

DOCUMENT CONCERNING DIVORCE

Adopted by the Ministerial Convention in 1998

Members of the Committee:

Advisor	Baldemar Rodriguez
President	Ricardo Almaraz
Secretary	Samuel Valverde
Board Member	Esteban Avila
Board Member	David Contreras
Board Member	Daniel Jauhalla

This committee had the task to prepare and to present a study concerning the position the Apostolic Assembly has concerning divorce among members and ministers. The conclusion will be presented to the General Board of Directors, which will then present the outcome to the Episcopal Body and to the Pastoral Convention.

Having in mind that this is a very touchy subject and that many schools of thought exist (even among ourselves), we began to study the biblical text regarding this subject and we established different items of study. Also many books were read concerning this subject.

I. Biblical Focus

A. Exegesis of the Old Testament

1. Genesis 1:27 y 2:24
2. Deuteronomy 24:1-4; 22:13-21
3. Leviticus 18:6; 20:10; 21:7-13 (priesthood)

B. Exegesis of the New Testament

1. Matthew 5:27-32; 19:1-12
2. Mark 10:1-12
3. Luke 16:18
4. 1 Corinthians 7:1-16; 39
5. Romans 7:1-3

II. Items of Study

- A. Divorce before Baptism
 - B. Divorce after Baptism
 - C. Between married relatives
 - D. Annulment Cases
 - E. Ministry and Divorce (divorced before baptism)
 - F. Ministry and Divorce (divorced after baptism)
 - G. Matter of Remarriage
- III. Documents that were Studied
- A. “The Matter of Divorce” Baldemar Rodriguez
 - B. “Divorce” Esteban Avila
 - C. “Divorce in General Terms” Esteban Avila
 - D. “Divorce in the Bible” Emeterio Reta G.
 - E. “Does Death Alone Break the Marriage
Relationship?” F.C. Jennings
 - F. Articles: New Research on the Exception
Clause’ Various Authors
- IV. Preparation on the Items of Study
- A. Divorce before Baptism

The commission comes to the conclusion that when the divorced person has repented and is baptized in the name of Jesus Christ, all his/her sins are forgiven; old things are passed away; “behold, all things are become new.” 2 Corinthians 5:17

However we recommend that pastors counsel in the following areas:

- a) If they had children they should fulfill their moral, financial, and spiritual obligations. And if possible bring their family close to the Lord.
- b) That correct counsel would be administered so they would heal from any bitterness, hurt and other negative emotions.

B. Divorce After Baptism

The committee consents that divorce is permitted only for the cause of fornication. The word “fornication”: in Matt 19:1-9, includes adultery and frees the person that did not commit adultery to divorce, nevertheless the person can follow the way of forgiveness and restoration.

C. Between Married Relatives

The first letter to the Corinthians chapter 5 and Leviticus 18 forbid marriage between relatives. Pastors should not celebrate marital ceremonies between close relatives. If the partners are close relatives and they married before conversion, it is recommended that the marriage be preserved, especially if children are involved. The pastor will have to decide in each case and weigh the matters, considering how long they've been married, if they have family and the stress and problems that exist.

D. Annulment

A marriage should be annulled for the following reasons:

- a) When the couple has not reached the legal age.
- b) When marriage is for the cause of immigration and there was no sexual intercourse.
- c) In deceitful cases (homosexuality, sexual deviations, anomaly, etc.)

E. Ministry and Divorce before Baptism

The committee concludes that when the person divorced has repented and been baptized in the name of Jesus Christ, all their sins are forgiven; old things are passed away; behold, all things are become new. We understand that the phrase “husband of one wife” found in 1 Timothy 3:2, 12 refers to monogamy (legally married to one person). We recommend the following:

- a) Moral obligations should continue if they had a family, financial and spiritual duties fulfilled and especially if financial legal obligations exist. If it’s possible to endeavor in bringing their families closer to the Lord.
- b) That the pastor helps them heal from any bitterness, and negative emotions.

The committee recommends that the pastor make sure that the persons past, testimony and irresponsibility in his/her past life will not affect his/her ministry or the church. “Moreover he must, have a good report of them which are without; lest he fall into reproach and the snare of the devil.” 1 Timothy 3:7.

