



# Divorce and Remarriage:

Curmudgeonly Librarian

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## Gulp! Divorce and Remarriage?!?

This is the last of the .pdfs that I will be creating for the foreseeable future. But that doesn't mean that because this is the last that it is the least. In actuality, this is the biggest of them all, simply because I break with most christian teachers who, in lockstep, march to the "God Hates Divorce" tune.

A man wrote a comment on one of the posts included in the .pdf, and his words belong here:

*Due to consistent lack of sex (constantly given the Wouldn't you rather quality over quantity? mantra, when it can't honestly be called quality) and my wife being the classic Gatekeeper with forever moving goalposts. I have disengaged from our marriage and finally laid it out and made my grievances known. This was (inevitably) taken as an ultimatum. So be it I say. Better to be divorced and be a bit poorer, than live a life of misery.*

I think him to be right. As I have pointed out in previous posts and .pdfs, the entire *Happy vs. Holy* argument is wrong, as it destroys the lives and faith of christian husbands and wives and nails them to a cross of the Church's own making.

Unfortunately, due to ignorance of the context of Matt. 19, and due to translation difficulties in Mal. 2, and due to a desperate desire to protect "the institute of marriage," the church has created its own cross of *Holy Matrimony* on which to crucify brothers and sisters in Christ. I realize that what I am writing is provoking to much of the church. I know of one writer who, when referred to my blog, said that it was unbiblical (although he chose not to say what he found unbiblical). Once I received an email from a woman condemning me because her father was divorcing her mother, all because of me, and that I would have to answer to God for it.

But such is the urgency I feel about how christians have been shooting their wounded that I just don't care. In my readings around the internet, I have come across so many people who are/were good christians, faithful in attendance at church, in giving, etc., who, because of the pain that their marriages brought to their lives that were *pooh-pooed* by their pastors and church family, stopped all attendance. The relief that the world gives them from their pain tops the supposed joy that their christian faith had vouchsafed them.

In this collection of posts from my blog, I start with almost the very first series that I did, on *Marital Idolatry*, and another early series that dealt with one of the sacred shibboleths of the church, the claim that marriage is covenant, not a contract.

And then I touch the most absolute, deadly third rail of christian practice, the really big Mammoo (from Jerry Lewis' *Disorderly Orderly*),

## D - I - V - O - R - C - E

You know the *shibboleths* and the tenets of marriage:

- Marriage is a covenant between two people and God.
- Divorce is not an option for Christians.
- The only valid reason for divorce is adultery.
- Remarriage is not an option for Christians.
- Any christian who remarries after a divorce is committing adultery.

And so on...

Yes, I know that marriage is taught in the church as completely inviolate, but in several of my posts I dug deep into the text of the Bible and into the context of the teachings of Jesus on divorce. I did not tumble to all of this, or even most of this, by myself. Being the librarian that I am, I did a lot of reading around, and found excellent resources and information that is either unknown or ignored by most of the church today. Below, I am including a list of books, blogs and writers that are extremely eye-opening. For those of you who want/need to find information about this, print out this bibliography and start reading. There's some great material here.

CSL

As always, my disclaimer:

*I am not a counselor, doctor, or pastor. For that matter, Wife says I don't play well with others. My advice and comments come from my concern for hurting Christian husbands and wives. Someone once said to me, "Church shouldn't hurt", and I believe the same thing goes for marriage. I'm going to call 'em as I see 'em, but please, don't take my word as gospel. Yes, read what I say, pray about what I say, but do your own "due diligence."*

### **Key References:**

Instone-Brewer, David. *Divorce and Remarriage in the Bible* - a scholarly work that looks at the Bible's teaching on marriage, divorce and remarriage, in both the Old and New Testament. Instone-Brewer looks not only at the text of the Bible, but at the cultural factors of the Near East that impacted the teachings of the Bible. An indispensable source.

Instone-Brewer, David. *Divorce and Remarriage in the Church* - a more accessible book, rather than scholarly, it is nonetheless an excellent resource for approaching the impact of remarriage in church congregations.

Luck, William. *Divorce and Remarriage: Recovering the Biblical View* - Apparently William Luck has put his entire book online, so here is the link to the table of contents: <https://search.bible.org/seriespage/6-teachings-jesus-divorce-matthew-531-32a>

McKnight, Scot. *Marriage and Divorce*, 1-5 - McKnight is a New Testament scholar and professor at Northern Baptist Theological Seminary. This is a five blog-post series from his blog in which he examines William Luck's *Divorce and Remarriage: Recovering the Biblical View*. McKnight does an excellent job of analyzing Luck's book:

Marriage and Divorce #1: <https://www.beliefnet.com/columnists/jesuscreed/2010/01/marriage-and-divorce-1.html>

Marriage and Divorce #2: <https://www.beliefnet.com/columnists/jesuscreed/2010/01/marriage-and-divorce-2.html>

Marriage and Divorce #3: <https://www.beliefnet.com/columnists/jesuscreed/2010/01/marriage-and-divorce-3.html>

Marriage and Divorce #4: <https://www.beliefnet.com/columnists/jesuscreed/2010/01/marriage-and-divorce-4.html>

Marriage and Divorce #5: <https://www.beliefnet.com/columnists/jesuscreed/2010/01/marriage-and-divorce-5.html>

*Naked Bible* podcast, episodes 316 & 318 - Interview with David Instone-Brewer about the topic of divorce and his books.

<https://nakedbiblepodcast.com/podcast/naked-bible-316-divorce-and-remarriage-in-the-old-testament/>

<https://nakedbiblepodcast.com/podcast/naked-bible-318-divorce-and-remarriage-in-the-new-testament/>

*Jesus and Divorce* - A powerpoint summary of Instone-Brewer's *Divorce & Remarriage* books. [http://www.visualsermons.co.uk/Jesus-Divorce/\\_Sermon.htm](http://www.visualsermons.co.uk/Jesus-Divorce/_Sermon.htm)

*The Four Causes of Biblical Divorce* - Slideshow explicating Deut. 24.1-4 and Ex.

21.10-12. [https://www.facebook.com/photo.php?](https://www.facebook.com/photo.php?fbid=6537536022&set=a.6461266022&type=3&theate)

[fbid=6537536022&set=a.6461266022&type=3&theate](https://www.facebook.com/photo.php?fbid=6537536022&set=a.6461266022&type=3&theate)

*Roman Divorce: Divorcing As the Romans Do* - Slideshow presenting Paul's writings on divorce in 1st century context. [https://www.facebook.com/photo.php?](https://www.facebook.com/photo.php?fbid=108769881022&set=a.6461996022&type=3&theater)

[fbid=108769881022&set=a.6461996022&type=3&theater](https://www.facebook.com/photo.php?fbid=108769881022&set=a.6461996022&type=3&theater)

## Table of Contents:

Ch. 1 - 2: Marital Idolatry

Ch. 3: Marriage: Covenant or Contract?

Ch. 4: Help For The Truly P\*ssed

Ch. 5 - 8: Divorce: Scarlet Letter or Valid Option?

Ch. 9 -12: Marriage / Divorce: Restoring Balance

Ch. 13: Amputation As An Analogy

Ch. 14: Adultery / Abandonment: Two Sides, One Coin

Ch. 15: A Parable for Divorce?

## Chapter 1: Marital Idolatry, part 1

I began the very first post on my blog thusly:

*Have we made marriage into a Holy Grail? In the last Indiana Jones movie, the final, climactic scene was in a chamber filled with chalices, cups and goblets. Indiana's task was to choose, from among all these cups, the one cup that was used at the Last Supper. There were silver cups, there were gold goblets, there were chalices encrusted with jewels. Among all these bejeweled chalices was a simple wooden cup, the "Grail", the simple cup of a carpenter. I'm wondering if Christians haven't done the same thing with marriage, encrusting it with pseudo-spiritual trappings.*

And so started *The Curmudgeonly Librarian* blog. In that very first post, I wrote about the tendency of Christians to try to sacralize marriage, to create teachings and traditions, and then make them sacrosanct. About a month later, I wrote this chapter, an early post on *Marital Idolatry*, and in the years since, I haven't seen much to shake me in my convictions.

### Man-Made Laws

During the time of Jesus, the Pharisees, in an attempt to protect God's *Torah* and to keep Israel from transgressing God's ways, created teachings and explications that were added to God's Law. In Matt. 23:4, Jesus said that the Pharisees "*tie up heavy burdens, hard to bear, and lay them on people's shoulders, but they themselves are not willing to move them with their finger.*" The Sabbath laws were a good example of Jesus' statement, as they introduced many restrictions on what people could and couldn't do on the Sabbath. There were Pharisaical laws even down to dictating how far someone could walk on the Sabbath. After all, that's the reason Jesus said, in the next chapter, "*Pray that your flight may not be in winter or on a Sabbath.*" If you, as a Jew, had to do any fleeing on the Sabbath, you could only flee so far, according to the Pharisees.

With many overly burdensome interpretations, the Pharisees distorted the Sabbath to the point that it was neither a revelation of God nor a guideline for the benefit of man. Instead, it was just another cross on which to nail men with bad teaching.

The same thing is going on today, in the area of marriage. The church has made the institution of marriage into an idol, and a cross on which to crucify suffering brothers and sisters. Not only has the church made marriage an idol, but with bad teaching, misinterpretation of scriptures, and even failure to give proper instruction, it has failed to give Christians needed preparation for marriage, and given false counsel to brothers and sisters in Christ once they have entered into marriage.

## “God Hates Divorce!” Erm...

First things first: we all know that “God hates divorce”, right? This is foundational to understanding God’s views on marriage. After all, it’s right there in Mal. 2:16:

*“For I hate divorce,” says the LORD, the God of Israel, (NASB)*

Up until [2010], I was adamant: God hates divorce!!! I knew that for a fact and was a died-in-the-wool advocate of this very teaching.

But then, I started reading articles, and blog posts, and first-hand accounts of brothers and sisters who were in misery in their marriages. And I began to read, study, and think about marriage as an institution. I read posts of people, writers, who had other ideas. And to my surprise, I found out that maybe the “accepted” translation of Mal. 2:16 was wrong. I found that other translations **do not say** “God hates divorce”(these are taken from the *Bible Hub* website):

- *“For the man who does not love his wife but divorces her, says the LORD...: (ESV)*
- *“If he hates and divorces his wife,” says the LORD God... (Holman)*
- *He that rejects her, sending her away, said the LORD (Jubilee)*
- *When thou shalt hate her put her away, saith the Lord (Douay)*
- *“The man who hates and divorces his wife,” says the LORD (NIV)*

*Huh? The NIV says that?*

That last one threw me; for I had been using the *NIV Study Bible* for years, and I KNEW that that wording wasn’t in my Bible! But there it was on the *Bible Hub* website:

*“The man who hates and divorces his wife”. (NIV)*

So I looked up Mal. 2:16 on the *Bible Study Tools* website, and found the reading I remembered:

*“I hate divorce,” says the LORD God (NIV)*

Wait a minute!!! Two websites have two different readings? For the same translation of the Bible?

What gives?

So I did some checking, and I found that *Bible Study Tools* uses the ’84 version of the *NIV* and *Bible Hub* uses the 2011 version. In fact, at the bottom of the *Bible Hub* page, this alternative reading is given in a footnote to v. 16:

*Or “I hate divorce,” says the Lord*

In my readings [since I first wrote this in 2014], I have found that biblical studies and continued research now believes that the “*He who hates his wife*” construction is the accurate translation of Mal. 2.16, and not the traditional “*God hates divorce*” wording. So, in essence, the adamant declaration that “God hates divorce” is no longer an unassailable claim.

As I am wont, “more to come.”

CSL

**Links:**

Curmudgeonly Librarian, *Holy Matrimony?*: <https://curmudgeonlylibrarian.wordpress.com/2014/10/18/holy-matrimony/>

*Bible Hub* (one of my favorite online bible study sites):  
[www.biblehub.com](http://www.biblehub.com)

*Bible Study Tools* (another good site for bible study):  
[www.biblestudytools.com](http://www.biblestudytools.com)



## Chapter 2: Marital Idolatry, part 2

*Dearly beloved, we are gathered together here in the sight of God, and in the face of this congregation, to join together this Man and this Woman in holy Matrimony; which is an honourable estate, instituted of God in the time of man's innocency, signifying unto us the mystical union between Christ and his Church.*

We've heard these words in every church wedding we've ever attended, right? But have you ever thought about what they are saying, and whether there might be more to it than just what is on the surface?

To begin with, our focus isn't really on marriage as an "estate", is it? Instead, we zero in on the word used in the wedding formula for creation of marriage: "*instituted by God.*" Commonly, we say that marriage is an institution. And it is this idea that we have, over time, come to worship--matrimony. We view *Marriage* as a holy condition. We accept that, somehow, saying the words "I do" confers upon a man and woman a state of grace that isn't available to the unmarried.

### "*Holy*" Institution?

Okay, so we talk of marriage as an institution, but still, don't we rightly consider it holy? After all, didn't God "institute" marriage? And didn't Paul say,

*Marriage should be honored by all...* (Heb 13:4)

Why, yes. Yes he did. God DID institute marriage.

But He who instituted *Marriage* also instituted *Government*. Be honest, now: how highly do you, do we, "honor and esteem" the institution of *Government*? After all the same Bible that has Heb. 13:4 tells us:

*Let every person be subject to the governing authorities. For there is no authority except from God, and those that exist have been instituted by God.*  
(Rom. 13:1)

and

*Pay to all what is owed to them: taxes to whom taxes are owed, revenue to whom revenue is owed, respect to whom respect is owed, honor to whom honor is owed.* (Rom. 13:7)

How highly do we speak of *Government*, and how highly do we esteem those who make our laws? Try as you might, I'm guessing that you can't make a statement about marriage that can't be applied to government. After all, when all histrionics are over, we're still left with the fact that God instituted both marriage and government.

## A Simple Truth

A couple of years ago, my wife and I were talking about this, about the reality of so many bad marriages and yet trying to hold to the idea that "Marriage is a Holy Institution", and she said something that seemed to lift the fog. She said of the people who enter into this institution, "The Institution is worthless if you don't honor it."

*The Institution is worthless if you don't honor it.*

In essence, any institution is only as good as the people who are in it. Government is only as good as the people in it, and a marriage is only as good as the people who are married.

