Marriage, Divorce, Church

The Church teaches that once a marriage has been validly entered into and consummated, no human authority can dissolve it. Only death ends that bond.

Before we look more closely at the teachings on Marriage, Divorce and Church, I want to acknowledge that divorce can be a difficult and personal subject.

It may help to clarify three mechanisms for dealing with a total collapse of the relationship between a husband and wife: divorce, separation, and a declaration of nullity, commonly called an annulment. These mean different things, and understanding those differences may ease some of the tension surrounding this discussion.

Let's first look at paragraph 1640 from the Catechism…

> *Thus the marriage bond has been established by God himself in such a way that a marriage concluded and consummated between baptized persons can never be dissolved. This bond, which results from the free human act of the spouses and their consummation of the marriage, is a reality, henceforth irrevocable, and gives rise to a covenant guaranteed by God's fidelity. The Church does not have the power to contravene this disposition of divine wisdom [1640]*

This precise wording matters. There are marital status contexts that require careful judgment, and this presentation is not a substitute for individual pastoral guidance.

It also important to point out that preserving the marital bond is not the same as requiring spouses to live together in every circumstance. Where there is abuse or serious danger, separation can be necessary. In some circumstances, civil divorce may be tolerated to protect legal rights or children.

> *Yet there are some situations in which living together becomes practically impossible for a variety of reasons. In such cases the Church permits the physical separation of the couple and their living apart. The spouses do not cease to be husband and wife before God and so are not free to contract a new union. [CCC 1649]*

> *If civil divorce remains the only possible way of ensuring certain legal rights, the care of the children, or the protection of inheritance, it can be tolerated and does not constitute a moral offense. [CCC 2383]*

There is also a distinction between divorce and a declaration of nullity, often called an annulment. A tribunal examines whether a valid marriage came into being in the first place. That does not make the couple's years together unreal, nor does it erase the dignity of their children.

> *The consent must be an act of the will of each of the contracting parties, free of coercion or grave external... If this freedom is lacking the marriage is invalid. [1628]*

> *For this reason (or for other reasons that render the marriage null and void) the Church, after an examination of the situation by the competent ecclesiastical tribunal, can declare the nullity of a marriage, i.e., that the marriage never existed. [1629]*

Here is a modest analogy. Courts can find a purported contract invalid. Depending on the circumstances and applicable law, those grounds can include lack of capacity, coercion, fraud, certain significant mistakes, or an illegal purpose. To declare a contract void the court is asserting that the agreement was never valid. There is a distinct difference between a contract being terminated, and having it declared invalid. A declaration of nullity is a declaring that the marriage was never valid. There is a distinct difference between divorce and an annulment.

A beautiful signature on an agreement does not settle whether someone signed freely or under grave coercion. You must examine what happened at the beginning. Marriage is much more than a legal document, but the analogy helps distinguish judging the original consent from canceling an established bond.

Last week we looked more deeply at the Sacrament of Marriage, looking beyond what happens visibly in the ceremony to what God does invisibly. With that foundation, and having addressed divorce, separation and annulment we can now consider how the teaching on the Sacrament of Matrimony and the teaching on the Church relate to one another.

The USCCB's pastoral letter entitled, "Marriage – Love and Life in the Divine Plan" comments on how marriage reflects the life of the Trinity. Let me offer a quote for you to consider:

> *"First, like the Persons of the Trinity, marriage is a communion of love between co-equal persons, beginning with that between husband and wife and then extending to all members of the family….*
>
> *Therefore, just as the Father, the Son, and the Holy Spirit are distinctly who they are only in relation to one another, so a man and a woman are distinctly who they are as husband and wife only in relation to one another.*
>
> *At the same time, in a way analogous to the relations among Father, Son, and Holy Spirit, which unites the three persons as one God, the inter-relationship of the husband and wife make them one as a married couple….*

Just as the very nature of God as Trinity is reflected in Marriage, it turns out that marriage is directly reflective of the Church.

Indeed, we shall see that Jesus has some radical teachings about marriage just as he has some radical teachings about the church.

But more than that, for Jesus, and consequently, for St. Paul, these two are so intricately linked that the Gospel teaching on marriage clarifies the Gospel teaching about the Church, and vice versa.

To make the point, I need to take what will initially seem like a detour, so I ask you to bear with me as I set the stage by looking deeper into the matter of divorce.

In Mark 10:9 Jesus talks about divorce referencing Genesis 2:24,

"the two shall be be one. Therefore, what God has joined together, let not man put asunder."

In the next two verses, he says he says something far more radical to Jewish ears,

"Whoever divorces his wife and marries another, commits adultery against her; and if she divorces her husband and marries another, she commits adultery."