F. Ministry and Divorce after Baptism

Two cases are taken into consideration

- a) The man that divorced after baptism and desires the ministry.
- b) The man that divorces while in the ministry.

Based on 1 Timothy 3:7 the minister should be the husband of one wife. Even though very similar cases may exist, it’s rare that an innocent party may exist in a divorced couple. Who will judge innocence? The candidates to the ministry should reflect a higher level of

maturity. Other than this, many confusing situations could arise with the brethren and new comers. Also if the first wife attends church or visits, the appearance of evil can be harmful to the ministry that wants to be developed. St. Paul adds:

“...That ruleth well his own house, having his children in subjection with all gravity; (For if a man know not how to rule his own house, how shall he take care of the church of God?)” 1 Timothy 3:4,5.

“For if any provide not for his own, and specially for those of his own house, he hath denied the Faith, and is worse than an infidel.” 1 Timothy 5:8.

The committee recommends that a person, who has been divorced after baptism, should not be set aside to the apostolic ministry.

Therefore the committee recommends that the ministers, who divorce, turn in their ministries to the proper authorities. Abiding by the Word of God, they cannot be allowed to continue exercising a ministry. Due to the great respect and honor that the ministry upholds, this process should be taken care of with much reverence and respect. This order will take full effect when this document receives official approval.

G. The Matter of Remarriage

Having understood that divorce is permitted only if one of the partner's has committed adultery, it's implied that after the marriage is resolved, the person that did not commit adultery is free to remarry. The biblical foundation is found in the words of Christ: If a person marries a divorced person (that has been divorced) for some other reason other than adultery, commits adultery. The following warnings and recommendations have been made because this matter is very delicate:

- a) To marry as long as it's “in the Lord”.

(1 Corinthians 7:39)

- b) That pastors according to each circumstance encourage them to be forgiving and to reconcile especially if there is family involved.
- c) We know that divorce brings destruction, and we insist on the words of God repeated by Christ, saying that what the Lord has joined together, let no man put asunder. Divorce and remarriage have their consequences and moral complications, with the family, financially and spiritually. We advice that the couple strive to remain together in matrimony which is God's ideal. These considerations on divorce and remarriage should be the last resort, the exception and not the rule.
- d) The aforementioned apply also to them that did not commit adultery. Those guilty of adultery will follow another process.

V. Document written by the Bishop President Baldemar Rodriguez.

The committee studied every document received. And received a lot of help from all of them. After studying the document written by the Bishop President, the committee voted unanimously to include it as official in their conclusions.

Conclusion

These recommendations are presented to the General Board for their consideration.

THE MATTER OF DIVORCE

INTRODUCTION:

The subject on divorce has always been very controversial. There is really no agreement on this matter between Christians. Nevertheless it is time that among Apostolics this matter on divorce be made clear, because this plague has outburst like an epidemic in our society, which threatens and affects the Church of the Lord.

The United States has reported that in 1920 there was one case of divorce for every seven marriages, and in 1977 there was one divorce for every two marriages. There were 1,130,000 cases of divorce in 1978; an increase of 39,000 from 1977. Sadly among these numbers where included brethren in the faith and also loved family members, that had to confront this dilemma, shock and great divorce problem.

Divorce has increased astronomically in America. The return of military men from war, the lack of influence of the Bible and its standard for living, the decrease of moral sexuality and of the amount of people that marry with no previous preparation of counseling, are some of the reasons of the increase of divorce in our nation.

Divorce is terrible. It's so much easier to talk and write about a happy marriage, than about divorce, we can agree on the first point, if not in all aspects, in the majority of them. But on the subject of divorce, it's an endless debate in the Christian world. A lot has been written on the subject. The ecclesiastical council has discussed it, but still a multitude of people are perplexed.

So without adding more confusion to the subject on divorce, this document will only answer three questions: Does marriage have to be permanent with one partner? What dissolves marriage? How to restore the loss of love and happiness in marriage?

However we do not intend to say it all, or to resolve all the complications of this matter with this document. We will not use Greek or Hebrew definitions, nor speak about words or subjects too deep for us. We will use a broad biography that can be read, if need be, to advance more in

the subject; books that present the pros and cons of the subject of divorce. We will summarize it for our profit.