So, how should we think of marriage, then, if it isn't some hallowed state of grace that God has set apart? Is it just a piece of paper, or a relic of a previous era? No, of course not. It is true that marriage was created by God, and we know that God said "*It is good*", that it has God's blessing on it.

I believe that the problem is that we don't esteem marriage high enough. In our society, any two people can get a license and get married, no matter their state of maturity or preparation. And no matter how ill-matched, how ill-mated or ill-prepared, we are willing to pronounce their union "good," and to accept that the *naifs* are part of the Institution of Marriage.

And then we nail them to our cross!

Just as the teachers of Jesus' day created regulations and traditions binding men on the Sabbath in order to keep it holy, so Christians have created myths and teachings about Marriage in order to preserve it as a revered icon for the faith.

To what other Christian events, occurrences or institutions do we attach the descriptor, '*Holy*'? We don't refer to "Holy Baptism", do we? Yes, we may, sometimes, speak of "Holy Communion", but for most of us, plain old 'communion' will do. And for those who do refer to "Holy Communion, do you create regulations and myths to protect communion and keep it holy? (Of course, if you believe in transubstantiation, you are excused from this exercise.)

## But we do speak of Holy Matrimony, don't we?

By doing this we try to attach a spiritual essence to marriage, a *je ne sais quoi*, a certain ineffable state, that makes it other-worldly, heavenly by nature, and not part of the normal, natural life that God created.

This isn't a sin of the modern church. Bad teaching about marriage is one of the cardinal truths of Christian life, apparently. For example, one of the most common *shibboleths* about marriage, handed down from the Church Fathers, and through the likes of Matthew Henry into modern day faith, is the idea that marriage is the picture of the relationship between God and His Church, between Jesus and the Christian.

Of course, things can get really uncomfortable when this teaching meets the *Song of Solomon*, in the Old Testament. In the fourth chapter of *SoS*, the Lover describes the body of his Beloved, and this is part of his inventory:

*Your two breasts are like two fawns,  
twins of a gazelle,  
that graze among the lilies. (4:5)*

Erm, uh.... Okay then. That's Jesus talking to the church?

Now observe how Matthew Henry turned this bit of earthy badinage into a 'heavenly allegory':

*The church's breasts are both for ornament (Ezek. 17:7) and for use; they are the breasts of her consolation (Isa. 66:11), as she is said to suck the breasts of kings, (Ia. 60:16) . Some apply these to the two Testaments; others to the two sacraments, the seals of the covenant of grace; others to ministers, who are to be spiritual nurses to the children of God and to give out to them the sincere milk of the word, that they may grow thereby, and, in order to that, are themselves to feed among the lilies where Christ feeds (ch. 2:16), that they may be to the babes of the church as full breasts. Or the breasts of a believer are his love to Christ, which he is pleased with, as a tender husband is with the affections of his wife, who is therefore said to be to him as the loving hind and the pleasant roe, because her breasts satisfy him at all times, (Prov. 5:19).*

..... um, yeah.

I'm sorry, but with this kind of mindset, with this skewed reality, it's no wonder that the church messes up the reality of marriage, Christian or otherwise.

In our eager desire to elevate marriage and imbue it with a sanctity that isn't necessarily inherent, we have constructed a prison with our rules and regulations, and like the

Pharisees of old, refused to help those struggling under the burden we have placed upon the backs of those who need our help.

At the 1896 Democratic nominating convention, William Jennings Bryan, a rafters-rattling orator, delivered his most famous speech, which ended with the line “You shall not crucify mankind on a cross of gold!” Unfortunately, today, the Church crucifies mankind on the cross of “*Holy Matrimony*.”

Jim Croce answered it best with “I can’t hang upon no lover’s cross for you.” And God doesn’t expect you to have to do so. When the Creator was finished with His creation, including marriage, He said, “It is good.”

CSL

## Chapter 3: Marriage: Covenant or Contract?

In the previous chapter, I spoke about the Church's tendency to try to imbue common objects and actions with spiritual overtones, and I posit that this supports the encrustation of tradition onto the teachings of the Church. As Christians, we are so prone to the sacralization of those things that we hold dear that we end up creating our own sacred cows. As a card-carrying iconoclast in good standing (our motto is "Sacred cows make good hamburger"), I think that we need to reexamine one of the most sacred of sacred cows, the "*Covenant*" of marriage.

### Marriage is a Covenant!

One of the greatest shibboleths in the Christian church is this statement:

*"Marriage is a covenant, not a contract."*

I've heard this from pulpits, on Christian TV and radio, and read it countless times in Christian writing, whether it be books, magazines, or the internet. It is a truism of Christian teaching that marriage is separate from all other kinds of agreements, because it was a "*Covenant instituted by God.*"

I confess that I have an annoying habit: I ask questions. I can't help it, it's a gift. And one day, as I was reading someone make this same point, yet again, on a marriage forum, the question popped into my head, "Where does the Bible say that marriage is a covenant?" At the time, I couldn't recall any Bible verses in which marriage is called a covenant, and so did a search using my *ESV Online* account. I found one verse, in the Old Testament, in which marriage is referred to as a "covenant."

*But you say, "Why does he not?" Because the Lord was witness between you and the wife of your youth, to whom you have been faithless, though she is your companion and your wife by covenant. (Mal. 2:14)*

*"There it is, CSL 'your wife **by covenant.**' That should settle it, right?"*

For a while, I chewed on that, wrestling with it, like this:

*"Yes," I thought, "but it's only one verse."*

*"How many times does the Bible have to say something before you accept it as true?"*

*"Uh, do you 'baptize for the dead', then? That's mentioned only once."*

You get my drift; I was struggling with this idea. After all, if you're going to create a doctrine, a teaching, shouldn't you have more than one verse that is explicit and direct, in your corner?

## Erm, Marriage Is a Contract

And then, it happened again. Another question came to me, and so I'm going to ask you: how many times does the Bible refer to "*contracts*"?

After all, if marriage is different from other contracts because it is a covenant, shouldn't there be something, somewhere, in the Old Testament, to distinguish covenant from contract? Go ahead, open a new browser window, go to your favorite Bible site and search for "*contract*". I use the *English Standard Bible*, but on *Bible Hub* and *Bible Study Tools*, you can search in other translations: *NABS, KJ, RSV, NIV*.

It's not there, is it? Uh-uh. Nada. You know what that means? There were no "contracts" in the Bible. Or, maybe, just maybe, **all** contracts in the Old Testament were "covenants."

*"That can't be! We know that marriage is separate from contracts!"*

Oh? How do we know that? Because it's been preached *ad infinitum*? Is "common knowledge" really all that authoritative? Contrary to all this popular belief, scholar David Instone-Brewer says,

*In contemporary English, the best translation for the ancient Near Eastern concept of "covenant" (Hebrew **berith**) is the term "contract."*  
~ David Instone-Brewer, *Divorce and Remarriage in the Bible*, p.15.

What really exposes all this as a complete taradiddle is the fact that the "*marriage is not a contract, it's a covenant*" idea is completely foreign to Jews, both modern and ancient. In Old Testament times, marriage was a contract, with clauses, wherefores and whereands. In fact, Jews still practice the ages-old custom of drawing up a marriage contract. Called a *ketubah*, this 'contract' detailing the obligations of the groom to his new bride, which dates back over 3000 years, is still practiced today.

It all comes down to this: during the Old Testament times, all contracts were covenants, and all covenants were contracts. Including marriage.

## Historic Background For Marital Contracts

In the ancient Near East, it was customary for young men to provide a "bride price" to the father of his intended. If he did not have the money, he would work for his future father-in-law (think Jacob and Laban). In return, the father-in-law would "endow" his

daughter with a dowry on the occasion of her marriage. These were the terms of the covenant/contract. There was a twofold reason for this dowry, by the way.

First, it provided stability for the new home, the new marriage. It set the new couple up in good stead. Second, it was the daughter's share of her father's estate. Remember that only sons inherited from their fathers? The only exception was made by Moses if there were no male heirs to the father (Num. 27). So the dowry was a way for a daughter to receive a share from her father's estate. One example of this is seen in the instance of Achsah approaching her father. Caleb had said that the man who took Kiriath-Sepher would have his daughter as wife, and Othniel did so. Achsah came to her father and asked for "the upper and lower springs," in addition to the land that he had given as dowry. (Judg. 1:10-15)

## The *Ketubah*

My podiatrist is Jewish, and when I told him, during one appointment, that I was reading about the *Ketubah*, he said, "Ah, yes, the Jewish Marriage License." Sources that I am reading speak of the custom of the *Ketubah* as being "thousands of years" old. The *Ketubah* is a contract which spells out the obligations and duties of the husband to his bride, to support her. Apparently, pre-nup agreements aren't a new invention!

According to the Wikipedia article on *Ketubah*,

*The Jewish husband takes upon himself, in the **ketubah**, the obligation that he will provide to his wife three major things: clothing, food and conjugal relations,....*

That is very interesting, as those are the three things that God required a husband to provide; if he didn't, his wife could divorce him:

*If he takes another wife to himself, he shall not diminish her food, her clothing, or her marital rights. And if he does not do these three things for her, she shall go out for nothing, without payment of money. (Ex. 21:10-11)*

## "Why Are You Looking At Jewish Contracts?"

*"After all, we're Christians, and we follow a different teaching, right."*

I'm looking at it because our "different teaching" has no basis in scripture, because it is another man-made tradition created by the church AFTER the time of Christ. In yet another area, Christians have created a mythology that has no support from either the Old or New Testament. Our teaching that marriage is a 'covenant', not a 'contract', supposedly has its foundation in the Old Testament teaching of 'covenant.' After all, *Covenant* isn't Christianity's gift to the world of religion. So if we want to learn about 'covenant,' we have to look into the source of the idea, the Old Testament.

One of the most famous weddings in the Bible comes about as the result of a **contract negotiation**. In Ruth 4, Boaz goes to the town center, gathers ten (a *minyán*?) of the city elders in the city gates, and **negotiates** for the hand of Ruth. He uses the Levirate marriage law to prise Ruth from the man who was first in line to ‘inherit’ Ruth, and proclaims,

*“You are witnesses this day that I have bought from the hand of Naomi all that belonged to Elimelech and all that belonged to Chilion and to Mahlon. Also **Ruth the Moabite, the widow of Mahlon, I have bought to be my wife,** ... (Ruth 4:9-10a)*

Negotiation, witnesses, public oath and attestation. All part of contract and all part of covenant.

## In Which I Side With the Angels

In the very first post of my blog [linked below], I wrote:

*However, do not raise them to the point of holiness, and imbue them with special spiritual significance. The things that God calls “Holy” are holy, and the things that we may add as we go along, while good, are not holy.*

It is my belief that we have done this with the concept of marriage, attempting to imbue a spiritual significance to the marriage covenant that separates it from other human agreements. However, in doing so, while we create a comforting mythos, we actually damage both God’s Word and God’s people in the process. One of the best bloggers/writers about marriage today is Paul Byerly, who authors both *The Generous Husband* and *The XY Code* blogs. I consider him to be the MacDaddy of Christian marriage and sexuality bloggers. In one of his *Generous Husband* blog posts [see link below], he addressed the problem of melding our tradition and teaching to the Word of God.

*Adding to the word of God, even to clarify, always risks doing harm to the integrity of the word. We run the risk of turning traditions into the word of God, which they are not. We risk violating God’s word for the sake of our traditions, and we risk making the word of God void by our traditions. Good intentions are not enough to protect us.*

## Modern Examples

Recently, I’ve seen some interesting “*traditions of men*” passed on as explication of the Word of God. One teacher, in order to differentiate covenant from contract, tries to say that ‘*covenant*’ is vertical, while ‘*contract*’ is horizontal. In other words, covenants are between man and God, while contracts are between men. I’ll give the teacher style points for the delicate delineation, but I’ve got to say that it doesn’t deal with the fact that the Old Testament word *berith* means ‘*contract*’.



Another attempt at trying to create a covenant/contract distinction is to say that there is a difference between “*two-party agreements*” (contracts) and “*three-party agreements*” (covenants). It is purported that the presence of an extra party, God, elevates the contract into a covenant. This seems to be a variation of the first teaching (horizontal vs. vertical), and suffers from the same affliction: lack of explicit biblical support for the teaching.

A third, more common, concept deals with the mechanism of the marriage, the actual “*I do’s*”. The bride and groom exchange ‘*vows*’, and many times are said to have made ‘*vows to God*.’ The concept behind this is that making vows elevates the marriage into the realm of spiritual covenant, in collaboration with God.

My question is this: why is the promise/vow that I make to my spouse more spiritual or special than the promise I might make to my parents or my children, to my church or my God? Yes, the entering into marriage is momentous. So is entering the armed services of your country, or assuming a constitutional office. We give vows and make pledges for these and many other events, but are we saying that our word and oath is not as honor-bound as our marriage oath? Is our integrity based on a sliding scale of spiritual import? (After all, wasn’t it Jesus who said, in the Sermon on the Mount, “*All you need to say is simply ‘Yes’ or ‘No’; anything beyond this comes from the evil one*”?)

Basically, what it all comes down to is this: it doesn’t really matter if an agreement is a contract, a covenant, or a vow. Whether it be two or three parties, agreements and promises are made. But here’s the kicker: all can be broken.

A covenant with God can be broken; a contract with a partner can be abrogated; a vow to a spouse can be violated. In each and every situation, whether you call it a covenant or contract, a failure to live up to the promises made means that the covenant or contract is violated. If the covenant or contract is of any import, then said violation is serious and there are consequences. What matters is that our teachings about these consequences line up with the Word of God, and not our tradition.

CSL

**Links:**

Curmudgeonly Librarian, *Holy Matrimony*: <https://curmudgeonlylibrarian.wordpress.com/2014/10/18/holy-matrimony/>

Paul Byerly, *Generous Husband. Adding To The Word of God*: <http://www.the-generous-husband.com/2015/01/04/adding-to-the-word-of-god/#sthash.tdgM2Gt9.dpuf>

## Chapter 4: Help for the Truly P\*ssed

*(This chapter was a response to a reader's comments and questions, so keep in mind that this chapter is a dialog, with me talking to one reader about his situation.)*

On my blog, I have often stated the obvious, that I am not that good with the Kleenex and crumpets, that I am not really all that swift as a counselor. (However, I'm told that I am great with the backhand of fellowship.)

