inter-racial marriage. In fact, Moses was married to a black woman, an Ethiopian, which caused a serious conflict in Israel (Numbers 12:1), and over which God defended Moses.

Today, however, the problem is not so much the State's preventing inter-racial marriage, as it is that it allows too many unlawful divorces and remarriages. In either case, the problem is an influence of power religion instead of an influence of Biblical law religion, a religion based on the righteousness of Jesus Christ.

4. The Ceremony

An interesting issue centers on the marital ceremony of the State. Historically in this country, the minister in the Church can perform a civil marriage, and function as a servant of the State. But the agent of the State can only perform civil marriages and he cannot perform an ecclesiastical marriage. A minister can conduct the marriage ceremony anywhere he wants to, including the steps of the courthouse. But the civil servant, such as the justice of the peace, cannot enter the Church, and he cannot perform an ecclesiastical marriage. Here is an area where the State's remarrying powers are limited. Here is an area which demonstrates our founding father's views on the relationship between Church and State. Here is an area which limits the power of the State more than the power of the Church because the *Constitution* was never intended to limit the power of the Church at the state level, only at the federal.

5. Transfer of Inheritance

The State has a legitimate role in protecting the family, in that it is supposed to allow the complete transfer of inheritance to the heirs. It has done this in the area pre-nuptial agreements. By these agreements, it recognizes the priority of the heirs, allowing a man to guarantee that his inheritance will go to his children of a previous marriage, before he enters a second marriage. Where

there has been a previous marriage, this is entirely acceptable. But where there has not been a previous marriage, but an inherited, sizeable estate, a pre-nuptial agreement is unwise.

Summary

I began with the passage of John the Baptist's lawsuit against Herod and Herodias. I established several guidelines for the State's involvement in the divorce process. First, I said that the Lord is Sovereign and His sovereignty is upheld when the State upholds Biblical law on divorce and remarriage. Second, the State is to provide an appeals court for the unbeliever. Third, there is no law above God's law. Fourth, the State is allowed to grant a divorce because it is allowed to be a witness to the covenant. Fifth, the State is supposed to protect the inheritance of the families to whom it grants a divorce.

Next I discussed the State's role in remarriage. First, I said that the State is allowed to transfer the name of the female to the husband. Second, civil magistrates are allowed to divorce and remarry if they have Biblical grounds, but the Bible says more against their remarriage than it does of the clergyman's remarriage. Third, the State is only allowed to grant remarriage on grounds of an ethical covenant and not a power religion. Fourth, the State is allowed to conduct a civil ceremony. Fifth, the State protects the inheritance of a second marriage through pre-nuptial agreements.

Cause/Effect Between Covenants

Also by way of summary, I should re-state the nature of the cause/effect relationship between covenants in a Biblical world-and-life view. First, there is a cause/effect relationship because each institution has the same standard. The Bible teaches that all of the institutions of society should be run by the Word of God, unlike modern culture where the Church is under the Bible, while the State operates under man-made laws. Instead, Scripture teaches that all the institutions of society are to have a common authority, the Bible, creating a seamless ethical structure. It says that all of the institutions are to be based on the Law of God, the same Ten Commandments, even though the Law of God may be uniquely

applied in each institution: only the State can enforce the death penalty, only the Church can excommunicate, and so forth.

Second, this cause/effect relationship between the spheres of the covenant, however, does not mean that *every* offense in any sphere is automatically an offense in another sphere; a traffic violation is not an offense against the Church. Only those offenses that actually sever the covenant have effects on the other covenant relationships.

Finally, one might raise the question, "In a Biblical society, would the State be required to put to death someone who had been excommunicated from the Church?" No. A person would not normally be excommunicated for something that would not also be a capital offense. If he committed murder, and he was unrepentant, he would be excommunicated and executed because he committed an offense that is common to both spheres. But should he be excommunicated for something that would not also be a Biblical civil offense—failure to come to worship—he would not be executed. Rather, he would probably lose his citizenship, since one would have to be a member of a church to be a citizen.¹

In conclusion, the relationship between the covenants means that a person's status in one sphere of society affects his whole life. He cannot break the covenant in one area and find a safety zone in another. All of society is under God!