I. MARRIAGE, A PERMANENT AGREEMENT?

The schools of *Shammai* and *Hillel* present two different views on divorce. The controversy is to adopt one over the other. We need to adopt a Scriptural position. Hillel's position was liberal, meaning that divorce should be given for any reason. Meanwhile the posture of Shammai was conservative according to Deuteronomy 24:1. These two schools were predominant in the time of Jesus; therefore the Pharisees tried to trap the Lord.

They asked the Lord, "...Is it lawful for a man to divorce his wife?" (Mark 10:2). John the Baptist had been killed for rebuking Herod Antipas because it was not licit to have his brother's wife (Mateo 14:4). The Lord and the Baptist were in an agreement with the subject of sin, but the Lord used a different tactic to answer his enemies. "He answered and said to them, "What did Moses command you?" They said, "Moses permitted a man to write a certificate of divorce, and to dismiss her." And Jesus answered and said to them, "Because of the hardness of your heart he wrote you this precept" "But from the beginning of the creation, God made them male and female." (Mark 10:3-6). The Pharisees were more concerned about Moses' command in Deuteronomy 24:1-4, than the command of God in Genesis 2:24. They were rejecting the original design of God for marriage, a man with a wife for life.

Divorce is not contemplated in the plan of God for marriage. In marriage man leaves father and mother to join his wife and they become one flesh. This is shown in the family, in the children, who participate of the physical union of their parents, in such way that what the Lord has united man cannot separate.

Therefore, marriage is an official act of God that ties their lives forever. Marriage is a contract of two people with promises before God; but above all, marriage is a "COVENANT" with God that unites them forever, until death do them part. (1 Corinthians 7:39). It is known that Moses' concession was because of "the hardness of their heart," but at the beginning of creation it was not so. The Lord Jesus in the New Testament, or New Covenant, said there is only one exception to allow divorce. That exception should be our only focus

to understand divorce.

II. DISSOLUTION OF MARRIAGE

Obviously we do not accept the liberal teaching of Hillel. Divorce for the cause of drunkenness, cruelty, lack of financial support, incompatibility or for any other cause is wrong and forbidden by the Word of God.

The type of divorce allowed by the Lord is when one of the partners is guilty of fornication (Matthew 19:9). When a person marries another which has not dissolved their marriage for the cause of fornication, is taking a married person. In other words, is taking the husband or wife of another person; and God still considers them as married, because fornication is what dissolves marriage.

On the other hand death also dissolves marriage (1 Corinthians 7:39), being free to marry anybody, as long as it's in the Lord.

We believe that divorce according to the Scriptures, is only for the cause of fornication (Matthew 19:9), or for the cause of natural death.

We also believe that Scriptural divorce allows to remarry as long as it's in the Lord. All those that have the Scriptural right to divorce also have the Scriptural right to remarry.

If the divorce is Scriptural it dissolves the marriage, the links between spouses and frees them one from another. Nobody should remarry if their marriage has not been dissolved for the cause of fornication. Those that have been divorced with no Biblical basis are still married before the Lord. Therefore the Scripture says clearly: "Whoever divorces his wife and marries another commits adultery against her." "And if a woman divorces her husband and marries another, she commits adultery." (Mark 10:11-12).

In cases when divorce occurs before Baptism in water in the Name of Jesus Christ, such sin should be considered as forgiven, otherwise it would be the only sin that baptism in the Name would not forgive. But yes, "...if anyone is in Christ, he is a new creation; old things have passed away; behold, all things have become new". (2 Corinthians 5:17) The new man in Christ begins his new life, and should be considered free with the liberty wherewith God has made us free indeed (John 8:36). The Bible says that: "Now to the married I command, yet not I but the Lord: A wife is not to depart from her

husband. But even if she does depart, let her remain unmarried or be reconciled to her husband. And a husband is not to divorce his wife. But to the rest I, not the Lord, say: If any brother has a wife who does not believe, and she is willing to live with him, let him not divorce her. A woman who has a husband who does not believe, if he is willing to live with her, let her not divorce him. For the unbelieving husband is sanctified by the wife, and the unbelieving wife is sanctified by the husband; otherwise your children would be unclean, but now they are holy. But if the unbeliever departs, let him depart; a brother or a sister is not under bondage in such cases. But God has called us to peace.” (1 Corinthians 7:10-15). When one of the partners is an unbeliever and abandons the believing partner, the believer has the right to divorce according to 1 Corinthians 7:15. When it says that she/he is not subject to bondage it also means that he/she is not subject to keeping the marriage covenant.