Yes, I can give you common-sense thoughts, but that doesn't mean that I have a shingle hanging outside my door. With that caveat, I want to address a comment that was made on one of my *Ugly* posts, on my blog. I will try and address this husband's issues, and (fingers crossed) hope that I help him and others who are in his situation. (Using my s.o.p., I address paragraphs as they come.)

This husband wrote:

*Our problem starts with number one. What am I supposed to do when God (I should say church) IS the problem?*

My response:

Answered in my post *The Church and Your Marriage: What Could Go Wrong?* [linked below] First off, of course, God isn't the problem. Men and women and their distortion of God's word are the problem. In essence, my answer is three-fold.

1. You learn God's word.
2. You do God's word.
3. Have this attitude toward your church's bad teaching: "What is that to thee? Follow thou me." Jn. 21.22.

In essence, you pull an Abraham, telling the church what Abe told Lot "You go your way, I'll go God's way, fare ye well. I prefer God's truth."

~ ~ ~

*My wife has been subject to, and still is subject to, almost every single example of "bad teaching" and church malpractice the Kindly Curmudgeon has identified.*

I said to the commenter, "I see you've been reading my *Bad Teaching* series. Good, keep it up, and learn to spot the trash teaching every time you hear it. As Paul Byerly put it in one of his recent *Generous Husband* posts, 'learn to spot the counterfeit by learning the

*truth. And then be willing to stand in that truth. Remember, one man with God makes a majority.”*

~ ~ ~

*In her mind, she is justified BY GOD HIMSELF to continue on as she has for our entire marriage. “I am not interested. Don’t like it, tough, you are married now. Take care of it yourself!”*

“Now we come down to cases, sir;” I wrote back, “now we get our hands dirty.” I don’t know what your specifics are, how these things have played out over the course of your marriage, but if this is truly your wife’s approach to your marriage, I do have comments and suggestions.

Here a truth that sexual refusers and all-round bad actors in marriage need to comprehend:

**“Yes, we are married, but we don’t have to stay together, nor do we have to stay married.”**

Your wife may have the idea that once you are married, you can’t divorce. It sounds like she believes the teaching that it is a sin to divorce for any other reason than adultery. In short, she believes that you are roped and hogtied into your marriage by the Bible and is counting on you not wanting to sin, according to this interpretation. In her mind, she truly has you locked up with the proverbial ball-and-chain. Not so, as I demonstrated in my *Scarlet Letter* series and my *Restoring Balance* series. [ch. 5-12 below]

(By the way, do not think that I am pushing you to separation or divorce; instead, I am merely stating that her idea of your options doesn’t correspond to reality nor to biblical teaching, and it would be beneficial for her to learn such.)

Even if you are loath to initiate a divorce, (and that is a perfectly valid option for you to hold), there is nothing that says that you have to stay in the same house. After all, three times the writer of Proverbs tells us that it is better to live in a single room than with a brawling woman. I realize that I went to the two most extreme reactions right off the bat, divorce and separation. Those aren’t my go-to positions, but are merely truths that your wife just might need to be introduced to, given her “Tough teats!” mentality. She feels that she’s got the Bible, but the truth is that biblical and historical evidence just doesn’t support her position.

~ ~ ~

*Our sex life? Picture me belly-laughing on the floor in painful tears. I was dis-abused of this flawed delusion the very first week of our marriage.*

You didn't tell me how long you have been married, but do this for me. However many years you have been married, double it and ask yourself if you think that you can do it again, because if you do nothing for the same number of years, you're going to have more of the same for twice as long. If you've been married 20 sexless years, are ready to do another 20 sexless years more? 25 years? 30 years?

Does that give you incentive to do something, now? Remember, IYADWYAD, YAGWYAG. [this is my abbreviation for "If you always do what you've always done, you'll always get what you've always got."]

~ ~ ~

*Godly marriage? My marriage has driven me AWAY from God.*

Ah, here you go astray. And you know it, too, don't you? I could get all preachy and start quoting Paul, "And what can separate us from the love of God...?" But I really don't need to, do I?

I realize that you are speaking from the anguish and frustration that the circumstances of your marriage have created, but if Christians past and present have found the grace of God in much more extreme situations than a stinkin' marriage, you know that it is available to you. Be assured that I am trying to not offer you trite *shibboleths* and pious airs. You are right in saying that the way that your church(es?) have NOT helped, as you describe below, is just that: not helpful.

I wrote this in the first of my *Working* posts:

***I don't know who may be reading this page, but I do know that serious sexual refusal is corrosive to a person's soul and spirit. You may be a Moody, a Luther, or a Wesley in your faith, but if you are refused and in a marriage that makes you miserable, you have spiritual handicaps that others don't have. As well, you have spiritual forces working on you that are capable of seriously warping your spiritual perceptions. So yes, your marriage is causing you spiritual problems, but your response is your response, not the marriage's. I'm not condemning you, just trying to help a brother to see that God is not the enemy but the Enemy is the enemy.***

~ ~ ~

*Their idea of help for a sexless marriage is a pamphlet about the evils of porn! It is like we hear you, we know it is a problem, but we GOT 'NUTTIN. Just don't turn to porn. Good luck to 'ya and we'll add you to our secret "Husband's Prayer List" if you promise not to tell any of the women about it.*

Yeah, you are right, they “got nothing.” Much of what passes for church today does not encourage biblical living, but tries to keep peace for those who support it and make it go. As I demonstrated in my *Women Rule* series [in my *Bad Teaching* .pdf], Christianity is the only world religion that appeals to and is structured for women, to the exclusion of men.

But that doesn't mean that every church is that way, and that you have to stay in feminized churches. I truly loathe the *Men Going Their Own Way (MGTOW)* movement, but I heartily advocate for a Men Going God's Way movement. Your marriage “drove you away from God?” Instead, let your marriage drive you TO God, not from him. Don't accept your wife's ukase that this is as good as you get by God's decree. Your celibacy is her choice, not God's, so if there is a God to shun, it is your wife's God, not the God of the Bible.

I don't know you, but because you comment on a Christian blog site, I am assuming that you are a Christian as well. I wrote a six-part series entitled *Working, Watching, Waiting* [in my *Waiting and Working* .pdf], and I highly recommend you read and re-read them. Bookmark them and come back to them often. But for the sake of this post, I give the take-aways from each, in digest form. Here are my recommendations from the series:

**For guys who are in a sexual hiatus: Realize that what you have received and believed is a lie, and go to God to do a mental and spiritual reset. Spend time in the Word of God, and be renewed and transformed by HIS [not the Church's] Word. Paul was brazen and arrogant enough to claim, “But we have the mind of Christ.” (1 Cor. 2:16) Spend time in the Bible, and you will be able to say the same thing.**

**[Prayer] – My first reason: prayer will help lift us from “average” to “normal”. In case you don't know it, there is a difference between the two. Many Christians live “average” lives, which, unfortunately, is not the way God wants Christians to live. His life, abundant life in the presence of God, is what SHOULD be our version of “normal”. All too often, we settle for “average”, and prayer, being in the presence of God and communing with God, is the act of ignoring the voices that would attempt to negate His voice. If we fail to pray, we get lost in Fog and settle for “average”.**

**[How to pray?] Discover what help you to create your prayer space and discover the different tools that help you find your way into your prayer space. Whatever works, do it. As Nike says, Just pray.**

**[Clean] up your life and [clear] up your mind by finding counselors, pastors and friends who can help with support and advice, and by moving outside of your frustration. In doing so, you are working with God to create a better man: You.**

**Find the guy you lost: All too often, it happens that one spouse allows the other to dominate and, over time, allows his/her distinctives to be squelched for the sake of the marriage.... Guys, you are not called to be an accessory to your wife's lifestyle. Yes, we are servants to our wives and**

**family. Guess what? You wife is also called to be a servant – to you and your family!**

To my reader, I say this: Okay, you feel you have a sucky marriage. That may be. But despite that, you can still be the man that God has called you to be and is calling you to be. It mayhap that as you grow in God and grace, your marriage may turn around. Or it may come to the point where either you or your wife will be led to separate or divorce. God knows you have grounds, should you finally make that decision.

However, you are called to follow Him. You can do so despite your wife's "Tough teats!" mindset. Just know that I and the readers of this blog will pray for you as you seek to walk in Christian integrity.

To the rest of you readers, take what advice and wisdom you may find in this man's situation.

CSL

**Links:**

CSL, *The Church And You Marriage: What Could Go Wrong?:*

<https://curmudgeonlylibrarian.wordpress.com/2018/11/27/the-church-and-your-marriage-what-could-go-wrong/>

CSL, *Scarlet Letter:* <https://curmudgeonlylibrarian.wordpress.com/2016/01/24/divorce-scarlet-letter-or-valid-option/>

CSL, *Restoring Balance:* <https://curmudgeonlylibrarian.wordpress.com/2016/01/24/divorce-scarlet-letter-or-valid-option/>

CSL, *Working:* <https://curmudgeonlylibrarian.wordpress.com/2015/10/09/waiting-watching-working-pt-1/>

CSL, *Women Rule:* <https://curmudgeonlylibrarian.wordpress.com/2017/01/24/bad-teaching-women-rule-men-drool-part-1/>

Paul Byerly, *Generous Husband. Don't Study the Counterfeits:* <https://www.the-generous-husband.com/2019/03/30/dont-study-the-counterfeits/>

## Chapter 5

### Divorce: Scarlet Letter or Valid Option?, pt. 1

This is going to be interesting, folks. Because of the comments by a couple of readers in response to a few of my blog posts, I realized that I had to address that which cannot be named: the bad teachings about divorce that have been handed down to us as gospel.

On my blog, I kinda, sorta, almost, ‘in a roundabout way’ taught about divorce in a number of early posts (see my *Idolatry* and *Covenant or Contract* [ch. 3] series for the ‘almosts’.) But comments by different readers made me realize that I needed to come out in the open and stop with the veiled hints.

While I am a big supporter of marriage, I am not a guy who believes that marriage is a call to martyrdom. One of the most popular mantras in Christian circles used to placate folks who are in misery is “Marriage isn’t to make you happy, it’s to make you holy.” When you boil what these teachers, preachers and writers say, you come up with this:

*Some people get lucky in the marriage lottery and are happy. Others? Well, that’s their God-given cross to bear for the Kingdom.*

As you might guess, I’m not buying it. I have yet to have one of these people show me a verse in the Bible that supports the idea that marriage is a character-building exercise or a cross to bear. I don’t find where Paul included marriage in that list of sufferings in which we are to rejoice, in Rom. 5:3. Nope, not seein’ it.

#### Surprise, Divorce Is Not A Sin

If that were the case, then you would have to say something about God’s divorce. After all, in Jer. 3:8, God says, “*She saw that for all the adulteries of that faithless one, Israel, I had sent her away with a decree of divorce.*” Before you decide to go handing out scarlet letters for divorce, be sure you reserve one for God.

Rather than divorce being a sin, divorce is a valid option to a **hard-hearted, intentional violation** of the marriage covenant/contract. An unfortunate option, yes, but a valid one. By the way, please note the words I stressed, as that was intentional, and those words will come into play later.

In any discussion about divorce, what happens right about now is that many Christians glibly toss off a quick “*God hates divorce,*” and move on, thinking that they’ve scotched all heretical thinking. (I know, I used to be one of them.) But the problem is that it’s NOT Biblical.

As I’m learning, so much that we know about the Bible and believe that the Bible teaches about marriage is wrong, including the fact that Mal. 2:16 doesn’t say “*God hates divorce.*” (See ch. 1, above.)

The question has to be addressed, “On what basis do you believe that the Church’s understanding of the Bible and marriage is wrong?” That’s simple:

## Historical Context

Anyone who has looked into what Jesus said about divorce has come across the fact that there were two schools of thought about acceptable reasons for divorce in Palestine at the time of Christ. The two prominent rabbis of that era had differing teachings about valid reasons for divorce. One, Rabbi Hillel, taught that a man could divorce his wife for any reason, even burning the soup. Rabbi Shammai, on the other hand, believed that the only valid reason for divorce was sexual immorality.

This summation is accurate. Reb Hillel and Reb Shammai lived and taught during the time of Herod the Great (the baby-killing Herod). If you want to read more about them from a Jewish perspective, you can read the short article at *Jewish Virtual Library* linked at the end of the chapter.

So, yes, the summation of Reb Hillel and Reb Shammai’s teachings is true. As far as it goes....

## Okay, Literary Context, Too

In a post entitled *Readdressing “What God Has Joined”*, I discussed idioms and figures of speech, and included a link to an excellent article on Jewish idioms. This was to show that our penchant for trying to build towering fortresses of theological proofs about how Jesus’ life and death “fulfilled the Law” so that the Law didn’t apply to Christians were a vast waste of time. After all, “fulfill the Law” and “destroy the Law” weren’t so much theological constructions as accusation and defense.

As well, our vaunted translation scholarship can sometimes obscure what the Bible is saying. There is a wonderful TED Talk by author and scholar, Dr. Joel Hoffman, about problems in Bible translation, and needing to understand context and language. For example, read the following line from Song of Solomon without responding “Ewwww!":

*You have captivated my heart, my sister, my bride;*

Hoffman explains why that sentence isn’t disgusting or sin, and I’m just librarian enough to say, “Look it up yourself.” Bwahahahaha!

(Seriously, go watch the video, it’s fascinating. The link is below.)

Just as “Fulfill/Destroy the Law” is not a call to theological parsing and “My sister, my bride” isn’t a Biblical imprimatur for incest, Jesus’ *Exception Clause* (“except on the ground of sexual immorality”) is not the equivalent of a Supreme Court ruling on the only valid justification for divorce.



In the next chapter, I will explain the difference between “any cause” and “Any Cause”, and discuss the importance of “hardheartedness” and “intentional violation” to the Biblical discussion of divorce.