1. Gary North, *Healer of the Nations* (Ft. Worth: Dominion Press, 1987), pp. 34-37.

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WHAT ARE BIBLICAL BLUEPRINTS?

by Gary North

How many times have you heard this one?

"The Bible isn't a textbook of . . ."

You've heard it about as many times as you've heard this one:

"The Bible doesn't provide blueprints for . . ."

The odd fact is that some of the people who assure you of this are Christians. Nevertheless, if you ask them, "Does the Bible have answers for the problems of life?" you'll get an unqualified "yes" for an answer.

Question: If the Bible isn't a textbook, and if it doesn't provide blueprints, then just how, specifically and concretely, does it provide answers for life's problems? Either it answers real-life problems, or it doesn't.

In short: *Does the Bible make a difference?*

Let's put it another way. If a mass revival at last hits this nation, and if millions of people are regenerated by God's grace through faith in the saving work of Jesus Christ at Calvary, will this change be visible in the way the new converts run their lives? Will their politics change, their business dealings change, their families change, their family budgets change, and their church membership change?

In short: Will conversion make a visible difference in our personal lives? If not, why not?

Second, two or three years later, will Congress be voting for a different kind of defense policy, foreign relations policy, environmental policy, immigration policy, monetary policy, and so forth?

Will the Federal budget change? If not, why not?

In short: Will conversion to Christ make a visible difference in our civilization? If not, why not?

The Great Commission

What the Biblical Blueprints Series is attempting to do is to outline what some of that visible difference in our culture ought to be. The authors are attempting to set forth, in clear language, *fundamental Biblical principles* in numerous specific areas of life. The authors are not content to speak in vague generalities. These books not only set forth explicit principles that are found in the Bible and derived from the Bible, they also offer specific practical suggestions about what things need to be changed, and how Christians can begin programs that will produce these many changes.

The authors see the task of American Christians just as the Puritans who came to North America in the 1630's saw their task: *to establish a city on a hill* (Matthew 5:14). The authors want to see a Biblical reconstruction of the United States, so that it can serve as an example to be followed all over the world. They believe that God's principles are tools of evangelism, to bring the nations to Christ. The Bible promises us that these principles will produce such good fruit that the whole world will marvel (Deuteronomy 4:5-8). When nations begin to marvel, they will begin to soften to the message of the gospel. What the authors are calling for is *comprehensive revival*—a revival that will transform everything on earth.

In other words, the authors are calling Christians to obey God and take up the Great Commission: to *disciple* (discipline) all the nations of the earth (Matthew 28:19).

What each author argues is that there are God-required principles of thought and practice in areas that some people today believe to be outside the area of "religion." What Christians should know by now is that *nothing* lies outside religion. God is judging all of our thoughts and acts, judging our institutions, and working through human history to bring this world to a final judgment.

We present the case that God offers *comprehensive salvation*—regeneration, healing, restoration, and the obligation of total social reconstruction—because the world is in *comprehensive sin*.

To judge the world it is obvious that God has to have standards. If there were no absolute standards, there could be no earthly judgment, and no final judgment because men could not be held accountable.

(Warning: these next few paragraphs are very important. They are the base of the entire Blueprints series. It is important that you understand my reasoning. I really believe that if you understand it, you will agree with it.)

To argue that God's standards don't apply to everything is to argue that sin hasn't affected and infected everything. To argue that God's Word doesn't give us a revelation of God's requirements for us is to argue that we are flying blind as Christians. It is to argue that there are *zones of moral neutrality* that God will not judge, either today or at the day of judgment, because these zones somehow are *outside His jurisdiction*. In short, "no law-no jurisdiction."