The word “fornication”-is often discussed in the religious circles. However, we should consider it to be any kind of sexual perversity, immorality and premarital and marital unfaithfulness, from incest to unnatural practices (Romans 1:26-27). We understand that fornication includes adultery.

The Church has defined stipulations of discipline for the cases of fornication and adultery. We know that each case is different and should be judged according to the offense. The only right for divorce should be Scriptural, also if there is desire to remarry. The innocent party after the Scriptural divorce has to be cautious and not be in a hurry to remarry. One reason is for the well being of the family and the other for the Christian testimony.

III. MARITAL RESTORATION

Returning to the first love in marriage is a good solution to the dilemma of divorce. Divorce is not the remedy for marital problems; as well as suicide is not the solution to problems. In the “next life” come even more serious problems. For example when divorce is contemplated, the consequences should be taken into consideration. Think about the children, their well being and happiness and think about the disaster that will occur to them when they see their parents divorced. To think about divorce is to be selfish, because you don’t think about others. Thought should be given to the hurt that will be caused in the minds and hearts of the children and other family, as

well as the effect on the Church.

Also every divorce causes a financial burden. For the woman it represents heavier financial needs. The man will have to pay child support. Also they will have to divide all their belongings at the time of divorce. At the same time they will both suffer a public disgrace. They will find out that divorce is not as easy as they thought. A divorced person always suffers with lack of trust with those they wish to start a relationship with. The churches will also stop giving that person a position of leadership or responsibility. All this is on top of the shame that is brought on the testimony of the church.

Divorce is the shipwreck of love and happiness. Therefore marital reconciliation should be sought at all costs, before arriving to such extreme. All efforts should be made to strengthen and restore any area in the marriage that might be getting weak. Personal pride, anger, selfishness and any other thing that would intervene in the natural state of marriage should be put aside. The husband and wife should convene that they will not allow their household to be violated in any way and that they will both strive to revive the love and keep the marriage covenant no matter what. They will strive to be in communion with God. If Christ is the center of the home, it will be more secure and pleasant. Both need to read and keep the WORD OF GOD: That they will spend time together and with the family; that the husband be a holy example as the head of the family; that the wife be submissive, obedient, and reverent with her husband; and that the husband love and respect his wife, as Christ loved the Church (Ephesians 5:21-30).

Most of all is that there is LOVE, and that it would be mutually expressed by both of them. Love should be pure and holy toward the spouse. Marriage is holy and the act of sex is not a sin, when practiced in a marriage approved by God (1 Corinthians 7:1-15 and Hebrews 13:4).

Christ loved the Church in such a way that He gave his life for it. God commands us to love like He loves us. True love will take us to sacrifice ourselves for those we love. One that does not love does not know God. If a person says: I love God, but does not love his spouse, the such lies. Because if he cannot love his spouse whom he

sees how can he love God whom he cannot see? (An application to marriage from 1 John 4:20) God is love and he who loves is of God. The love of God can restore a marriage that suffers from the virus of marital disintegration. People need courage to accept counseling in the middle of distress. Love has to be chosen instead of hatred, vengeance and bitterness, love instead of the cowardliness of divorce.

CONCLUSION

We have answered three questions. Yes, marriage is for a lifetime with one partner; because it's an agreement of faithfulness between two people and a Covenant with God that no man can separate. The only reason for dissolution of marriage is Scriptural divorce allowed for the cause of fornication or death, in cases where both partners are Christians. It's also allowed when the unbeliever (not converted) abandons his believing spouse (converted). At the same time we conclude that baptism forgives completely; even if they were divorced in the world. If a person is under the rights of Scriptural divorce the same is allowed to remarry, as long as it's in the Lord.

Finally, we advise that restoration for marriage is the answer to divorce; to go back to the first love in marriage. All personal interest should be sacrificed to save the happiness of marriage which transcends beyond any personal ambition or interest.

Submitted to the General Board of the Apostolic Assembly for its study and approval.

April 15, 1993

Respectfully,

Baldemar Rodriguez