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BRIEF STUDIES

A DISCUSSION OF THE DIVORCE PROBLEM

On account of the magnitude of this problem and its many ramifications our readers will be interested in what a writer in *La Luce*, the paper of the Waldensian Church in Italy, has to say on this subject. In the issue of November 11, 1955, under the heading "Church, Matrimony, and Divorce," Paolo Bosia prints an article of which we herewith submit a somewhat free translation. Its special tenor can be well understood if we consider church conditions in the country where it originated. No commentary is needed. —

We have noticed that the Christian Church when it finds itself confronted with a practical problem on which the Holy Scripture has not given a definite and clear pronouncement has the tendency in a dictatorial way to adopt for its official and binding practice the most rigorous and harsh solution. This is the case evidently because it is much easier to sustain a rigorous and Draconian practice than a solution which occupies itself with the actual conditions of human beings and considers their earthly problems with sympathy.

The extreme position is always an indication of egotism and weakness and must support itself with a strong admixture of fanaticism.

When one studies the subject of Christian marriage, one soon sees that no one can entertain any doubt as to its holy character and its unique bond, ordained by God; and this without any recourse to a sacerdotal pretense which wishes to make of matrimony a true and proper sacrament that cannot be dissolved.

Jesus has spoken of matrimony in a way which does not leave any doubt as to its nature: "Have you not read that the Creator in the beginning created male and female and said: Therefore a man will leave father and mother and be joined to his wife, and the two will be one flesh? Therefore what God has joined together let man not separate" (Matt. 19:4-7).

At the base of matrimony there is a natural instinct — love — which makes two beings of opposite sex to turn to each other for a sexual union on which depends the propagation of the race.

This love is not merely a physical passion! It includes the disposition which makes two beings wish each other well and look with joy upon each other's presence; it includes furthermore the tender-

ness which produces mutual aid and the desire to advance the happiness of the being who is loved; there is found in it also the desire to render protection, which makes the stronger defend the weaker and the weaker at the same time to devote tender care and service to the defender.

Who, besides, is not able to see, that the physical passion (or to use the terminology of Freud, the libido) constitutes only one element of love and precisely that which, when it is deprived of the other elements, cannot any longer be truly called love but only a creature instinct which tends to lower man's nature and bring him down to the level of a mere animal!

St. Paul tells us to guard against this pseudo-love. He writes Col. 3:19: Husbands, love your wives, and be not bitter against them. And 5:25: Husbands, love your wives as Christ has loved the church and has given Himself for it.

There can be no doubt about the Christian conception of marriage, which is confirmed by Jesus in that terse sentence: "They are no longer two, but one; let man not separate what God has joined."

The contemporaries of Jesus must have been amazed at this holy conception of matrimony as set forth by Christ, because they were moved to exclaim: If such is the case of a man with regard to his wife, then it is not expedient to take a wife (Matt. 19:10). To the question whether it is permissible to repudiate one's wife (a thing often done by Israelites), Jesus responds by reaffirming the indissoluble nature of marriage contrary to the practice introduced by Moses, and He added the explanation that it was on account of the hardness of their hearts that Moses permitted a person to send away his wife, and stated that from the beginning it was not thus (Matt. 19:8). It is therefore certain that the Christian ideal of marriage includes its indissoluble character.

Finally, Jesus does not confine Himself to reaffirming the ideal. He also takes into account the difficulty inherent in our human life. For this reason he completes His instruction thus: "It has been said, Whoever repudiates his wife let him give to her a document of divorce. But I say to you whoever dismisses his wife, save for the reason of fornication, makes her become an adulteress" (Matt. 5:31).

Also in Matt. 19:9 the same instruction is expressed: "I say to you that whoever dismisses his wife, if it is not for the reason of fornication, and marries another, commits adultery."

The point which is here brought into focus is this. In reaffirming the ideal of matrimony as indissoluble Jesus contemplates at least one

case in which matrimony is broken and in fact dissolved: the case where the sin of adultery has been committed. This breaks and annuls the matrimonial bond and permits the innocent party to remake his or her life by entering upon a new marriage without thereby committing the sin of adultery.

Against this undeniable fact there have ranged themselves those who maintain that matrimony is forever indissoluble (some call it directly "eternal," meaning that it is not limited to this life). They have dashed to the ground the provision of Jesus. They finally take recourse to the old puerile device of assuming that this word probably was a later interpolation because it does not agree with their theory. But this word is clear and resists every attempt of sabotaging it. Jesus admits at least one case in which matrimony ceases to exist and is destroyed by the sin of one of the two spouses. It is a sad case, but it is an incontestable fact, and Jesus takes action concerning it; and from it certain logical consequences derive. No church of Christ therefore has the right to deny—on the basis of the instruction of Jesus—the possibility that a marriage can be destroyed, for example by adultery, with the possibility of a new marriage. Still less may it consider itself authorized to disregard the clear word of Jesus in order to substitute for it its own theory. There is no one who can deny a priori the possibility that there may be other cases (as grave as adultery) in which matrimony through the fault of one of the partners can be destroyed.

Everyone may emphasize that which he personally holds more useful and more expedient; he may exalt the serious character of the matrimonial bond; he may have his personal opinion for or against the rupture of this bond and the consequences which follow. But no one dare say, "The Lord forbids in every case the setting aside of matrimony." On the contrary, the Savior has indicated at least one case in which on account of sin a marriage has ceased to exist.

We maintain that this fact must be kept in mind when we consider what to do when the tragedy in question intrudes on human life. It is more Christian to take action with a view to the consequences which arise than to pursue opportunistic phantasies by concluding that a given marriage in reality never existed (even if there are five children) through some fault in the prenuptial consent.

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