But if God *does* have jurisdiction over the whole universe, which is what every Christian believes, then there must be universal standards by which God executes judgment. The authors of this series argue for God's *comprehensive judgment*, and we declare His *comprehensive salvation*. We therefore are presenting a few of His *comprehensive blueprints*.

The Concept of Blueprints

An architectural blueprint gives us the structural requirements of a building. A blueprint isn't intended to tell the owner where to put the furniture or what color to paint the rooms. A blueprint does place limits on where the furniture and appliances should be put—laundry here, kitchen there, etc.—but it doesn't take away our personal options based on personal taste. A blueprint just specifies what must be done during construction for the building to do its job and to survive the test of time. It gives direc-

tion to the contractor. Nobody wants to be on the twelfth floor of a building that collapses.

Today, we are unquestionably on the twelfth floor, and maybe even the fiftieth. Most of today's "buildings" (institutions) were designed by humanists, for use by humanists, but paid for mostly by Christians (investments, donations, and taxes). These "buildings" aren't safe. Christians (and a lot of non-Christians) now are hearing the creaking and groaning of these tottering buildings. Millions of people have now concluded that it's time to: (1) call in a totally new team of foundation and structural specialists to begin a complete renovation, or (2) hire the original contractors to make at least temporary structural modifications until we can all move to safer quarters, or (3) call for an emergency helicopter team because time has just about run out, and the elevators aren't safe either.

The writers of this series believe that the first option is the wise one: Christians need to rebuild the foundations, using the Bible as their guide. This view is ignored by those who still hope and pray for the third approach: God's helicopter escape. Finally, those who have faith in minor structural repairs don't tell us what or where these hoped-for safe quarters are, or how humanist contractors are going to build them any safer next time.

Why is it that some Christians say that God hasn't drawn up any blueprints? If God doesn't give us blueprints, then who does? If God doesn't set the permanent standards, then who does? If God hasn't any standards to judge men by, then who judges man?

The humanists' answer is inescapable: *man* does — autonomous, design-it-yourself, do-it-yourself man. Christians call this man-glorifying religion the religion of humanism. It is amazing how many Christians until quite recently have believed humanism's first doctrinal point, namely, that God has not established permanent blueprints for man and man's institutions. Christians who hold such a view of God's law serve as *humanism's chaplains*.

Men are God's appointed "contractors." We were never supposed to draw up the blueprints, but we *are* supposed to execute them, in history and then after the resurrection. Men have been

given dominion on the earth to subdue it for God's glory. "So God created man in His own image; in the image of God He created him; male and female He created them. Then God blessed them, and God said to them, 'Be fruitful and multiply; fill the earth and subdue it; have dominion over the fish of the sea, over the birds of the air, and over every living thing that moves on the earth'" (Genesis 1:27-28).

Christians about a century ago decided that God never gave them the responsibility to do any building (except for churches). That was just what the humanists had been waiting for. They immediately stepped in, took over the job of contractor ("Someone has to do it!"), and then announced that they would also be in charge of drawing up the blueprints. We can see the results of a similar assertion in Genesis, chapter 11: the tower of Babel. Do you remember God's response to that particular humanistic public works project?

Never Be Embarrassed By the Bible

This sounds simple enough. Why should Christians be embarrassed by the Bible? But they *are* embarrassed . . . millions of them. The humanists have probably done more to slow down the spread of the gospel by convincing Christians to be embarrassed by the Bible than by any other strategy they have adopted.

Test your own thinking. Answer this question: "Is God mostly a God of love or mostly a God of wrath?" Think about it before you answer.

It's a trick question. The Biblical answer is: "God is equally a God of love and a God of wrath." But Christians these days will generally answer almost automatically, "God is mostly a God of love, not wrath."

Now in their hearts, they know this answer can't be true. God sent His Son to the cross to die. His own Son! That's how much God hates sin. That's wrath with a capital "W."

