

DIVORCE AS A JUSTICE ISSUE

Craig S. Keener

Jesus said to his disciples, “Whoever divorces his wife and marries someone else commits adultery against his wife” (Mk 10:11). While I leave aside for the moment other matters of interpretation in this passage, I want to draw attention to the phrase, “against his wife.” In Jesus’ day some Pharisees allowed husbands to divorce their wives for almost any reason, but the law did not permit wives to divorce their husbands (though under extreme circumstances courts would force the husband to grant his wife a divorce). The wife had no legal recourse to prevent the divorce. In a society where only men received fair pay for their work, divorce put women at a severe economic disadvantage.

Jesus treated divorce as a justice issue: It could represent the sin of one person against another person, a betrayal of covenant fidelity. “‘The Lord has been a witness between you and the wife of your youth, against whom you have dealt treacherously, though she is your companion and your wife by covenant...For I hate divorce,’ says the Lord, the God of Israel... So take heed to your spirit, that you do not deal treacherously” (Mal 2:14-16, NASB). We recognize that while some sins require the consent of both parties, like adultery or fornication, other sins can be committed by one person against another, like murder and rape. Many American divorces today occur by mutual consent (or represent the lack of commitment of both spouses, in varying degrees, to make their marriage work). Yet many represent one person’s betrayal of another person. I think here especially of divorces involving unrepentant adultery, abandonment or abuse.

Yet many evangelicals today refuse to treat divorce as a justice issue and, what is worse, they often abuse the betrayed spouse in the name of opposing divorce. To punish a betrayed spouse in a divorce because we oppose

divorce is like punishing a rape victim because we oppose rape. Jesus defended the betrayed party of many divorces of his day and challenged his contemporaries’ interpretation, charging that they allowed this betrayal because of the hardness of their hearts. Yet I have witnessed many evangelicals punishing the very people that Jesus was seeking to protect, thereby compounding the offense of the betrayer in oppressing the person betrayed. Is it possible that our abuse of Scripture to oppress others also reflects a hardness of heart?

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LEARNING THE ISSUES

This charge concerning many evangelicals’ treatment of divorced people may sound harsh, but I could illustrate it abundantly. Since my first book, *And Marries Another*, came out in 1991, many people have written or called to tell me their stories. I have encountered many more in the course of my ministry. One graphic story was of a man who married a divorced woman; both were later converted to Christianity, and under the teachings of their evangelical church, they could no longer have intercourse. The wife, who accepted the teaching of the church, has not slept with her husband for years.

But that example is an uncommon one; more commonly I have encountered wives abandoned by husbands who are ministers, and abandoned again by churches that rally to support popular pastors. Here the churches fail to take divorce seriously enough. But still more often I have witnessed evangelical churches disciplining and withholding opportunities for ministry from a divorced believer no matter the grounds for the divorce.

Though it is not the point of this article, I do believe (and argued at length in *And Marries Another*) that even the strictest reading of Scripture should permit the remarriage of the betrayed party. I also argued there that, properly interpreted, Scripture does not prohibit remarried persons from engaging in ministry. Yet many believers who divorced and remarried before their conversion (or divorced for biblical grounds and then remarried) told me of their hardships in finding an

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evangelical denomination and local church that would allow them in ministry.

This article focuses on the issue of discrimination against divorced evangelicals, however, so I leave aside those debated issues here and focus on some experiences of one divorced person who has never remarried. I know of no one who tries to make a biblical case for discriminating against a divorced person who has not remarried (unless one interprets 1 Timothy 3:2 as prohibiting church leadership for all single people). Yet with or without a biblical argument, this discrimination remains a regular occurrence in many evangelical circles.

The story must be told precisely because most evangelicals remain unaware of it. Until I joined a black church and listened to the stories of my brothers and sisters there, I remained comfortably oblivious to the fact that racism was a daily reality many of them experienced. Now I bristle when I hear some white evangelicals pontificating that racism is purely a matter of the past; they speak from their lack of experience and ignore the voices of those who have genuinely experienced racism's reality. Yet I also have observed the same pattern with divorced people, and sometimes think many evangelicals even less responsive to this issue than to racism.