CSL

**Links:**

CSL, *Marital Idolatry*: <https://curmudgeonlylibrarian.wordpress.com/2014/11/24/marital-idolatry-part-1/>

CSL, *Readdressing “What God Has Joined”*: <https://curmudgeonlylibrarian.wordpress.com/2016/01/11/re-addressing-what-god-hath-joined/>

Jewish Virtual Library, *Hillel and Shammai*: <http://www.jewishvirtuallibrary.org/jsource/biography/>

Joel Hoffman, TEDX Talk: [https://www.youtube.com/watch?v=ek\\_qoqvfbqE](https://www.youtube.com/watch?v=ek_qoqvfbqE)

## Chapter 6: Divorce: Scarlet Letter or Valid Option?, pt. 2

Okay, so I went and opened up one of the biggest can of worms in Christendom; I wrote a post for my blog in which I didn't call down *anathemas* upon the idea of divorce. I actually had the temerity to say that divorce is a valid option for a spouse, so it's going to be interesting to see if *decent folk* will return my phone calls.

To begin with, we all know that even Jesus said that there was one case in which divorce is allowed, but we also know that He wasn't all that thrilled about having to say so, right? I mean, we know that Jesus told the Pharisees God allowed Moses to slip divorce into the Torah over His objections, because the Hebrews were so hard-headed and -hearted that even He had to bow to their wishes, right? After all, "*Because of your hardness of heart Moses allowed you to divorce your wives....*" right?

Think about it--just how big a wuss does that make God to be, that He can't stand up to marital bullies? The great and powerful God of the universe saying, "Oh, alright, if you insist!"

Nah, something else must be going on here.

### A National Debate

For half a century, our country and our churches have been struggling with the issue of abortion. How you stand on this issue pretty much decides whether one half of the nation will talk to you, or if the other half will talk with you, it is just that divisive.

In Jesus' day, while the debate in Judah was not as rancorous (I'm thinking it could have been so if there had been a first-century equivalent of Facebook), the Hillel-Shammai divorce debate was just as strong and vigorous. In Matt. 19:3, we are told that a few Pharisees came to test Jesus:

*And Pharisees came up to him and tested him by asking, "Is it lawful to divorce one's wife for any cause?"*

In what way could the Pharisees have been "testing" Jesus? I believe that it was for the opposite reason that most of us would think. Yes, Jesus, in answering their question, did show where He came down on the whole Hillel-Shammai divide (see last chapter for a brief summation of this divide.) But I'm thinking that the Pharisees were not testing Him to see if He would uphold marriage, but if Jesus would side with Reb. Hillel's interpretation or with Reb. Shammai's interpretation. According to David Instone-Brewer's *Divorce and Remarriage In the Church*, within two or three generations, Hillel's teaching had become so popular that most of all divorces were based on his interpretation, and were "any cause" divorces.

(Point of speculation on my part: we can pretty much assume that when Joseph wanted to “put Mary away quietly”, we’re talking Hillel’s “any cause” divorce. After all, if you didn’t use that method, you went for the public “trial”.)

## Contemporary Terms And Translation Overlook

The Hillel-Shammai disagreement was a national debate, with its own terminology, its own lingo. We have the same situation today. When we discuss the topic of abortion, we use verbal shorthand to convey our points and make it easy on readers and listeners alike. We speak in terms of being “Pro-Life” or “Pro-Choice”, and when we use them in discussion, everyone understands what we are saying; these terms have commonly accepted definitions, not needing explanation.

Now imagine a time, centuries later, where there is no debate about abortion, that it isn’t on anyone’s radar. What would readers have to know in order to understand a statement or accusation of someone being pro-life or pro-choice? “If someone is in favor of life and his opponent isn’t, does that mean that she is for death or suicide?” Without the connotation of the terms, it won’t be easy to grasp the denotation.

The same thing applies to the Hillel-Shammai debate, and our Bible translations don’t help us to understand because they don’t convey that context to us. As a result, when we read the story of Jesus being questioned about divorce by Pharisees, we aren’t presented with the relevant vocabulary. Oh, it’s true that Jesus was being asked about divorcing for ‘any cause’, but the full connotation of that phrase isn’t conveyed.

Believe it or not, Hillel based his divorce teaching on scripture! The basis for his teaching is Deut. 24:1, which reads,

*When a man takes a wife and marries her, if then she finds no favor in his eyes because he has found some indecency in her, and he writes her a certificate of divorce and puts it in her hand and sends her out of his house, and she departs out of his house,*

This seemingly innocuous verse (which, by the way, does NOT condemn divorce!) is the source from which Rabbi Hillel derived his “divorce for any cause” teaching, and the teaching for which Jesus was being queried by a group of Pharisees. Rabbi Hillel created the “Any Cause” doctrine and it was this doctrine that the Pharisees were asking about.

But here’s the kicker. Our translations don’t convey to us this information. Just as we use the common lingo of *pro-life* and *pro-choice*, the Jews in Jesus’ time would understand that anyone using the term *any cause* was referring to the Hillel doctrine. The readers of that time would know that the Pharisees weren’t asking for general information about marriage and divorce, but were seeking to find out how Jesus understood the scriptures regarding the specific teaching of Rabbi Hillel.

## Four Reasons For Divorce?

During Old Testament times, there were four valid reasons for divorce derived from scripture; three of these reasons are found in Ex. 21, and one in Deut. 24. The question that the Pharisees asked did not address the three causes that had been accepted from the time of Sinai, from Exodus 21; after all, they were not the matter in dispute! They were asking specifically about Hillel's *any cause* teaching derived from Deut. 24, because that was the issue of the day. Conversely, Jesus was confining his answer to Hillel's interpretation of Deut. 24. He did not address the reasons for divorce in Ex. 21, nor did His answer negate the valid reasons in Ex. 21.

Instead, Jesus was specifically asked about Hillel's teaching and his use of Talmudic reasoning to create a new teaching about divorce. It is unfortunate that our translations of the Bible do not convey the sense of the conversation; if they did, there would be a whole lot less grief and misery in the Church.

## A Way To Reword Matt. 19:3?

I use the ESV translation and it gives Matt. 19:3 this way:

*And Pharisees came up to him and tested him by asking, "Is it lawful to divorce one's wife for any cause?"*

I think a better way to word this verse, in order to convey the intent of the Pharisees and the matter that they were asking about would be something like this:

*In order to catch Jesus in error, a group of Pharisees asked Him, "Is the Any Cause teaching in keeping with the Law or not?" (note the caps and bolding, to identify it as Reb Hillel's teaching.)*

Open your Bible to Matt. 19, and read the beginning of the chapter. As you read it, use the alternative reading I give and see if it doesn't make more sense of the encounter.

~ ~ ~

In the next chapter, I will delve deeper into Hillel's *Any Cause* teaching, and we will see how he changed Judaism and influenced Christian marriages for two millennia.

After all, how could a Rabbi find support for divorcing your wife simply because she burned the soup?

Hint: Talmudic reasoning.

CSL

## Chapter 7: Divorce: Scartlet Letter or Valid Option?, pt. 3

The two previous chapters presented information about the Hillel-Shammai divorce debate in Palestine at the time of Christ. Both Rabbi Hillel and Rabbi Shammai were so venerated in their time that they had followers and disciples who came to them for teaching and instruction. The School of Hillel and the School of Shammai were both physical (disciples) and ideological (interpretations of *Torah*). That these two men lived and debated at the same time in history had the result of reshaping Judaism.

For our contemporary world, and for the Church, their teachings have had, and still has, impact on marriage.

### Why Is Hillel-Shammai Debate So Important?

In chapter 5, I presented a summation of the Hillel-Shammai debate, showing that Rabbi Hillel introduced the idea that a man could divorce his wife for any reason. This teaching, within two or three generations, became the accepted belief and practice of Judah and revolutionized how marriage was treated in Judah by the time of Christ, and in Judaism for the next 2000 years.

Prior to Hillel, there were four (count 'em, FOUR) accepted, valid reasons for divorce:

1. Sexual immorality (Deut. 24:1),
2. Failure to provide food (Ex. 21:10-11),
3. Clothing (Ex. 21:10-11),
4. Conjugal rights (Ex. 21:10-11).

These four reasons couldn't just be claimed and acted upon; to initiate divorce proceedings, you had to go to court (well, their version of court. It was a public accusation.) And note, under this application of Israel's divorce laws, a woman could initiate divorce; it wasn't the sole province of men, as is now the case in orthodox Judaism. Rather, divorce could only be initiated by the injured spouse against the spouse that had broken faith with the marriage vow.

So what did Rabbi Hillel do that completely changed the Jewish approach to marriage and divorce? He applied *Talmudic Reasoning*.

### Talmudic Reasoning? What's That?

I found an excellent description of Talmudic reasoning at the Ohr Somayach Yeshiva website [linked below]:

*In the Talmudic method of text study, the starting point is the principle that any text that is deemed worthy of serious study must be assumed to have been written with such care and precision that every term, expression, generalization or exception **is significant not so much for what it states as for what it implies**. The contents of ideas as well as the diction and phraseology in which they are clothed are to enter into the reasoning.*  
[my emphasis]

Please take note of the text in bold; that is crucial, as it epitomizes what happened to Judaism, and was the type of thinking that Jesus condemned when he accused the Pharisees of nullifying the word of God.

*“...for the sake of your tradition you have made void the word of God.” (Matt. 15:6, Mk. 7:13)*

In one of my *Working* posts, I mentioned prayer shawls and *tzitzit*, the fringes at the corners of prayer shawls, and shown in this photograph:

According to conservative and orthodox Jewish tradition, prayer shawls can only be worn during daylight hours, not at night. Why? Because of *Talmudic Reasoning*.



The command for *tzitzit* is found in Num. 15:37-39:

*The LORD also spoke to Moses, saying, “Speak to the sons of Israel, and tell them that they shall make for themselves tassels on the corners of their garments throughout their generations, and that they shall put on the tassel of each corner a cord of blue. “It shall be a tassel for you to look at and remember all the commandments of the LORD....*

A simple command, but where is the prohibition against wearing *tzitzit* at night? It’s in the phrase “... a tassel for you to look at...” I realize that you are scratching your head and thinking to yourself, “There is NO prohibition against wearing a prayer shawl at night!”

Ah, but remember, recall this: we have only had electricity for a couple of hundred years, right? Rabbis and teachers after the time of Jesus studied this text and concluded that the phrase “to look at” meant that a man had to be able to see the tassels, which he couldn’t do this at night, in the dark; ergo *tzitzit*, or prayer shawls, were not to be worn at night.

Jesus’ frustration with this method of approaching Scripture and life boiled over at the end of His ministry, with His seven-fold Woes in Matt. 23, where He accuses them of, among other things, straining at gnats and swallowing camels.

## Hillel: “Marriage, meet Talmudic Reasoning”

As I wrote in the last chapter, Rabbi Hillel looked at Deut 24:1 and decided that, through Talmudic Reasoning, he saw that men could divorce their wives for “Any Cause”.

Here is that verse; see if you can find the part where it says “Any Cause”:

*When a man takes a wife and marries her, if then she finds no favor in his eyes because he has found some indecency in her, and he writes her a certificate of divorce and puts it in her hand and sends her out of his house, and she departs out of his house, (ESV)*

Do you see it? Believe it or not, it’s there according to Hillel. Here is the operative clause, according to him:

*found some indecency*

Just as this phrase is three words long in the ESV, there are three words in the Hebrew that comprise this phrase: *makah dabar ervah*.

- *Makah* – found/find.
- *Dabar* – thing/matter.
- *Ervah* – indecency.

Inkstone-Brewer says that a more literal translation of this phrase is

*...found a cause of sexual immorality ...*

“What’s the problem?”, you may ask. “How does this description of divorce for sexual immorality morph into ‘Any Cause’? After all, this is specifically about sexual immorality!”

“Not so fast,” Hillel said. “Look at that phrase, again – *makah dabar ervah*. Why didn’t Moses just write ‘*makah ervah*’? “If a man finds indecency”? Why did he write *makah DABAR ervah*, “finds A MATTER of indecency”?”

And it’s the insertion of that one word, *dabar*, that became the basis for “Any Cause.” “That word must be there for a reason!”, Hillel decided, and proceeded to say that its presence implied that this passage was saying that, “yes, sexual immorality is a legitimate reason to divorce. BUT the fact that the word *dabar* is included means that there are other reasons, other causes, for which a man may divorce his wife.” (Remember, *Talmudic Reasoning* looks for *implied meaning*, in addition to explicit meaning.)

And, according to Rabbi Hillel, these causes for divorce fall into two categories: sexual immorality (*ervah*) and non-sexual reasons (*dabar*). And, yes, since Deut. 24 says “*if the wife has found no favor*” in her husband’s eyes, then no matter what his complaint against his wife might be, it is a valid reason to divorce.

## Jesus’ Response

I’m reading from the LIV\*\* here:

*And the Lord said unto them, “Are you out of your rock-pickin’ mind? The only reason that Moses wrote about in Deut. 24 is sexual immorality. Sheesh!”*  
(\*Librarian’s Improvised Version – a spunky translation with a limited readership. Limited appeal, too.)

Okay, so maybe the LIV won’t be a big seller, but I’m pretty sure that I’m nearer to the actual tense(ness) than many more accepted texts. Jesus not only “picked a side,” He explained what God intended when He created man and woman and marriage. And then, when they tried to spring their trap (remember, this had all been to ‘test’ Jesus, to catch Him in a trap), He took them back to the original text of Deut. 24:1, absent any and all Talmudic teaching and tradition:

*They said to him, “Why then did Moses command one to give a certificate of divorce and to send her away?” He said to them, “Because of your hardness of heart Moses allowed you to divorce your wives, but from the beginning it was not so. And I say to you: whoever divorces his wife, **except for sexual immorality**, and marries another, commits adultery.”*

And He reiterated the original, plain teaching of scripture, that Deuteronomy only gave one cause for divorce. On top of that, He disarmed their trap, the “command to divorce”, but moves the discussion to hard-heartedness.

Which I discuss in the next chapter.

CSL

### **Links:**

Ohr Somayach Yeshiva, “*Talmudic Reasoning*”: <http://ohr.edu/judaism/articles/talmud.htm>

David Instone-Brewer, *Divorce and Remarriage in the Church*: [http://www.amazon.com/Divorce-Remarriage-Church-Solutions-Realities/dp/0830833749/ref=sr\\_1\\_1?ie=UTF8&qid=1454044479&sr=8-1&keywords=divorce+and+remarriage+in+the+church](http://www.amazon.com/Divorce-Remarriage-Church-Solutions-Realities/dp/0830833749/ref=sr_1_1?ie=UTF8&qid=1454044479&sr=8-1&keywords=divorce+and+remarriage+in+the+church)



## Chapter 8: Divorce: Scarlet Letter or Valid Option?; pt. 4

At the end of chapter 5, I said that I would get around to discussing the import of the phrase “hard heartedness” and its relationship to the intentional violation of the marriage vows. Because of my verbosity, it has taken me three chapters to get to that subject, but now is the time to go there.