But why did He do it? Because He loves His Son, and those who follow His Son. So, you just can't talk about the wrath of God without talking about the love of God, and vice versa. The cross is

the best proof we have: God is both wrathful and loving. Without the fires of hell as the reason for the cross, the agony of Jesus Christ on the cross was a mistake, a case of drastic overkill.

What about heaven and hell? We know from John's vision of the day of judgment, "Death and Hades [hell] were cast into the lake of fire. This is the second death. And anyone not found written in the Book of Life was cast into the lake of fire" (Revelation 20:14-15).

Those whose names are in the Book of Life spend eternity with God in their perfect, sin-free, resurrected bodies. The Bible calls this the New Heaven and the New Earth.

Now, which is more eternal, the lake of fire, or the New Heaven and the New Earth? Obviously, they are both eternal. So, God's wrath is equally ultimate with His love throughout eternity. *Christians all admit this*, but sometimes only under extreme pressure. And that is precisely the problem.

For over a hundred years, theological liberals have blathered on and on about the love of God. But when you ask them, "What about hell?" they start dancing verbally. If you press them, they eventually deny the existence of eternal judgment. We *must* understand: they have no doctrine of the total love of God because they have no doctrine of the total wrath of God. They can't really understand what it is that God in His grace offers us in Christ because they refuse to admit what eternal judgment tells us about the character of God.

The doctrine of eternal fiery judgment is by far the most unacceptable doctrine in the Bible, as far as hell-bound humanists are concerned. They can't believe that Christians can believe in such a horror. But we do. We must. This belief is the foundation of Christian evangelism. It is the motivation for Christian foreign missions. We shouldn't be surprised that the God-haters would like us to drop this doctrine. When Christians believe it, they make too much trouble for God's enemies.

So if we believe in this doctrine, the doctrine above all others that ought to embarrass us before humanists, then why do we start to squirm when God-hating people ask us: "Well, what kind

of God would require the death penalty? What kind of God would send a plague (or other physical judgment) on people, the way He sent one on the Israelites, killing 70,000 of them, even though they had done nothing wrong, just because David had conducted a military census in peacetime (2 Samuel 24:10-16)? What kind of God sends AIDS?" The proper answer: "The God of the Bible, *my* God."

Compared to the doctrine of eternal punishment, what is some two-bit judgment like a plague? Compared to eternal screaming agony in the lake of fire, without hope of escape, what is the death penalty? The liberals try to embarrass us about these earthly "down payments" on God's final judgment because they want to rid the world of the idea of final judgment. So they insult the character of God, and also the character of Christians, by sneering at the Bible's account of who God is, what He has done in history, and what He requires from men.

Are you tired of their sneering? I know I am.

Nothing in the Bible should be an embarrassment to any Christian. We may not know for certain precisely how some Biblical truth or historic event should be properly applied in our day, but every historic record, law, announcement, prophecy, judgment, and warning in the Bible is the very Word of God, and is not to be flinched at by anyone who calls himself by Christ's name.

We must never doubt that whatever God did in the Old Testament era, the Second Person of the Trinity also did. God's counsel and judgments are not divided. We must be careful not to regard Jesus Christ as a sort of "unindicted co-conspirator" when we read the Old Testament. "For whoever is ashamed of Me and My words in this adulterous and sinful generation, of him the Son of Man also will be ashamed when He comes in the glory of His Father with the holy angels" (Mark 8:38).

My point here is simple. If we as Christians can accept what is a very hard principle of the Bible, that Christ was a blood sacrifice for our individual sins, then we shouldn't flinch at accepting any of the rest of God's principles. As we joyfully accepted His salvation, so we must joyfully embrace all of His principles that affect any and every area of our lives.