I hear the wounded cry of betrayed Christians when they read Christian periodicals that sometimes lump together all "divorced people," without making distinctions as to reasons for divorce. I treat here the case of "Stephen," a committed Christian I mentioned in the first chapter of And Marries Another, focusing on significant events from the past seven years not included in the book.

THE STORY OF STEPHEN

Stephen married a woman he believed to be a committed Christian; they met in Bible college and prayed, fasted, studied the Bible and witnessed together. But the pressures of ministry grew increasingly uncomfortable as they confronted slander and other forms of hostility against ministers as sometimes occurs in churches. She noted that she no longer enjoyed church, and one day she announced her intention to "backslide."

Despite Stephen's attempts to prevent it, within two months she had begun an affair with the husband of her

closest friend. Within a month or two after that the illicit couple abandoned their spouses. Although the other man had returned to his wife after previous affairs, this time the man preferred Stephen's wife and both of them filed for divorces from their spouses.

Persuaded by some evangelical literature on marriage and desperate to save his marriage, Stephen fought the divorce for two years. Eventually, however, she secured the divorce on the technical grounds of two years physical separation and, after a few more years of living with her paramour, married him.

During this time Stephen's Christian friends helped hold him together. At the same time, however, he discovered what most never-divorced Christians do not know: the harshness of some fellow-Christians toward divorced persons. One couple far-removed from the situation wrote him notifying him that they were excommunicating him from the body of Christ, and declaring that his wife's departure must be due to sin in his life. Several others insisted, like Job's comforters, that God would never have allowed this tragedy if he had loved his wife the way he should have.

These same "comforters" would never have endorsed the idea that sickness is due to sin, yet divorce so horrified them that they needed an explanation that would protect them from the fear that it could have happened to them.

Eleven years after his wife left him, Stephen still does not date and has not remarried. He is lonely and is not against remarriage, but though he has healed in some respects, he also remains afraid. He

hopes to remarry someday, but he is very cautious. He married someone who seemed to be a committed Christian, he affirmed his love for her daily and did the best he knew to be a godly husband. Those who knew him best attested to this in letters on his behalf. But if, despite such precautions, his first marriage failed, dare he risk another? Part of the fear is generated by what he experiences in evangelical circles: He is half-rejected there now, and knows he might become completely useless in evangelical ministry if abandoned again.

Stephen has offered many contributions to the church, but he knows of many evangelical institution where search committees rejected him solely because of his divorce. Some of these institutions are fairly conservative, but some others would consider themselves quite "progressive" on social issues.

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The institutions rejected him, of course, to maintain a “stand against divorce.” But this stand is hardly consistent: How does it set an example against divorcing one’s spouse to keep out people who were divorced against their will? The same institutions would recoil in horror at the idea of rejecting a rape victim as a way of protesting rape. On the strictest reading, Jesus opposed divorce and remarriage as adultery. Yet few institutions that would reject a divorced candidate (remarried or not) ever inquire whether a candidate has committed (literal) adultery or engaged in premarital sex. (One candidate who had engaged in such activities before her conversion five years ago remarked to Stephen her disgust that an organization that turned him down accepted her for ministry.)

Usually it is not an institutional policy but personal prejudice that is the primary problem; if several committee members at an institution regard Stephen’s divorce as an insurmountable obstacle, that is usually sufficient to keep Stephen from being hired. To be sure, Stephen, like the rest of us, often does not know why he is turned down for some positions; obviously there may be several qualified candidates for a position. But in at least six instances workers inside the institutions have volunteered to Stephen that he was rejected because he was divorced. This happened in spite of his providing full legal documentation for the grounds of his divorce, including his ex-wife’s notarized admission concerning the circumstances.

If such discrimination occurred on the basis of race or gender, we would rightly protest. Yet to my knowledge, no evangelical groups treat divorce as a justice issue and are willing to take a stand to defend betrayed persons. More traditional voices might counter that race and gender are different from divorce; divorce, like homosexual behavior, is a sin and should not be protected. This objection sidesteps the essential point of the comparison; we are not talking about defending divorce, but about defending a person sinned against in a divorce, someone who did not choose his or her situation.

Rarely will betrayed believers speak up for themselves, often fearing they will only compound the problem. Two years ago a Christian journalist for a respected Christian magazine called many ministers reportedly betrayed by divorce. The journalist simply sought to learn the trials such ministers faced, but the few who would speak to him did so only on the condition of anonymity. Most of

his contacts refused a phone interview altogether. Few people are speaking out; consequently little is changing.