In the last chapter, I discussed how Matthew told the story of Jesus debunking the *Talmudic Reasoning* that was applied to God’s Law by rabbis that created an “Any Cause” clause in support of their version of No-Fault divorce. And as we saw, after Jesus blew up the “Any Cause” clause, the Pharisees sprung their trap:

They said to him, “*Why then did Moses command one to give a certificate of divorce and to send her away?*” (Well, they thought it was a trap.)

However, He came right back at them:

*“Because of your hardness of heart Moses allowed you to divorce your wives, but from the beginning it was not so. And I say to you: whoever divorces his wife, except for sexual immorality, and marries another, commits adultery.”*

### Permission, Not Command

I hope you caught the difference between what the Pharisees and Christ said. The Pharisees say that God *commanded* a man to divorce his wife, but Jesus said that it was optional. It is “allowed”, it is an option.

I don’t want to get all New Testament-y on you, but Jesus is in the reconciliation business. Marriage is no bed of roses, and Lord knows, there is something to the old adage “Familiarity breeds contempt.” After all, who among us (other than my wife) hasn’t had to pray, “Father, give me the strength to keep from using my strength to murder Hubs/Wifey!”

But to approach divorce? This isn’t some small matter of an irritant, such as leaving the toilet seat up or not squeezing the tube from the end. To get to the point of ending the marriage involves more than pique, it involves breaking the marriage covenant/contract VOWS.

When a man and woman marry, they pledge to undertake certain responsibilities and fulfill certain roles for the other, in order to enter into this union. These vows, in Old Testament times, were specified in scripture, and supported by rabbinic teachings, and written down in marriage contracts called *ketubahs* (see ch. 3); in fact, they still are. And

failure to fulfill these vows constituted the breaking of the covenant and the end of the marriage.

Jesus' approach to this, however, was the option of reconciliation. Yes, divorce is a choice that the offended party may pursue. But if there is still love and care for the other, and if the offending spouse is willing to enter back into covenant and fulfill his/her vows, then there isn't necessarily a command to issue a divorce; there is a chance for reconciliation and restoration.

Did I say that this was Jesus' approach? Well, this was also the approach of God the Father, in the Old Testament. Read the story of God's relationship with Israel and Judah, and trace His attempts to reconcile with His faithless wives, in Hosea, Jeremiah and Ezekiel. Over and over, He tries to bring Israel back into covenant, but finally sends her away:

*Thus says the Lord:  
"Where is your mother's certificate of divorce,  
with which I sent her away?  
Or which of my creditors is it  
to whom I have sold you;  
Behold, for your iniquities you were sold,  
and for your transgressions your mother was sent away.  
(Is. 50:1)*

Using Hosea as an object lesson, God demonstrated His attempts to call Israel back from her unfaithfulness, time and again. But the time finally came when He severed the marriage covenant between Him and Israel.

## Whose Hard-Heartedness?

Jesus told the Pharisees, "*Because of your hardness of heart Moses allowed you to divorce your wives....*" This appears to say that God ceded His will to hard-hearted people who insisted on the option of divorce or they wouldn't accept Him as God. As I said in my last post, I don't buy that.

What does it take to break a covenant? In the case of Israel in the OT, it was hard-hearted refusal to repent, to turn from other gods and return to the one true God, *JHWH*. Although He gave them chance after chance, sent prophet after prophet to warn them, to chastise and urge them to return to God, they went merrily on their way to their own doom and enslavement.

The *hard-hearted* are those who refuse to honor their covenantal marriage vows, who refuse to honor their pledge to their spouse. We know that in OT times, there were four promises/expectations of a marriage covenant/contract. They were

- sexual faithfulness (Ex. 20:14; Deut. 24:1; Matt. 19:9)
- provision of food (Ex. 21:10-11)
- provision of clothing (Ex. 21:10-11)
- conjugal rights (Ex. 21:10-11).

When you read the Ex. 21 reference, you see that it is speaking about “slave wives” and the right of slave wives to leave freely, without price. If you are tempted to say some like, “Well, that was just for slaves,” then you need to recall that I said these were the laws of “OT times.” Very quickly after the giving of the Law, the leaders and judges of Israel realized that the rights of a Hebrew wife should not be less than those of a slave wife, and in Hebrew marriage documents, *ketubahs*, for three thousand years now, the three requirements of Ex. 21 (food, clothing, and conjugal rights) have been placed in Jewish marriage contracts.

As an interesting sidebar to this discussion, the Talmud even has a passage on the minimum frequency a husband owed his wife sexual pleasure:

*“The times for conjugal duty prescribed in the Torah are: for men of independent means, every day; for laborers, twice a week; for donkey drivers, once a week; for camel drivers, once in thirty days; for sailors, once in six months.”*

(Sailors, of course, took long journeys).

All this is to say that when a man and woman pledge to each other, vow to each other, to love and care for each other, they are promising to fulfill certain obligations and responsibilities to the other in order to maintain the marriage. In the eyes of God and in the eyes of Israel, to intentionally fail to honor the covenant promise entitled the spouse who had been sinned against to declare the covenant broken and the relationship at an end.

## Covenant Breakers Break Covenants

In response to the blog post that was the previous chapter, one commenter said that he was interested in getting my thoughts on what would constitute “*sexual immorality with regards [to] a legitimate basis for divorce.*” He also referenced Matt. 5:28 (which says that even looking at another with lust constitutes adultery) and said that just about everyone could be divorced, if we went by that standard.

Well, thankfully, we don’t use that standard. In His response, Jesus referenced the continuous, unrepentant, hard-hearted choice to violate God’s covenant as the standard for divorce. If a husband has the morals of an alleycat and makes no bones that his porn and affairs are his way of life, then that is valid reason for divorce. And if a wife decides to say that sex is no longer going to occur in the marriage, then the husband has valid reason to divorce his wife.

## The Three A's

All Christians agree that *Adultery*, breaking the marriage vow via an affair, is an acceptable reason for divorce, so that doesn't need to be discussed. A second reason that there might be somewhat less agreement on, as far as validity for divorce, is *Abuse*, whether physical or emotional. But under the laws of divorce as given by Moses, this would fall under the broad heading of failure to provide care, *a la* Ex. 21:10-11.

A third one reason that I believe to be a valid reason for divorce is *Abandonment* of the marriage bed. (Hence, the Three A's, as I refer to them: *Adultery, Abuse, Abandonment*). The Greek word, *pornea*, has been analyzed *ad nauseum*, and I'm not going to do it here. Suffice to say that the word means more than adultery, and has been translated as "sexual immorality" in a number of translations.

Does abandonment of the marriage bed rise to the level of sexual sin, such as adultery? At the very least, it is the failure to fill the expected role of friend and lover that is sworn in the marriage vow. And it is clear that the writer of the *Torah* thought so (Ex. 21), and, to my astonishment, so did one of my Heroes of the Faith. In his tractate, *The Estate of Marriage* (1522), Martin Luther wrote this:

*The third case for divorce is that in which one of the parties deprives and avoids the other, refusing to fulfil the conjugal duty or to live with the other person. For example, one finds many a stubborn wife like that who will not give in, and who cares not a whit whether her husband falls into the sin of unchastity ten times over. Here it is time for the husband to say, "If you will not, another will; the maid will come if the wife will not." Only first the husband should admonish and warn his wife two or three times, and let the situation be known to others so that her stubbornness becomes a matter of common knowledge and is rebuked before the congregation. If she still refuses, get rid of her; take an Esther and let Vashti go, as King Ahasuerus did [Esther 1:1 :17].*  
"Only first he should admonish and warn his wife two or three times"!!

Well, what do you know? Luther was advocating for the *Shot Across The Bow!* [see my *Addressing the Sexless Marriage* .pdf, ch. 3] And do you see what he also advocates? Making her stubbornness a matter of common knowledge! He is calling for a Matt. 18 confrontation with a sinning wife. How many preachers and teachers do you hear calling for that in this day and age?

## Conclusion

In chapter 5, I said, "*rather than divorce being a sin, it is a valid option to a **hard-hearted, intentional violation** of the marriage covenant/contract. An unfortunate option, yes, but a valid one.*" I believe I have shown that God does not see divorce as a scarlet letter sin committed by a hard-hearted reprobate, but the final sad action needed to formally end an irreparably broken relationship.

Divorce is not a happy act, nor is it a vengeful act. But it is sometimes a needed act, and we, as a Church, as the Body of Christ, need to realize that we need to reach out, not with the traditions and teachings of men, but with the healing power of God's word.

CSL

**Link:**

Martin Luther, *The Estate of Marriage*: <http://www.1215.org/lawnotes/misc/marriage/martin-luther-estate-of-marriage.pdf>

## Chapter 9: Marriage/Divorce: Restoring Balance, part 1

I have mentioned in blog posts that I follow quite a few marriage bloggers and writers on Twitter. When I wrote the post that became this chapter (April, 2015), divorce had been a trending topic among them, with an increase in the number of posts and tweets encouraging Christians to continue to “hold on to their marriages for the Kingdom”. I understood why, by the way. Just before the beginning of the new year, Michelle Weiner-Davis, of *Divorce Busters*, had sent out a tweet stating that January was, historically, Divorce Month and recommended that New Year’s Resolutions for starting divorce proceedings be abandoned.

That year, I saw why January has that reputation, by the way. I had started reading a secular sexless marriage forum, and that year, from about Christmas on, there were at least a dozen husbands and wives who wrote of finally serving divorce papers to their spouses. In fact, at the time that I wrote this post/chapter, two more men on that forum have announced the beginning of divorce proceedings in the past week, for a total of fourteen marriages that ended. To me, that was both personally stunning and a confirmation that Weiner-Davis was right!

### Building Blocks/Starting Blocks

Previously I had addressed the nature and essence of marriage in three series, *Marital Idolatry* (ch. 1-2), *Covenant or Contract* (ch. 3) and *What God Has Joined* [see link below]. It was only natural that I then did an examination of the Church’s shaky teaching on divorce in my series, *Scarlet Letter Or Valid Option* (ch. 5-8). While I admit to swimming against the currents, I see those chapters as among the most important that I have written.

But after putting those up on my blog, there were comments and questions from readers that I promised to address, but with my customary procrastination, I kept pushing back. However, because of that rising tide of “stand against divorce” tweets and posts, and its implications for folk in truly sucky, toxic marriages, I felt the need to expand on what I had written before.

### First Things First: The Givens

The following statements are my givens from which further discussion proceeds; no debate, no discussion, they are my building blocks from which I begin a further discussion. If you want the background for them, go back and re-read the chapters above, but know that I believe them to be biblical.

*Given #1:* Marriage is an institution created by God, but it conveys no special unction or blessing upon those who enter into it.

*Given #2:* Marriage is an institution created by God, but it was not created with spiritual permanency; it is not eternal in its essence.

*Given #3:* Marriage is a covenant only inasmuch as it is a contract, an agreement/commitment between two people.

*Given #4:* There are four, not one, valid options for divorce, according to OT teaching, that Jesus and Paul did not renounce: adultery (Deut. 24), failure to provide clothing, food, and sex (Ex. 21).

*Given #5:* Divorce is not the breaking of the marriage covenant; breaking faith with your spouse by violating one or more of the four promises (fidelity, protection, provision, and conjugal rights) is breaking the marriage covenant.

## Question: What constitutes “Sexual Immorality”?

One of my readers asked a couple of questions in response to chapter 7 that I promised to address, but kept putting it off with “Ehhh.... Not yet.” However, after the flood of marital absolutism that crossed my Twitter feed, I knew I had to sit down and address his question.

He wrote:

*CSL, as you're really stirring things up here I'd love to learn about your thoughts on what actually constitutes “sexual immorality” in the context of divorce?*

and

*I was hoping to get your opinion on what would count as sexual immorality with regards a legitimate basis for divorce. If you refer to Matt 5.28 then it's almost possible to say that, save for the purest of heart, we all have grounds for divorce.*

As I shared with readers on my blog, I have been spending a lot of time reading about and studying the historic context of our Christian faith, and its Jewish roots. Jesus was not a Baptist or Methodist; he was an observant Jew who went to Temple and synagogue, who recited the *Shema* twice a day and prayed the *Amidah* three times a day.

In my reading, I came across a sentence that explained the dichotomy between Christians and Jews. In the introduction to her book *Mudhouse Sabbath*, Lauren Winner, a Jewish convert to Christianity, wrote, ...

*“Practice is to Judaism what belief is to Christianity.”*

We Christians emphasize what we think and what we feel, rather than what we do, whereas in Judaism, it is the other way around; in Judaism, it matters what you do. It

comes down to the question, “Are you a *mensch*?” (As Christians, I would hope so, because a *mensch* is a good person.)

When you re-read the commenter’s questions above, asking “*what actually constitutes sexual immorality*” and referencing “*looking at a woman*”, you can see the innate Christian mindset at work, desiring to find the mental tipping point at which we can determine that X is not sexual immorality, but Y is where the line was crossed. In other words, we look for clues in attitude and intent.

But does it really matter to the marriage, to the individuals involved, *why* something happened/is happening? What matters is *what* is happening because that is the source of misery in the marriage. Oh, we can try to parse out the whys, wherefores, and whereases and we can try to figure out whose *tit* brought about the other’s *tat* (uh, wow... that’s a dangerous phrase to try to play with, isn’t it?). When it comes down to it, when all the shouting is done, the question is really very simple: is the covenant of the marriage broken by the actions of one of the spouses or not?

## Picking The Low-Hanging Fruit First

My reader asked what I believed to be a “*legitimate basis for divorce*” when it came to sexual infidelity. Above, I listed my *Givens* about what I believe the Bible says about marriage and divorce. In examining *Givens #4* and *#5*, I worded it to reflect that the violation of the marriage covenant is an action. With that in mind, it is a natural first step to identify the most egregious violation of a marriage covenant.