The Whole Bible

When, in a court of law, the witness puts his hand on the Bible and swears to tell the truth, the whole truth, and nothing but the truth, so help him God, he thereby swears on the Word of God—the *whole* Word of God, and *nothing but* the Word of God. The Bible is a unit. It's a "package deal." The New Testament doesn't overturn the Old Testament; it's a *commentary* on the Old Testament. It tells us how to use the Old Testament properly in the period after the death and resurrection of Israel's messiah, God's Son.

Jesus said: "Do not think that I came to destroy the Law or the Prophets. I did not come to destroy but to fulfill. For assuredly, I say to you, till heaven and earth pass away, one jot or one tittle will by no means pass from the law till all is fulfilled. Whoever therefore breaks one of the least of these commandments, and teaches men to do so, shall be called least in the kingdom of heaven; but whoever does and teaches them, he shall be called great in the kingdom of heaven" (Matthew 5:17-19). The Old Testament isn't a discarded first draft of God's Word. It isn't "God's Word emeritus."

Dominion Christianity teaches that there are four covenants under God, meaning four kinds of *vows* under God: personal (individual), and the three institutional covenants: ecclesiastical (the church), civil (governments), and family. All other human institutions (business, educational, charitable, etc.) are to one degree or other under the jurisdiction of these four covenants. No single covenant is absolute; therefore, no single institution is all-powerful. Thus, Christian liberty is *liberty under God and God's law*.

Christianity therefore teaches pluralism, but a very special kind of pluralism: plural institutions under God's comprehensive law. It does not teach a pluralism of law structures, or a pluralism of moralities, for as we will see shortly, this sort of ultimate pluralism (as distinguished from *institutional* pluralism) is always either polytheistic or humanistic. Christian people are required to take dominion over the earth by means of all these God-ordained institutions, not just the church, or just the state, or just the family.

The kingdom of God includes every human institution, and every aspect of life, for all of life is under God and is governed by His unchanging principles. All of life is under God and God's principles because God intends to judge all of life in terms of His principles.

In this structure of *plural governments*, the institutional churches serve as *advisors* to the other institutions (the Levitical function), but the churches can only pressure individual leaders through the threat of excommunication. As a restraining factor on unwarranted church authority, an unlawful excommunication by one local church or denomination is always subject to review by the others if and when the excommunicated person seeks membership elsewhere. Thus, each of the three covenantal institutions is to be run under God, as interpreted by its lawfully elected or ordained leaders, with the advice of the churches, not the compulsion.

Majority Rule

Just for the record, the authors aren't in favor of imposing some sort of top-down bureaucratic tyranny in the name of Christ. The kingdom of God requires a bottom-up society. The bottom-up Christian society rests ultimately on the doctrine of *self-government* under God. It's the humanist view of society that promotes top-down bureaucratic power.

The authors are in favor of evangelism and missions leading to a widespread Christian revival, so that the great mass of earth's inhabitants will place themselves under Christ's protection, and voluntarily use His covenantal principles for self-government. Christian reconstruction begins with personal conversion to Christ and self-government under God's principles, then spreads to others through revival, and only later brings comprehensive changes in civil law, when the vast majority of voters voluntarily agree to live under Biblical blueprints.

Let's get this straight: Christian reconstruction depends on majority rule. Of course, the leaders of the Christian reconstructionist movement expect a majority eventually to accept Christ as savior. If this doesn't happen, then Christians must be content with only partial reconstruction, and only partial blessings from

God. It isn't possible to ramrod God's blessings from the top down, unless you're God. Only humanists think that man is God. All we're trying to do is get the ramrod away from them, and melt it down. The melted ramrod could then be used to make a great grave marker for humanism: "The God That Failed."

The Continuing Heresy of Dualism

Many (of course, not all!) of the objections to the material in this book series will come from people who have a worldview that is very close to an ancient church problem: dualism. A lot of well-meaning Christian people are dualists, although they don't even know what it is.