After several years Stephen finally found a peaceful niche and settled into an effective ministry; it seemed like his past would no longer prove an issue. But missions had long been on his heart, and this past year Stephen applied to a mainstream evangelical missions organization. Stephen might seem like an ideal missionary in terms of spiritual disciplines: he prays for an hour each day, fasts weekly, has led scores of people to Christ through personal evangelism, and immerses himself so thoroughly in Scripture that he sometimes dreams about it. He has been a committed Christian for more than 20 years, has been beaten and had his life threatened for his witness on the streets, and has excellent academic qualifications. But he shuddered when he discovered the space on the application

form asking whether or not he was divorced. As always, Stephen told the truth; he hoped that if they considered any circumstances as they claimed, his documentation would be adequate to attest that he was an innocent party. A few months later, he received notice indicating that he could not participate in the short-term mission. The stated reason was that he was divorced.

JUSTICE FOR THE SINNED-AGAINST

I know that in today’s relativist climate, dismissing notions of justice surrounding divorce (or other matters) is easy: “There is always fault on all sides.” To be sure, I recognize fault on both sides. Even where one side shares relatively little

fault, no spouse (or unmarried person) is sinless, and getting the full, true story is sometimes impossible for anyone but God. But should a divorced person who claims to have been betrayed always bear the burden of proof, especially when there is clear evidence of adultery, abandonment or abuse? Does not God warn us that condemning the innocent is just as sinful as acquitting the guilty (Ex 23:7)? Are there not many cases where we can speak of a betrayed party and a betrayer, the former no worse a spouse than any given person whose marriage did not break up? (For example, I know of wives whose husbands became drug addicts through no fault of the wives and began selling drugs to the children as well as beating their wives. In some cases, the husband then left but the church continued to hold the wife accountable by expecting her to save her marriage.)

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I am not suggesting that we reinstitute the penalties of Old Testament law, but although the entire Bible treats adultery harshly, it never points a finger at the betrayed spouse. Both God and the prophet Hosea experienced abandonment, yet no one would condemn either as the guilty party.

(My focus here has been on justice for the sinned-against, which should not be a controversial issue. Bible-believing Christians might also want to consider restoration of repentant, restitution-offering sinners. Yet evangelical treatment of the betrayed innocent leads me to avoid subjects like repentance and forgiveness for the guilty. Perhaps when it comes to divorce some evangelicals are not ready for Christian doctrines so advanced as the sufficiency of Jesus' atonement.)

Justice-oriented evangelicals have tackled many issues of justice in society and some in the church. Yet an area in which we have been silent has been the church's treatment of the betrayed parties in divorce. This silence has been especially deafening in that the primary sphere of discrimination has been the church—and church discrimination has included the self-described justice-oriented evangelical segments of the church. To be sure, some may exploit our protests so they can justify sin—as they might twist anything available to rationalize their behavior. But unjust treatment of those who have been wronged is also sin, as is ignoring such unjust treatment. Ignoring oppression, even when it occurs within the church, should not characterize justice-oriented evangelicals.

Returning to our opening Scripture, one might ask if our silence genuinely reflects how Jesus would respond to divorce, or if it seriously distorts it. If Jesus would protect people against abandonment rather than punish those betrayed against their will, we need to do a better job of representing his heart and mind to broken people.

ALMOST—NOT QUITE—HEAVEN

She's deliriously happy. God, please give her a prolonged season of delight. Even heighten her senses till she thinks she's standing in the foyer of heaven, catching the celestial, sensual overflow.

But I pause to pray for her one curious line buried in *The Book of Common Prayer*: Lord, in your love, "shield the joyous." I hardly understand it, and yet I sense the elated need a special protection. She suddenly seems as vulnerable as a young child lured by the Pied Piper.

Shield her today. Protect her from friend or foe who might inadvertently or intentionally take advantage of her in her euphoria. Keep her from making foolish mistakes she'll soon regret.

Shield her tomorrow or next week or next year, when she wakes up and finds herself here on this grave earth. Protect her again, from enemies of the spirit that might convince her that she never knew the joy or that she's lost it forever or that it's meant for every day of the year.

Shield her in her joy. Shield her in its wake.

Evelyn Bence

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