The one action that is undeniable (and easiest to label as sin) is adultery. There is no equivocation about it: either the spouse bedded another lover or s/he didn’t. If s/he didn’t, then there is no violation of the covenant. By the act of marital infidelity, the marriage covenant is broken. While it is up to the wronged spouse to decide whether or not the break is irrevocable, or if there is to be an attempt at reconciliation, the irreducible fact is that the infidelity broke the covenant.

To argue otherwise is to call Moses and Jesus liars; there is no question about it. (Quick rabbit trail: for those who claim that marriage is eternal, that the marriage covenant can’t be broken, it seems that Jesus’ teaching that divorce is permissible due to adultery scotches that argument instantly.)

And now to the harder questions: does sexual refusal constitute a valid reason for divorce via “*sexual immorality*”?

Ehhhhh... next chapter.

CSL



**Links:**

CSL, *Bad Teaching: What God Has Joined*: <https://curmudgeonlylibrarian.wordpress.com/2015/12/31/bad-teaching-what-god-has-joined/>

Lauren Winner, *Mudhouse Sabbath*: [https://www.amazon.com/Mudhouse-Sabbath-Invitation-Spiritual-Discipline/dp/1557255326/ref=sr\\_1\\_1?ie=UTF8&qid=1491490138&sr=8-1&keywords=mudhouse+sabbath+by+lauren+winner](https://www.amazon.com/Mudhouse-Sabbath-Invitation-Spiritual-Discipline/dp/1557255326/ref=sr_1_1?ie=UTF8&qid=1491490138&sr=8-1&keywords=mudhouse+sabbath+by+lauren+winner)

## Chapter 10: Marriage/Divorce: Restoring Balance, part 2

In the last chapter, I began to address a couple of questions put to me by a reader asking if it is kosher to consider sexual refusal as a valid reason for divorce, *a la* adultery. After all, he correctly noted, it only takes one act to commit adultery, whereas refusal is a long-term situation. At what point does it become “sexual immorality,” he asked. In fact, he asked that question again in response to my *One Coin, Two Sides* post, which is chapter 14. He asked:

*There is a slight problem with the abandonment is equal to adultery argument in my opinion. The act of adultery along with sexual abuse (may as well throw that in for good measure) is sustained by a single act. A single act of adultery would be grounds for divorce and a single act of sexual abuse could mean a lengthy stay in jail. Now clearly a single act of refusal, even though it may be a break of the marriage covenant, wouldn't even raise an eyebrow in most circles. So when does refusal become abandonment and then possibly/maybe grounds for divorce, 1-day, 2-weeks, 3-months, 9-months....?*

### Wrong Question. Go Back To The Source

It seems to me that asking “what constitutes sexual immorality” misses the point. Instead of “immorality” we need to be looking elsewhere, at what constitutes a violation of the promise of *fidelity*.

After all, isn't adultery an act of in-fidelity, the breaking of the vow made when entering marriage? When we stand before the minister or justice of the peace, we make this promise to our spouse: “*forsaking all others, keeping myself only unto thee*” (as the traditional vow goes.) So when a husband or wife decides to step out of the vow by stepping into another's bed, they are guilty of an infidelity. Okay, adultery, easy-peasy, right? A no-brainer.

But let's examine that vow a little closer. That vow, that promise of fidelity to your spouse? It has two sides, doesn't it?

- *forsake all others*
- *keeping myself only unto thee*

The vow of marital fidelity is *FROM* others *TO* you. The installation of a regime of sexual refusal into the marriage means that one spouse has decided, unilaterally, to rewrite the vow and is telling the other that the vow now reads, “*keeping myself from thee, as well.*” When one spouse decides that the sex within the marriage is over, the promise of marital fidelity is broken. S/he may have forsaken others, but s/he has also decided to forsake *thee*, too.

## Okay, What Constitutes “Forsaking Me?”

That’s the question, isn’t it? As the reader pointed out, one act of adultery constitutes infidelity, but certainly one, “Not tonight” surely isn’t an act of forsaking, is it? Of course not!

But I do want to come back to that statement about the difference between Judaism and Christianity, that I quoted in the last chapter:

*“Practice is to Judaism what belief is to Christianity.  
~Lauren Winner, Mudhouse Sabbath.*

I’m not saying that the *whys* of gatekeeping and/or refusal are of no consequence; the *Colloquy* that Chris Taylor, of *Forgiven Wife*, and I did on my blog [link below] demonstrated that. However, we have to accept the fact that the elephant in the room is the refusal, not the *whys and wherefores* of refusal. The *whys* are the beliefs in that statement above. The refusal is the practice, the tangible action (inaction!) that is defining the relationship.

If the marriage is marked by the practice of refusal and gatekeeping, *Why-chasing*, while a useful diagnostic tool, is not the cure for the situation. All manner of “This is why I can’t have sex with you” is secondary to the fact that one spouse is renegeing on his/her promise made when entering into the marriage covenant.

So if one “Not tonight” doesn’t constitute refusal, what does? This question is not a new one. In the last chapter, I listed as one of my biblical *givens* the belief that the Bible includes conjugal refusal as one of four valid reasons for divorce. David Instone-Brewer, in *Divorce & Remarriage in the Church*, writes of rabbinic debates on this topic, in Biblical times:

*These debates were not about whether or not divorce for neglect was valid – that was accepted – but they were about how to define neglect. They debated the minimum quantities of food and clothing which had to be provided **and the amount of ‘conjugal love’ that was necessary to avoid being charged with ‘neglecting’ your partner.** [my emphasis]*

Remember that old joke about the guy propositioning a woman and saying, “We’ve already established what you are, now we’re just haggling about the price”? That punchline is applicable here; in Old Testament times, and even into the time of Christ, divorce due to refusal was accepted. The problem was, and still is, haggling to define it.

I’m sure that you would agree that trying to create guidelines in order to define obligations for the “*Provision of conjugal love*” would seem to be an extremely difficult challenge. But the rabbis were up to it! According to tractate *Ketubbot* of the Talmud,

*The times for conjugal duty prescribed in the Torah are: for men of independent means, every day; for laborers, twice a week; for donkey drivers, once a week; for camel drivers, once in thirty days; for sailors, once in six months.*

(While the Talmud might not have been compiled until a century or two after Christ, the teachings were both well-known and widely practiced for centuries before.)

Realizing that by the time of Christ, 1) sexual refusal was a valid reason for divorce, and 2) the rabbis had discussed and adjudicated what constituted a man's duty to his wife was, *vis-à-vis* provision of conjugal rights, can there be any doubt that there were guidelines in place by the first century about what amount of refusal might cause just cause for divorce?

Why, yes. Yes there was.

So, for my next ~~trick~~ chapter, I will present information on divorce due to refusal from the Talmud, and try to give a coherent answer to the question "*How do you ascertain how much refusal counts as infidelity, with regard to the marriage covenant?*"

CSL

**Resources:**

Lauren Winner, *Mudhouse Sabbath*: [https://www.amazon.com/Mudhouse-Sabbath-Invitation-Spiritual-Discipline/dp/1612614531/ref=sr\\_1\\_2?ie=UTF8&qid=1491792959&sr=8-2&keywords=mudhouse+sabbath+by+lauren+winner](https://www.amazon.com/Mudhouse-Sabbath-Invitation-Spiritual-Discipline/dp/1612614531/ref=sr_1_2?ie=UTF8&qid=1491792959&sr=8-2&keywords=mudhouse+sabbath+by+lauren+winner)

CSL/Chris Taylor, *A Wife's Heart: Colloquy*: <https://curmudgeonlylibrarian.wordpress.com/2015/07/14/a-wifes-heart-colloquy-1/>

Chris Taylor, *Forgiven Wife*: <http://www.forgivenwife.com/>

David Instone-Brewer, *Divorce and Remarriage in the Church*: [https://www.amazon.com/Divorce-Remarriage-Church-Solutions-Realities-ebook/dp/B001HBI9RW/ref=sr\\_1\\_1?ie=UTF8&qid=1491793211&sr=8-1&keywords=divorce+and+remarriage+in+the+church](https://www.amazon.com/Divorce-Remarriage-Church-Solutions-Realities-ebook/dp/B001HBI9RW/ref=sr_1_1?ie=UTF8&qid=1491793211&sr=8-1&keywords=divorce+and+remarriage+in+the+church)

## Chapter 11: Marriage/Divorce: Restoring Balance, part 3

In this series on Restoring Balance, I am addressing questions from a reader who asked if it were possible to quantify the amount of sexual refusal needed to justify labeling it as a violation of the marital covenant and therefore a just reason for divorce.

In chapter 9, I stated that I accept as a *given* that there are four valid reasons for divorce, and not just one (adultery) as most Christians believe. In chapter 10, I pointed out that (in OT times and up to the time of Christ) refusal was stated by Jewish leaders as a reason for divorce, and I presented the view that refusal is a deliberate violation of the marriage vow of fidelity to your spouse.

I also included a quote from the Talmud containing a rabbinic pronouncement on the frequency of sexual intimacy a husband owed to his wife as his duty and responsibility. As far back as the giving of the Ten Commandments, a wife's rights included sexual intimacy, and according to Ex. 21:10-11, if her husband curtailed her conjugal rights, she could divorce him. (How 'bout dat? Refusal condemned at Sinai!)

### But Why Accept “Rabbinic Teaching”?

*“After all, Jesus condemned the Pharisees, the lawyers, teachers and scribes, right? Not only that, He also set up a completely new religion, the Church, that is separate from Judaism, right?”*

WRONG ANSWER!!

I can't even begin to tell you how much I disagree with that statement. With our 21st-century lenses on and our thoroughly church-ed mindset, it is almost impossible for us to wrap our heads around the fact that Jesus was a devout Jew living and teaching in a Jewish land. As I said in ch. 9,

*Jesus was not a Baptist or Methodist; He was an observant Jew who went to Temple and synagogue, who recited the Shema twice a day and prayed the Amidah two or three times a day.*

After all, it was Jesus the Jew who told the Samaritan woman,

*“You worship what you do not know; we worship what we know, for salvation is from the Jews.” (John 4:22, ESV)*

“Salvation is from the Jews!” Didn't quite torch Judaism, did He?

In the famous divorce confrontation of Matt. 19, in which Pharisees tried to trap Jesus—misinterpretation of which has engendered a complete bolloxing of divorce teaching by the Church—Jesus plumped down on one side of a debate that divided Pharisees in the first century and was as heated as the abortion debate is today. (For a summary of the debate, read chapter 5.)

So why should we, as Christians, consult rabbinic teaching for insight into what Christians should accept as valid in matters of divorce? Because Jesus, an observant Jew accepted them as valid. Yes, Jesus scorched the rules and regulations that had nothing to do with truly living in accordance with God’s Law, but He didn’t rescind many of the teachings of the OT or of the rulings of the rabbis. In fact, as we see in Matt. 19, He went so far as to specifically support one area of rabbinic teaching.

### *“Rabbi, How Much Refusal Is Refusal?”*

The ancient Jewish rabbis and teachers shared the same concern of today’s Christians: how to save a marriage rather than how to break it up. I understand that it is a commonly-held belief that Jewish teachers were into nit-picky details in trying to interpret the Law and how to live, as a Jew, separate from the world. But in actuality, when it comes to marriage and divorce, the consensus was to try to save a marriage, not to come up with guidelines for how to get rid of your wife.

So when it came to sexual refusal,

*The Rabbis were reluctant to allow a divorce on the ground of refusing conjugal activity and in such situations they tried to resolve the issue by talking to the offender, or by applying gradually increasing fines. Therefore if a woman continuously refused her husband, a Rabbinic court could fine her by reducing her ketubah (her marriage inheritance) a little each week, and if a man refused his wife then her ketubah could be increased a little each week.”*

~ David Instone-Brewer, *Divorce and Remarriage In The Church*

(Refer to ch. 3 for a refresher on the *Ketubah*; it is the Jewish marriage contract which contains the husband’s promise to provide food, clothing and conjugal love (Ex. 21:10-11). It also specified the penalty a divorcing husband would have to pay his wife for breaking covenant with her.)

In speaking of fining either partner in the marriage over the matter of refusal, Instone-Brewer is referring to the rabbinic decision recorded in the *Ketubah* tractate of the Talmud; the significant portion, below, can be found at *The Jewish Encyclopedia* (I’ve broken it up into segments in order to insert comments):

#### **The Rabbinic Fines:**

*In a case where the husband refused the wife her conjugal rights, the amount of the ketubah was increased by the court thirty-six grains of silver every week*

*during the time of his default. If the wife spitefully refused her husband conjugal rights, the court sent her warning that if she persisted in her spitefulness she would lose her ketubah;*

The Instone-Brewer quote, above, refers to the *ketubah* as the bride's *inheritance*. It was not a bride-price paid to her family, as the woman was not seen as property. Rather, it might be thought of as a pre-nup agreement or alimony, support that a husband agreed to pay IF he did divorce his wife. And the amount of the *ketubah* could be raised or lowered, depending on which party was the offending party.

### **The Rabbinic Warnings:**

*... and if she still remained obdurate, the fact was announced in the synagogue for four successive Sabbaths. Another warning was then administered, and if she still persisted, the husband was relieved from his duty to support her, and after twelve months he might divorce her.*

If a husband or wife was accused of violating the marriage covenant by refusing the other's conjugal rights, the rabbinic courts tried to move the offender back into the relationship. And it is worth noting that, according to the Talmud, one month of refusal was enough for the court to say that a husband no longer owed his wife support, which was part of the marriage covenant. The Talmud indicates that just one month of sexual refusal was enough of a violation of the marriage covenant that it justified separation. Finally, ...

### **The Rabbinic Decree:**

Here is the salient point: the rabbis, the religious leaders of Israel, believed that sex was a duty, a responsibility, a joy, and a right in marriage. And not just for husbands, but for wives, as well. Because of this, the rabbis believed that sexual refusal was a special case, and decreed that one year of refusal was a valid reason to divorce. As you might suspect, there was a special term that was applied to a refusing spouse; a refusing husband was a *mored*, and a refusing wife was a *moredet*. The Hebrew word *mored* means rebellious.