Dualism teaches that the world is inherently divided: spirit vs. matter, or law vs. mercy, or mind vs. matter, or nature vs. grace. What the Bible teaches is that this world is divided *ethically* and *personally*: Satan vs. God, right vs. wrong. The conflict between God and Satan will end at the final judgment. Whenever Christians substitute some other form of dualism for ethical dualism, they fall into heresy and suffer the consequences. That's what has happened today. We are suffering from revived versions of ancient heresies.

Marcion's Dualism

The Old Testament was written by the same God who wrote the New Testament. There were not two Gods in history, meaning there was no dualism or radical split between the two testamental periods. There is only one God, in time and eternity.

This idea has had opposition throughout church history. An ancient two-Gods heresy was first promoted in the church about a century after Christ's crucifixion, and the church has always regarded it as just that, a heresy. It was proposed by a man named Marcion. Basically, this heresy teaches that there are two completely different law systems in the Bible: Old Testament law and New Testament law (or non-law). But Marcion took the logic of his position all the way. He argued that two law systems means two Gods. The God of wrath wrote the Old Testament, and the God of mercy wrote the New Testament. In short: "two laws-two Gods."

Many Christians still believe something dangerously close to Marcionism: not a two-Gods view, exactly, but a God-who-changed-all-His-rules sort of view. They begin with the accurate teaching that the ceremonial laws of the Old Testament were fulfilled by Christ, and therefore that the *unchanging principles* of Biblical worship are *applied differently* in the New Testament. But then they erroneously conclude that the whole Old Testament system of civil law was dropped by God, and *nothing Biblical was put in its place*. In other words, God created a sort of vacuum for state law.

This idea turns civil law-making over to Satan. In our day, this means that civil law-making is turned over to humanists. *Christians have unwittingly become the philosophical allies of the humanists with respect to civil law*. With respect to their doctrine of the state, therefore, most Christians hold what is in effect a two-Gods view of the Bible.

Gnosticism's Dualism

Another ancient heresy that is still with us is gnosticism. It became a major threat to the early church almost from the beginning. It was also a form of dualism, a theory of a radical split. The gnostics taught that the split is between evil matter and good spirit. Thus, their goal was to escape this material world through other-worldly exercises that punish the body. They believed in *retreat from the world of human conflicts and responsibility*. Some of these ideas got into the church, and people started doing ridiculous things. One "saint" sat on a platform on top of a pole for several decades. This was considered very spiritual. (Who fed him? Who cleaned up after him?)

Thus, many Christians came to view "the world" as something permanently outside the kingdom of God. They believed that this hostile, forever-evil world cannot be redeemed, reformed, and reconstructed. Jesus didn't really die for it, and it can't be healed. At best, it can be subdued by power (maybe). This dualistic view of the world vs. God's kingdom narrowly restricted any earthly manifestation of God's kingdom. Christians who were influenced by gnosticism concluded that God's kingdom refers only to the insti-

tutional church. They argued that the institutional church is the *only* manifestation of God's kingdom.

This led to two opposite and equally evil conclusions. *First*, power religionists ("salvation through political power") who accepted this definition of God's kingdom tried to put the institutional church in charge of everything, since it is supposedly "the only manifestation of God's kingdom on earth." To subdue the supposedly unredeemable world, which is forever outside the kingdom, the institutional church has to rule with the sword. A single, monolithic institutional church then gives orders to the state, and the state must without question enforce these orders with the sword. The hierarchy of the institutional church concentrates political and economic power. *What then becomes of liberty?*

Second, escape religionists ("salvation is exclusively internal") who also accepted this narrow definition of the kingdom sought refuge from the evil world of matter and politics by fleeing to hide inside the institutional church, an exclusively "spiritual kingdom," now narrowly defined. They abandoned the world to evil tyrants. *What then becomes of liberty?* What becomes of the idea of God's progressive restoration of all things under Jesus Christ? What, finally, becomes of the idea of Biblical dominion?