Luke in chapter 16:18 the statement is much the same,

"Everyone who divorces his wife and marries another commits adultery, and he who marries a woman divorced from her husband commits adultery."

However, in contrast to Luke and Mark, Matthew 19:9 has much the same statement with one seemingly critical difference. It includes what some mistakenly consider an exception clause for adultery.

And I say to you: whoever divorces his wife, except for unchastity, and marries another, commits adultery; and he who marries a divorced woman, commits adultery.

Matthew 19:9 in Greek reads as follows in the Westcott–Hort edition:

λέγω δὲ ὑμῖν ὅτι ὃς ἂν ἀπολύσῃ τὴν γυναῖκα αὐτοῦ μὴ ἐπὶ πορνείᾳ καὶ γαμήσῃ ἄλλην μοιχᾶται.

A fairly literal translation is:

"But I say to you that whoever divorces his wife, except on grounds of porneia, and marries another commits adultery."

The key phrase is **μὴ ἐπὶ πορνείᾳ** (*mē epi porneia*)—"except on grounds of *porneia*." The Catholic NABRE renders this **"unless the marriage is unlawful."**

That wording expresses an interpretation of the Greek phrase; the Greek does not explicitly contain the words "the marriage is unlawful."

Joe Heschmeyer asserts that Protestants mistranslate the Greek "*porneia*" as adultery.

There is a Greek word that explicitly means adultery: *moichei.*

Matthew only uses the word *porneia* here, while using *moichei* elsewhere that is translated as adultery. And he records Jesus using both words here.

So, what then is *porneia*? Joe Heschmeyer suggests that Jesus was using a Greek word that Jews used to refer to what Jews considered invalid marriages that were common for Gentiles. Which makes the NABRE translation a reasonable one. He then offers a reasonable conclusion that Mark and Luke did not consider this caveat significant enough to include it in their gospels.

Assuming Joe is correct, what we have then, is Jesus explaining that the prohibition against divorce and remarriage applies to valid marriage covenants - those marriages which God had joined together. Rome could endorse a relationship between two men,

or three men, or a man and his mother, or whatever. But God sanctions only the one valid marriage covenant.

If God has joined a man and woman together in marriage, divorce and remarriage are not possible. The "*porneia* clause" is making the point that if the relationship is not one that God has sanctioned, then this prohibition does not apply, looking forward to the time when Gentiles would embrace the faith and not be encumbered with a prior invalid civil arrangement.

In addition, we know Jesus' statement is seen as a radical teaching for the time. How do we know that? Because the disciples respond by saying, "Well, if this is the case, it's better to not get married."

Luke Greenberg in *Jewish Divorce Law*, explains that there were two rabbinical schools in the first century BC, the century before Jesus comes on the scene. One view is that of school of Shammai. It's a stricter interpretation. If your wife commits adultery, you can get divorced and remarried.

In contrast, the school of Hillel held a more liberal view, that an indecency is anything that displeases the husband. Some rabbis taught a writ of divorce could be made if the husband didn't like his wife's cooking.

Consequently, with these contrasting views, the Pharisees are curious to know which school Jesus stands with.

However, Jesus said both had it wrong. He responds in Matthew 9:8, "For your hardness of heart, Moses allowed you to divorce your wives, but from the beginning, it was not so."

Jesus, in effect, invites them to "renew their minds" by shifting the question from "When can someone leave?" to "What did God intend marriage to be?"

Imagine two interior decorators debating how to furnish a room. One wants comfortable chairs, soft lighting, and a quiet place to relax. The other envisions a man cave with a pool table, card table, and video games. Each argues as though the only question is which kind of recreation room would be best.

Then the architect unrolls the house plans: "You've both assumed this is a recreation room. It isn't. This is the dining room—the place where the family gathers to share meals and life together. Before deciding how to furnish it, you need to understand what it was designed to be."

Jesus does something similar. His questioners debate which circumstances justify divorce, taking their understanding of marriage for granted. He brings them back to the original plan: before asking what circumstances end a marriage, understand what God intended marriage to be.

Jesus brings the discussion back to God's design. He speaks of the two becoming one flesh and of respecting what God has joined. The issue is larger than rationalizing reasons for separation. It concerns the nature of the union itself.

Consider a couple, Anne and Michael. Early in their marriage, Anne develops an illness. Their plans change. Money is tight. Michael takes on tasks he never expected. Anne struggles with needing help.

Their promise is now being lived in the hospital waiting room as well as ordinary kitchen conversations. When Michael listens instead of dismissing her worry, or Anne acknowledges his exhaustion instead of assuming he's fine, the covenant takes visible form.