From the *Husbands and Wives* article at Jewish Virtual Library:

*Moredet ("rebellious" wife). The wife is similarly regarded as a moredet only when she persistently refuses to cohabit with her husband.... The moredet falls into two categories: firstly, that of a wife who refuses to cohabit with her husband because of anger or a quarrel or for other reasons offering no legal justification; secondly, that of a wife who refuses to cohabit with her husband because she cannot bring herself to have sexual relations with him and can satisfy the court that this is for genuine reasons, which impel her to seek a divorce – even with forfeiture of her ketubbah. In both cases the moredet immediately loses her right to maintenance....*

After trying to work with a *mored/moredet*, after fines and warnings, if the refusing spouse could not/would not restore relations in the marriage, the rabbis decreed that the refused spouse was free to divorce, as the marital covenant was broken.

This was the accepted religious ruling and teaching that was in place by the time of Christ, and that He never addressed in order to correct it.

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**Resources:**

David Instone-Brewer, *Divorce and Remarriage* in the Church: [https://www.amazon.com/Divorce-Remarriage-Church-Solutions-Realities-ebook/dp/BO01HBI9RW/ref=sr\\_1\\_1?s=books&ie=UTF8&qid=1492447814&sr=1-1&keywords=divorce+and+remarriage+in+the+church](https://www.amazon.com/Divorce-Remarriage-Church-Solutions-Realities-ebook/dp/BO01HBI9RW/ref=sr_1_1?s=books&ie=UTF8&qid=1492447814&sr=1-1&keywords=divorce+and+remarriage+in+the+church)

The Jewish Encyclopedia. *Ketubah*: <http://jewishencyclopedia.com/articles/9290-ketubah>

Jewish Virtual Library. *Husband and Wives*: <https://www.jewishvirtuallibrary.org/husband-and-wife>



## Chapter 12: Marriage/Divorce: Restoring Balance, part 4

To recap the three previous chapters: since Jesus addressed divorce in the cultural and historical context as a rabbi, I went back to rabbinic writings to find out how the rabbis of Jesus' day addressed the topic of refusal, and I discovered several things:

1. the rabbis believed sex to be a right and responsibility of marriage;
2. the rabbis even went so far as to list the amount of sex a wife would be entitled to;
3. The rabbis viewed sexual neglect as a violation of the marriage covenant deserving of non-support (after one month) and divorce (after one year.)

And what was incredible to me was that...

### The People and the Rabbis Were Okay With Going Public!

Think about it—today, if a husband or a wife endures refusal, they internalize it, they try to talk with their spouse about it, which quite often spirals down into pleading, begging, arguing, misery, and desperation for..., how long? Years? A decade or two, or three? For the Mishnah and the Talmud to have rabbinic rulings, *halakhic*\*\* decisions concerning sexual refusal, men and women had to be coming to rabbis and teachers, experts in Torah and the Law, with their concerns and problems.

Contrast that to the culture of *Omerta*\*\*\* that we have surrounding our sex lives. There is nothing that we view as more private and inviolable than our sex lives, and even hinting to someone else that there might be problems in the bedroom is considered a shocking violation of trust and loyalty to our spouses. The one thing that is practically guaranteed to cause your spouse to go ballistic is to inform him/her that you are going to talk to the pastor or a counselor over your marital problems, including those based in the bedroom.

I truly believe that one thing that would bring about change in marriages in which refusal has been established is for the refused to impose their own regime of “refusal”: refusing to allow marital *Omerta* to silence him/her. To stay silent in the face of imposed sexual refusal is to be an abettor to the diminishing of your marriage. Just as ancient Jewish men and women were willing to go to the rabbis and synagogues with their problems of refusal, today's Christian husbands and wives need to find the will to step out from behind the facade of the “Happy Christian Marriage” we all want to project and start asking for help.

## How Much Refusal Is Refusal? One Year...

Well, that's one answer. After all, it was good enough for the rabbis, so it's good enough for me. I say this because I see so many husbands and wives with these kinds of stories:

- We had sex like rabbits until the honeymoon and then it began to taper off (not Christian, but I'll bite my tongue.)
- We were good until the kids came, and then for the past five (ten, fifteen, twenty...) years, nothing/next to nothing.
- She has so many restrictions about time and place that we almost never have sex.

In bible times, if you were to approach the rabbis with a tale of being refused for ten or twenty years, they'd shake their heads and ask "What kind of *meshuggeneh* (yiddish for "crazy person") allows a problem like that to go on for so long?"

As I said in the last chapter, I discovered that the Mishnah and Talmud had passages giving a year of refusal as a reason to divorce. This was the *halakhic* ruling at the time Jesus was teaching, and so it seems valid; since Jesus, by silence, let this ruling stand, who am I to disagree? Ergo, one year of refusal is a valid reason for divorce.

## Another Answer: Climate Change

My second answer is that the crux of the matter might not lie with *amount*, but with *attitude*. My last post also included my discovery that the rabbis had a label for refusing husbands and wives: *mored* and *moredet*, or *rebellious*. I know we say that we don't like labels, but I'm not going to gainsay the rabbis. After all, if a spouse unilaterally decides that there will be little to no sex in a marriage, they **are** in rebellion to the marriage covenant. He is a *mored*; she is a *moredet*. And as such, refusal to have sexual relations with a spouse is cause for divorce.

While this may seem hard to determine, I don't believe it is. The spouse who announces "That aspect of our marriage is finished" is obviously a *mored/moredet*, that's an easy one to spot. And from what I've been reading, it's not uncommon. On different marriage fora, I am reading tales of years, even decades, of sexlessness because one spouse has shut down any and all forms of intimacy .

But absent a clear "It's over" declaration, is the refused spouse able to claim that the marriage covenant is broken? My answer is, to no one's surprise "Yes." I believe that the truth lies in the answer to this question: *Has your spouse created a climate of refusal*, one in which sexual intimacy is no longer a guaranteed act (a sure thing) in your marriage, but merely a dangled carrot that is somehow always unattainable?

See if any of these might apply to your situation:

- An attempt to initiate sex has more likelihood of starting an argument about sex than end in sex.
- An attempt to initiate sex, while possibly resulting in sex, is met with an attitude of resentment, making any “success” somewhat less than pleasing.
- You don’t bother to initiate sex because you know you haven’t earned enough brownie points (through Choreplay) to even think about it tonight.

I could go on with different scenarios, but you get my drift. Instead of being an act of love and intimacy between a loving husband and a loving wife, all your indicators tell you that sex is now a burden, and intimacy is unwanted. Despite your best efforts to be a loving spouse, you are met with the resistance of a *mored/moredet*, someone in rebellion to you.

## Okay, So I Can Divorce Now, Right?

*NO!*

Have you been to the rabbi, erm..., pastor yet? Have you brought your situation/problem to counselors, etc., to help you to try to right your ship? After all, those rabbinic decisions and practices didn’t just come out of thin air. They were decisions made about on-the-ground situations that were brought to the rabbis and the synagogues.

In the last chapter, I included this quote from David Instone-Brewer’s *Divorce and Remarriage in the Church*:

*The Rabbis were reluctant to allow a divorce on the ground of refusing conjugal activity and in such situations **they tried to resolve the issue** by talking to the offender, or by applying gradually increasing fines. [my emphasis]*

Even when a husband or wife brought a problem before them, the rabbis didn’t immediately issue a warning or a **get** (Jewish certificate of divorce). Instead, they wanted to save a marriage where one was salvageable; it was only when one party remained obdurate that steps were taken to warn and then validate a separation and divorce.

So just as the rabbis did, I say the same thing; if a marriage is salvageable, do so. But it’s going to take work; it will occasion tears and arguments, but if both parties are amenable to rebuilding their relationship, they can make a go of it.

If, however, a marital climate of refusal is maintained and one spouse continues to feel denied and rejected, and realizes that the marriage bed is abandoned, the refused is faced with deciding what his/her path forward will be. If in the end, the refusing spouse remains a *mored/moredet*, that is is the breaking of the covenant and the refused is faced with deciding what his/her path forward will be. If s/he decides that life without

marital intimacy will be impossible, then, with a good and clear conscience, s/he may separate and divorce.

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**Links:**

\*\* *Halakhah* - rabbinic interpretation of Torah for practical living. Jesus delivered his own *halakhah* in Matt. 5-7: <http://www.jewfaq.org/halakhah.htm>

\*\*\* *Omerta* - Mafia code of silence: <http://www.urbandictionary.com/define.php?term=omerta>

J. Parker, *Be Your Husband's Sure Thing*: <http://hotholyhumorous.com/2012/11/be-your-husbands-sure-thing-3/>

David Instone-Brewer, *Divorce and Remarriage in the Church*: <https://www.amazon.com/Divorce-Remarriage-Church-Solutions-Realities/dp/0830833749>

## Chapter 13: Amputation As An Analogy

After I had finished the *Scarlet Letter* series (ch. 5-8) and the *Restoring Balance* series (ch. 9-12), I thought that I was done with with the need to discuss divorce as a valid option for a Christian husband or wife. However, something came across my Twitter feed that made me realize that I need to continue to address this topic.

I read quite a few different blogs and forums that deal with marriage and sexuality, and for the most part, I realize that I am somewhat of a fish out of water. The reason for this is that, while I am an advocate for marriage, I accept the fact that some marriages are too far gone to be resuscitated. We often speak of toxic churches and toxic relationships, but it's not all that common for Christian writers and teachers to come out and say "*Toxic marriages do happen.*"

Instead, what I read and hear is, "*Never give up on a marriage. Believe God can change you and your spouse and remake your marriage into a haven rather than a Hell.*" (I do find it interesting, though, for that advice to NEVER be offered to a spouse who is being physically abused.)

Recently, one of the Twitter feeds of someone I look up to .... Heck, who am I kidding? This person I totally revere as a marriage writer and blogger, but this particular tweet compared divorce to amputation and said that it is a fool's choice.

### Amputation? No, But....

*Settle back, folks - long story to make a point.*

Back in '91, I began to experience bouts of excruciating pain that seemed to be cutting me in half, across my back. I didn't know what was triggering them, but finally, one evening, after eating at KFC, I spent half the night tortured by racking pain; I decided that enough was enough, and I needed to go see a doctor.

After being asked questions about where and when these bouts occurred, I was sent for an ultrasound, and the reading confirmed the doctor's suspicions; I had a number of gallstones. The doctor said that the stones had blocked the duct from the gallbladder to the liver, and whenever I ate fatty/greasy foods (like KFC fried chicken), this triggered my pain. The doctor informed me that I had to have an operation to remove my gallbladder.

At that time, I was very leery of the medical profession and so was willing to ask for second opinions. I had read somewhere that doctors had become too scalpel-happy when it came to gallbladders, and that there was a non-surgical treatment that purported to expel the stones. When I asked my doctor if there were other treatments

beside surgery, I think I might have scared him a bit (suggesting malpractice?) and so he delayed the surgery he had scheduled for me, and said that they would do further tests.

### **Dumb move on my part!**

By delaying immediate gallbladder surgery, I spent two days in the worst pain I have ever experienced in my life. I was in total agony in the hospital while they did their tests, and at the end of all this, I was more than happy to be sedated and have them tear it out.

But here's the thing. After the surgery, the surgeon came by the next day, and told me that if they had delayed even one more day, it was likely that I would have died. The problem had no longer been the fact that I had a sick gallbladder that was producing gallstones. Instead, delay allowed the blockage to cut off blood flow to the gallbladder, and it had "died."

It had turned **gangrenous**, and would have killed me, if left alone through my insistence on alternative treatments. It needed to be removed because it was now lethal.

### **Amputation? Yes.**

Okay, that was gallbladder surgery, not a real amputation. We all know that limbs, through infection and disease, can turn gangrenous, just as my gallbladder did. In those cases, amputation is not the decision of a fool, but a medical necessity that is the only choice to prolong life. And it might not even be due to gangrene.

One of the most famous tales of survival in modern times is the true story of Aron Ralston. In 2003, Ralston went hiking in a remote Utah canyon without telling anyone, and in the process, had an 800 lb. boulder slide down onto his right hand, crushing it and trapping him. After days of trying to free himself, he realized that he would have to amputate his own hand if he wanted to survive. His story is told in the 2010 movie, *127 Hours*.

The point is that amputation is not a foolish decision, but is sometimes a medical, life-saving necessity. And in the case of a marriage that is toxic, it may be a marital and spiritual necessity.

### **When Divorce Is NOT An Option**

Do I believe that divorce is a valid option for a Christian? Uh, hello! Do you think I'm typing just to see words appear on my computer? Yes, I believe that!

**BUT . . .** I do not believe that divorce is something to be taken lightly. Just as entering into marriage is a life-changing event, so too divorce is a life-altering event. Marriage isn't something you blithely run into or out of, especially if (unlike the beginning) the ending of the marriage will affect more than just the two of you.

In reading around the blogosphere, I see marriage writers addressing readers who want to divorce over many different things. When I see these questions, I realize our Christian culture has been co-opted by the secular culture around us, to the point that we pretty much have accepted Rabbi Hillel's position over that of Rabbi Shammai and Jesus (ch. 5-8). After all, our society has accepted No-Fault divorce, so why can't the Church, right?

Sorry, but marriage is still supposed to be important to Christians. Whether you believe in *Covenant* or *Contract*, it is still binding on the Christian to try to abide by his/her promise made at the wedding.

So am I switching my position, coming around to the idea that only adultery constitutes grounds for divorce?

No.

## When Divorce IS An Option

Here is when divorce is a valid option for a Christian: when the other spouse has broken faith with him/her and refused to live in accordance with the vows that s/he made at the beginning of the marriage. We accept that if a spouse has an affair, it is the breaking of the marriage vow, the covenant made with their spouse, and as such, is a valid reason for divorce.

But the marriage covenant contains much more than sexual fidelity. As I wrote in ch. 3, Hebrew law, custom, mores and teaching recognize that a marriage agreement was a promise for food, clothing, conjugal rights, and sexual faithfulness (Ex. 21). This biblical formula is in the *Ketubah* and has been the fundamental marriage vow for Jews for 3000 years.

This promise (food, clothing, conjugal rights, and sexual faithfulness) speaks to love and care, and was so vital, that to fail to live up to this promise (including sexual refusal, btw) was seen as breaking of faith and valid reasons for divorce. While the Church chose to teach that adultery was the only reason for divorce, Jewish teaching before and after Jesus realized that there was more to the marriage vow than just keeping your butt out of someone else's bed.