When Christians improperly narrow their definition of the kingdom of God, the visible influence of this comprehensive kingdom (both spiritual and institutional at the same time) begins to shrivel up. The first heresy leads to tyranny *by* the church, and the second heresy leads to tyranny *over* the church. Both of these narrow definitions of God's kingdom destroy the liberty of the responsible Christian man, self-governed under God and God's law.

Zoroaster's Dualism

The last ancient pagan idea that still lives on is also a variant of dualism: matter vs. spirit. It teaches that God and Satan, good and evil, are forever locked in combat, and that good never triumphs over evil. The Persian religion of Zoroastrianism has held such a view for over 2,500 years. The incredibly popular "Star Wars" movies were based on this view of the world: the "dark" side of "the force" against its "light" side. In modern versions of this an-

cient dualism, the “force” is usually seen as itself impersonal: individuals personalize either the dark side or the light side by “plugging into” its power.

There are millions of Christians who have adopted a very pessimistic version of this dualism, though not in an impersonal form. God’s kingdom is battling Satan’s, and God’s is losing. History isn’t going to get better. In fact, things are going to get a lot worse externally. Evil will visibly push good into the shadows. The church is like a band of soldiers who are surrounded by a huge army of Indians. “We can’t win boys, so hold the fort until Jesus comes to rescue us!”

That doesn’t sound like Abraham, Moses, Joshua, Gideon, and David, does it? Christians read to their children one of the children’s favorite stories, David and Goliath, yet in their own lives, millions of Christian parents really think that the Goliaths of this world are the unbeatable earthly winners. Christians haven’t even picked up a stone.

Until very recently.

An Agenda for Victory

The change has come since 1980. Many Christians’ thinking has shifted. Dualism, gnosticism, and “God changed His program midstream” ideas have begun to be challenged. The politicians have already begun to reckon with the consequences. Politicians are the people we pay to raise their wet index fingers in the wind to sense a shift, and they have sensed it. It scares them, too. It should.

A new vision has captured the imaginations of a growing army of registered voters. This new vision is simple: it’s the old vision of Genesis 1:27-28 and Matthew 28:19-20. It’s called *dominion*.

Four distinct ideas must be present in any ideology that expects to overturn the existing view of the world and the existing social order:

- A doctrine of ultimate truth (permanence)
- A doctrine of providence (confidence)
- Optimism toward the future (motivation)
- Binding comprehensive law (reconstruction)

The Marxists have had such a vision, or at least those Marxists who don't live inside the bureaucratic giants called the Soviet Union and Red China. The radical (please, not "fundamentalist") Muslims of Iran also have such a view.

Now, for the first time in over 300 years, Bible-believing Christians have rediscovered these four points in the theology of Christianity. For the first time in over 300 years, a growing number of Christians are starting to view themselves as an army on the move. This army will grow. This series is designed to help it grow. And grow tougher.

The authors of this series are determined to set the agenda in world affairs for the next few centuries. We know where the permanent answers are found: in the Bible, and *only* in the Bible. We believe that we have begun to discover at least preliminary answers to the key questions. There may be better answers, clearer answers, and more orthodox answers, but they must be found in the Bible, not at Harvard University or on the CBS Evening News.

We are self-consciously firing the opening shot. We are calling the whole Christian community to join with us in a very serious debate, just as Luther called them to debate him when he nailed the 95 theses to the church door, over four and a half centuries ago.

It is through such an exchange of ideas by those who take the Bible seriously that a nation and a civilization can be saved. There are now 5 billion people in the world. If we are to win our world (and these billions of souls) for Christ we must lift up the message of Christ by becoming the city on the hill. When the world sees the blessings by God upon a nation run by His principles, the mass conversion of whole nations to the Kingdom of our Lord will be the most incredible in of all history.

If we're correct about the God-required nature of our agenda, it will attract a dedicated following. It will produce a social transformation that could dwarf the Reformation. This time, we're not limiting our call for reformation to the institutional church.

This time, we mean business.