The wedding was the beginning. As difficult as it may be, this is the life the wedding promised.

In contrast to this last example, much of our society today can be said to side instead with the school of Hillel. And I suspect that the reason for this is the same now as it was then. Because of the hardness of hearts.

But I digress. If Jesus had sided with one school or the other, it would not have been shocking in the least. So, if Jesus had included adultery as grounds for divorce, as most Protestants claim, it makes no sense that the Apostles would have reacted as we are told they did.

To make sense then, of Jesus radical teaching, you need to go to one place, and scripture points to it repeatedly. A subject which Sean dove into several weeks ago. God's covenant with His people, with His church.

In Malachi 2:16 God says quite clearly and explicitly, "I hate divorce."

What I find especially interesting is that this statement comes in a discussion about covenant faithfulness. You may remember from my presentation on the priesthood that Aaron's sons served as priests, while the other Levites assisted them—somewhat like deacons today.

In the book of Malachi, we learn that the priests, and the Levites generally, had been unfaithful to their marriage covenants. Subsequently, God directly connects unfaithfulness to one's spouse, to His covenant with Levi. This is striking: God sees the two covenants as one; faithfulness to God and faithfulness to one's spouse are directly linked.

The prophet Malachi in 2:13-14, on behalf of God, chastises the priests:

> *You cover the LORD's altar with tears, with weeping and groaning because he no longer regards the offering or accepts it with favor at your hand. You ask, "Why does he not?"*
>
> *Because the Lord was witness to the covenant between you and the wife of your youth, to whom you have been faithless, though she is your companion and your wife by covenant.*

Here we see Church and marriage first linked together by God himself.

God connects His covenant with Levi to the Levite's marriage covenants.

St. Paul later builds upon this connection.

In Romans 7:4, he writes,

> *"…a married woman is bound by law to her husband as long as he lives, but if her husband dies, she's discharged from the law concerning her husband...*
>
> *but if her husband dies, she's free from that law, and if she marries another man, she is not an adulteress.*
>
> *Likewise, my brethren, you have died to the law through the body of Christ, so that you may belong to another, to him who's been raised from the dead ..."*

The ancient marital covenant described in Malachi 2 is completed if and when one of the parties in the marriage dies. Consequently, the surviving spouse is free to marry again. The same is true of the Old Covenant. It is completed when Jesus dies. Consequently, God's people - including the Gentiles - are free to enter into the New Covenant.

In other words, there's been a change in the covenantal system, Christ coming in and fulfilling the old covenant with his death, freeing them to enter into the new covenant established at the Last Supper.

In Ephesians 5:21–32, St. Paul reveals a profound connection between marriage and the Church: the love of husband and wife is called to reflect Christ's faithful, self-giving love for his people. This gives marriage a significance far beyond a private relationship between two individuals.

We need to mine this passage carefully, because Paul's rich message can deepen our understanding of both marriage and the Church.

> *Be subject to one another out of reverence for Christ.*
>
> *Wives, be subject to your husbands, as to the Lord.*
>
> *For the husband is the head of the wife as Christ is the head of the church, his body, and is himself its Savior.*
>
> *As the church is subject to Christ, so let wives also be subject in everything to their husbands.*

Paul is saying, to understand how to treat your husband, to understand how to treat your wife, you need to understand the covenantal relationship between Christ and the church.

> *Husbands, love your wives, as Christ loved the church and gave himself up for her, that he might sanctify her, having cleansed her by the washing of water with the word,*

that he might present the church to himself in splendor, without spot or wrinkle or any such thing, that she might be holy and without blemish.

Even so husbands should love their wives as their own bodies. He who loves his wife loves himself. For no man ever hates his own flesh, but nourishes and cherishes it, as Christ does the church, because we are members of his body.

"For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh."

This is a great mystery, and I mean in reference to Christ and the church; however, let each one of you love his wife as himself, and let the wife see that she respects her husband.

Notice here that St. Paul is describing marriage by looking to the church in two respects.

The first, considers the church as the *bride of Christ*, and the second views the church as the *body of Christ*. In Ephesians 5:28, he radically unites these two images, that Christ loving the church is really Christ loving himself.

This is a radical vision of the church. And It's a radical vision of marriage: that when a man loves his wife, he's loving himself. If he does harm to her, he's literally doing harm to himself.

So, I ask, "Is Paul talking about marriage, or is he talking about the church?"

The answer is, "yes."

He is talking about both. It as if he cannot write a sentence about one without bringing up the other.