## CSL's Rules For Divorce

This biblical reasoning, divorce for the breaking of covenant/faith by your spouse, is not to be taken lightly or to be used casually. This idea that marriages are easily disposed of is what has led us to the state that we find ourselves in today. Instead, divorce, while not a fool's decision, is still a radical option, much like a mastectomy would be to a woman facing treatment for breast cancer.

With the serious consequences of divorce in mind, I'm going to present my thoughts on what needs to be done before electing to proceed with this amputation.

- You have to be able to answer this question in the affirmative: “Can it be truly said that your spouse has broken faith with you and your wedding vows?”
- Have you discussed your marriage concerns with your spouse? By that, I mean many, many times. A one-time, Mr. Milquetoast “You know, we might possibly not have all that great a marriage, sweetheart” hint doesn't count. I mean knock-down drag-outs in which you have laid your cards out on the table. In essence, have you had The Talk? More than once?
- Have you worked your way to this decision? By that, I don't mean have you ticked off all the boxes necessary to justify a decision to divorce to the minister or your friends? Instead, have you tried, in more than just a couple of ways, to convey to your spouse the seriousness of your concerns and to get him/her on board your efforts to save the marriage? Does s/he even know that you feel the marriage is in danger?
- Third-party counseling. I consider this a must. Yes, you know where you think your spouse has broken faith, but is it possible that you have done so, as well? By talking with your pastor/a counselor, you can present your issues to a disinterested party, and so can your spouse. You may discover that you have a splinter in your eye that you don't know about, and this will be a chance for you to improve, as well.
- Along the same lines, are you making efforts to get closer to God? Are you working on you? After all, as the old truism says, changing your clothes doesn't change you. Divorcing one wife and marrying another doesn't mean that you're trading up if you're still you at the end of the process.
- Tell him/her that divorce is an option that you will consider. I think that the Walkaway Spouse, while understandable, is still completely wrong. All too often, I read where someone says, “My spouse left/filed for divorce, and I never saw it coming!” Let them see that it IS coming; it may be just the wake-up call that they need to see the seriousness of the situation.

Marriage is serious and ending a marriage has deep consequences. That is why you have to try to do all that you can to heal and save the marriage beforehand, and I believe that my “Rules” constitute an effort to do so. When all is said and done, please know that divorce is not necessarily a fool's decision. But, by Billy Bedamned Hangtree, it had better not be a rash one!

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## Chapter 14: Adultery/Abandonment: Two Sides, One Coin

When I set about creating the CSL blog, I had help from a couple of experienced bloggers, who were giving me all kinds of advice about the ins and outs of using the WordPress hosting platform. These two ladies deserve much credit (or blame, depending on how you view my blog) for the creation of The Curmudgeonly Librarian.

One of the bits of advice that they recommended was creating a Twitter account, as it would be a useful tool in communicating with readers and the world at large. Prior to this, I saw Twitter users as evidence of mankind's devolution, but I have found it to be sorta useful, and have even started to use it to keep up with the *#christianmarriage* blogging community.

Recently, a 'tweet' came across my feed from a Christian website entitled *Affair Care* that helps Christians who are dealing with the aftermath of infidelity in their marriages. As I read the article, it hit me that the information that they were presenting completely applies to those who are dealing with Refusal/Gatekeeping in their marriages. I realized that.....

### Refused Spouses Get DARVO'ed!

Guys, go read the article [link below] *How did my disloyal spouse become the victim?*, linked at the bottom, and then return.

..... (hum, dedum, de tiddle um tum.... \*whistle\*) .....

Oh, good, you're back.

I confess that I'm new to the topic of infidelity and adultery. Not that I didn't know that it existed, but it wasn't in my wheelhouse, not on my radar as a marriage blogger. As I read this article, and as I read around the site, I was struck by the different lingo that was used to discuss the topic, such as "Loyal Spouse" and "Disloyal Spouse". And I learned a new term, *DARVO*.

When I read that article, I was struck by how all three of the tactics that are used by adulterous spouses that make up the term DARVO are used by refusing spouses when defending/denying sex in marriage.

- *Denial?* Yeah, how 'bout "What do you mean we don't have sex? We just had sex last week?" (This was reported by a husband whose calendar showed that it had been a couple of months.)
- *Attack?* The Golden Oldies, "You're a sex addict!" "All you ever think about is sex!"

- *Reverse Victim Order?* “All you want me for is sex!” “All the things I have to do (kids, work, laundry), and you want to make me do you too, Mr. Insatiable?”

## Breaking Marital Covenant

In discussions about refusal on different Christian forums, this question always comes up: is sexual refusal on a par with adultery, and is it grounds for divorce? It should come as no surprise that, in those discussions, your Cuddly Curmudgeon comes down on the “pro” side of the question (and, of course, with his typical ‘warm fuzzies’ approach.)

Christians of every stripe agree that Jesus taught that when one spouse is unfaithful to the other, s/he has broken the marital covenant, that adultery means that the “loyal partner” has every right to declare the marriage over and seek divorce. In the eyes of all, no matter the theological flavoring, the adulterous spouse is deemed to have broken faith with his/her spouse.

While the consensus of opinion/interpretation about the status of physical abuse is not as universal, it is accepted by many Christians that abuse IS a violation of the marital vows and thus a biblical reason for divorce. But color me surprised when I read an article by Christian marriage author Sheila Wray Gregoire telling this anecdote:

*I spoke last Saturday at a one-day marriage conference with my husband and with speaker Gary Thomas. During the Q&A panel, we were asked if it is okay for an abused woman to divorce her husband, or if that is breaking a covenant. I replied that if a woman is abused, the husband has already broken the covenant. She is not the one doing so by leaving. Gary agreed with me.*

## Returning To Biblical Understanding

Think about the implications of Gregoire’s statement and Thomas’s assent. There are Christians who will argue that the only, and I mean **ABSOLUT-ESTLY ONLY**, reason for obtaining a divorce is adultery. Yet, it seems that Gregoire and Thomas are flying in the face of that teaching and expanding the acceptable reasons for divorce from one to two.

But actually, their statement does more than that; it returns to the biblical teaching on marriage, and what constitutes violation of marriage. As Gregoire’s article says, “*Divorce not the breaking of the covenant, the sin of abuse was.*”

In my *Scarlet Letter* series (ch. 5-8), I wrote about how the discourse in Matt. 19 was part of an ongoing national debate, and did not deal with the entirety of the subject of divorce. Biblically and historically, marriage was a covenant/contract between two people who accepted responsibilities in the marriage. And, biblically, it was understood that failure to fulfill these responsibilities constituted violation of the contract, the

“breaking of covenant,” and that the ‘sinned against’ spouse had the right to leave the marital relationship, as the contract between the two had been violated by the other.

The divorce was not the violation of the covenant, but the failure to accept and function within the confines of the covenant was.

## Sexual Abandonment = Adultery?

And now we come to the third rail of divorce discussion: sexual abandonment. Gatekeeping/Refusal.

In today’s Church-ian world, the one in which we get to impose our beliefs onto the Word of God, separation and divorce due to sexual abandonment is deemed as wrong. So many teach that a spouse doesn’t have the right to expect sex in marriage, and say that sex is like the icing on a cake, that the concept seems indefensible. After all, “*marriage is holy in the sight of God!*”, and “*let no man put asunder!*” So, “*just learn to live without and be Christ-like!*”

But the writers of the Bible knew and understood that marriage was the one, unique relationship that God created in which mankind’s sexual nature is to be expressed; sex is the defining act of marriage, after all. As I noted in ch. 3, for 3,000 years the Jews have had the practice of drawing up a marriage contract, called a *ketubah*, that promised three things: food, clothing and conjugal rights.

According to Jewish teaching down through the centuries before Christ, one of the roles of a husband was to provide conjugal rights to his wife. Unlike our Church world, with its “take it or leave it” attitude toward sexuality, the Hebrews knew that sex was not only desired by men, but by women as well, and it was written into the Jewish marriage contract.

And intentional failure to be available to your wife or your husband, to accept your responsibility in the marriage toward one’s spouse was viewed as a violation of the marriage covenant, as a breaking of the contract that bound husband and wife together. (As an aside, I said that this was the understanding and teaching of Hebrews in the centuries before Christ. I would be more accurate if I said that this is still the understanding of the Jews today, as *ketubahs* are still a part of the Jewish marriage, including the promise to fulfill conjugal rights.)

## A More Complete Biblical Understanding

We know that the Bible teaches that the covenant between a husband and wife can be broken. If it were not, then Jesus was in the wrong for even saying that adultery was acceptable grounds for divorce.

We would not tell a husband or wife whose spouse cheated on them by having an affair that getting a divorce is breaking their marriage covenant. We know that the covenant was broken by the adultery.

Most would not tell an abused wife or husband (statistics say that 1 in 3 victims of domestic violence is male) that getting a divorce is breaking their marriage covenant. We know that the covenant was broken by the physical violence and abuse.

According to biblical teaching, we should not tell a sexually refused wife or husband that getting a divorce is breaking their marriage covenant. That was broken by the intentional abandonment of the responsibilities by a marriage partner.

Just as a wife may be able to forgive a philandering husband but still divorce him (all completely without censure), so, too, some husbands and wives feel that they cannot continue in a marriage defined by abandonment of the marriage bed.

And we have no basis for telling them that they are wrong.

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**Links:**

Affair Care, *How Did My Disloyal Spouse Become the Victim? ~D.A.R.V.O.:* <https://affaircare.wordpress.com/?s=how+did+my+disloyal+spouse>

Sheila Wray Gregoire, *Let's Not Make Women Powerless in the Name of God:* <http://tolovehonorandvacuum.com/2016/04/stop-women-powerless-in-the-name-of-god/>

## Chapter 15: A Parable For Divorce?

As I said in the last chapter, I follow several marriage bloggers on Twitter and via email notification. After all, I am a marriage blogger, and it's always good to hear what others are saying. (And there is always a good chance that something I read will trigger an idea or two for me to write about, so it's a win-win for me.)

In doing this, though, I find that I am the odd man out when it comes to one topic, not necessarily in agreement with the accepted wisdom that these bloggers share. Now, because these writers are all great writers, speakers and teachers and I esteem their wisdom highly, I can't fault them for hewing to the accepted party line on the importance of marriage and the evils of divorce. After all, it's Christian orthodoxy, and even atheist Michelle Weiner-Davis, of *Divorce Busting*, is on board.

And yet, as with so many of the teachings that have been handed down to me through the years, I am finding that an absolutist stance is untenable. While many want to see marriage as an untouchable icon, I believe that scripture doesn't back up our attempts to deify it.

### “One Interpretation, Many Applications”

Before I expound on that, I want to give a little background for what I'm going to present. (If you aren't a Christian, you don't need to read any further, as none of this will pertain to you.)

As Christians, we have the Bible as our rule and guide for life and teaching. Admittedly, the Bible does not specifically address every specific topic in our modern life, but that doesn't mean that it doesn't present us with guidelines and principles that we can apply to our daily lives. While it is true that there is only one interpretation of scripture, there are many applications.

For example, in I Cor. 9:7–14, when Paul defends the right of ministers who serve the Gospel to receive a living wage, he appeals to the commandment in Deut. 25:4, “*Don't muzzle the ox when he treads out the grain.*”

Now that commandment has only one interpretation: don't muzzle the ox as it works. But Paul takes that command and uses the principle behind it, applying that Old Testament statement to a New Testament situation. Today, we might use the principle of Deut. 25 in understanding worker rights. Thus the dictum:

*One interpretation, many applications.*

With that in mind, let me present...

## A Parable For Divorce

Like that's gonna happen, right? Not so fast, Bucko; just hold on and see if there isn't Biblical support for throwing in your cards.

Some time ago, as I was doing my reading and meditation, the parable of *The Barren Fig Tree* was part of my reading, and I saw an application of the parable in a new manner.

*And he told this parable: "A man had a fig tree planted in his vineyard, and he came seeking fruit on it and found none. And he said to the vinedresser, 'Look, for three years now I have come seeking fruit on this fig tree, and I find none. Cut it down. Why should it use up the ground?' And he answered him, 'Sir, let it alone this year also, until I dig around it and put on manure. Then if it should bear fruit next year, well and good; but if not, you can cut it down.'" (Luke 13:6-9 ESV)*

In keeping with the "One interpretation, many applications" thought, I need to say that most Biblical commentators say that this parable is about Israel, specifically, the religious leaders of Jesus' day, and their last chance to accept God's plan for the messiah (see the *Song of the Vineyard*, Isa. 5). In keeping with the *One Interpretation* dictum, we understand that the vinedresser in Jesus' parable makes an appeal to give Israel's religious leaders one more chance to come around, but if they fail to do so, then they will be cut off.

However, the fact that the vinedresser of the parable makes an appeal for the tree asking for one more year/season doesn't mean that patience is limitless in other situations. Note that the vinedresser acknowledges that there is a point in time when continued effort is merely an exercise in futility, and that there comes a time when one has to say, "It's over."

As you are aware there are many different optical illusion pictures floating around. Their trick depends on how you perceive an image, and it can sometimes come as a shock when a second image somehow comes into focus. Here is one of the most common:



My experience on the day that I read the *Barren Fig Tree* parable was just as surprising. There I was, reading a story that I have read or heard more than a hundred times in my life, and all of a sudden, I'm blind-sided when my mind makes the connection between uprooting a dead fig tree with uprooting a dead marriage.

With this post, I am not attempting an in-depth teaching on the intentional vs. ontological nature of marriage, nor am I trying to make a statement that the Bible

clearly justifies divorce. But what I am saying is that if we are willing to see past our hide-bound *know-so* convictions and allow our hearts and minds to be open to different interpretations of scripture, we might be surprised to learn that maybe, just maybe, our *know-so* might not actually be so.

In my case, in the past few years I've come to see

- God allowing divorce due to "*hardness of heart*" (Mt. 19:8) might refer to obdurate refusers rather than obstinate divorcers.
- Wisdom in the book of Proverbs tells us that separation isn't necessarily a bad thing ("*better to live in a room on a roof than with a brawling woman*")
- God Himself is divorced.

And now, after reading this parable with new eyes, I see that if a fig tree/marriage is dead, it can be a mercy to cut it down.

That last is a new insight for me, and people in dead marriages need to know that maybe, just maybe, it's neither harsh nor sinful to say "*Cut it down.*"

CSL

**Links:**

Michelle Weiner-David, *Divorce Busting*: <http://www.divorcebusting.com/>