Just as Jesus, talking about marriage and divorce being unacceptable, points to Genesis 2:24, and the two becoming one flesh, Paul also quotes Genesis 2:24 here in Ephesians 5:31. You think he's going to say, "This explains marriage," but instead he says, "This explains the church," and he puts it in sacramental terms saying, "This is a great mystery."

There are other passages that point in the same direction. For instance, in John chapter 3, St. John the Baptist expresses who he is and who Christ is in marital imagery.

"You yourselves bear me witness that I said, I am not the Christ, but I've been sent before him."

Note how John then describes his relationship to Christ,

"He who has the bride is the bridegroom. The friend of the bridegroom who stands and hears him rejoices greatly…"

Likewise, towards the end of the Book of Revelation, in 19:6-8 there is a heavenly chorus:

"Hallelujah for the Lord, our God, the Almighty reigns. Let us rejoice and exult and give him the glory for the marriage of the lamb has come, and his bride has made herself

ready. It was granted her to be clothed with fine linen, bright and pure. For the fine linen is the righteous deeds of the saints."

Revelation 19:9 has this incredible invitation. An angel tells John to write:

"Blessed are those who are invited to the marriage supper of the lamb."

This marriage supper of the lamb, that wedding feast of the lamb, that's what all this is pointing to, this incredible encounter between the bridegroom and his bride.

Jewish marriages took place in two stages. First, you are legally married, but then the bridegroom would go out and prepare a house for the bride. When the house was finished he would then take the bride into thier house.

In John 14:3: Jesus at the Last Supper tells the apostles that he goes before us to prepare a place for us. This is very much Jewish bridegroom behavior, and it culminates in Revelation 19 in the wedding feast of the lamb. Jesus is pointing to a deep connection in his relationship to the church and the bridal/bridegroom relationship.

If we don't get that, it could well be that we are missing something important about both. Both involve an indestructible, divinely created covenantal union. A union that is summed up by saying that the two become one.

Jesus as head doesn't have multiple bodies. Christ the bridegroom doesn't have multiple brides. it follows that there's one church, that Christ isn't a polygamist, he doesn't have a multitude of different brides. if you get marriage right, you can see why there's one church. If you get the church right, you can see why divorce and remarriage are impossible. They are these indestructible, divinely created covenantal unions.

In Matthew 16:18, Jesus says to St. Peter,

"I tell you, you are Peter, rock, and on this rock, I will build my church."

Then he says that even the gates of hell won't overcome the church. Why not, because it's part of divinely established covenant, just as God joins together a true marriage, and nothing can break that covenant.

In 1 Corinthians 10:17, Paul says, "We who are many are one body, for we all partake of the one bread." The Eucharist is what causes us, in a real way, to become one with Christ. Just as in marriage the two become one flesh. Here, in the life of the church, this encounter with the body of Christ and the Eucharist makes the two become one flesh.

You don't get to say, "I love Jesus, but I hate the church."

In Acts chapter 9:1-6, a young man by the name of Saul of Tarsus is breathing threats and murder against the disciples of the Lord.

He's not out looking for Jesus. He's out to persecute Christians. He's out to persecute the church.

As he's on the way to Damascus, he's knocked to the ground and he hears a voice, and the voice doesn't say, "Saul, Saul, why do you persecute my church?"

It doesn't say, "Why do you persecute my followers?"

The voice says, "Saul, Saul, why do you persecute me?"

Saul's confused and he says, "Who are you, Lord?" The answer comes back, "I am Jesus whom you are persecuting." To persecute the church is to persecute Jesus, to oppose the church is to oppose Jesus.

I hope you can see how radical the Gospel's teachings on marriage and the Church truly are—and how each illuminates the other. Together, they reveal a depth of love and unity that we can easily lose sight of. That raises a searching question: How have so many Christians come to lose sight of these two deeply connected teachings?

Jesus brings us back to God's original design:

A valid, consummated marriage between baptized persons cannot be dissolved by any human authority. Its permanence reflects God's covenant faithfulness.

Separation, civil divorce, and annulment mean different things. Separation may be necessary; civil divorce may sometimes protect children or legal rights. A declaration of nullity recognizes that a valid marriage never came into being.

Marriage and the Church illuminate one another. St. Paul presents marital love as a reflection of Christ's love for his Church.

The Church is both Christ's Body and his Bride.

Our relationship with Christ includes belonging to his Church. Jesus' words to Saul—"Why do you persecute me?"—reveal how closely he identifies himself with his people.

The final horizon is the wedding feast of the Lamb. Marriage points beyond itself toward the everlasting communion with Christ to which we are all invited.