

# Applying the Scriptural Principles of Divorce and Remarriage to Uncertain Circumstances

[Delivered to the Fall Pastoral Conference, South Atlantic District,  
Holiday, Florida, September 19, 1988]

by Lynn E. Wiedmann

Prayers are in order as we approach this topic, but I am not sure who needs them most. Is it the pastor who must counsel in these confusing and heart-rending matters? Is it the couple torn apart by strife, discord and guilt? Is it the church, believers who must bind and loose sins in love? Or is it the essayist who must speak with certainty about things which are, by definition, "uncertain."

I began my "research" by asking you to "sketch a divorce/remarriage scenario in which you encountered `uncertain circumstances.'" I was having trouble with the phrase "uncertain circumstances." The dilemma and areas of confusion that were reported will be mentioned, if only in passing, in the paper. Of the eleven who responded in some way, only one was older than I. I had hoped that my more experienced brothers would solve my problem by writing my paper with their sage advice. Sagely, they chose to avoid it like a plague.

Years of homiletical training force me to have parts to my paper. Years of unhomiletical preaching have allowed me to use questions as my parts:

- 1. Do I know the principles, Biblical as they are?**
- 2. Do I know the circumstances, uncertain as they are?**
- 3. Do I know the people, sinful as they are?**

## Do I know the principles?

Some time ago, Pastor Herbert Birner, author of *Marriage Should Be Honored by All*, asked a surprised conference for a good definition of marriage. He wrote the book, we all thought he knew. I suspect he did. But I also believe that I was a little foggy on just what made a marriage. Without that principle, Biblical as it is, to guide me, it is impossible for me to explain terms like divorce, remarriage or even to know when something is really "uncertain." Often things are called "uncertain" because people do not want to follow certain principles, Biblical as they are, in difficult situations.

Made to order for this paper, Professor Armin Schuetze wrote a conference paper<sup>1</sup> about these principles. That paper was later reprinted in the *Wisconsin Lutheran Quarterly*.<sup>2</sup> In the introduction Professor Schuetze noted a principle or two for writing principles. Scripture does not give us a new principle for every new case. Our church, thank God, does not develop canon law. And finally,

Scripture does provide us with basic principles that must find application in our ministry. We want to be sure that we know what the basic principles are, recognizing what God in

---

<sup>1</sup> Armin W. Schuetze, "Marriage, Divorce, and Remarriage," a conference paper delivered to the Chippewa River Valley and Mississippi River Valley conferences on September 17 and 18, 1979.

<sup>2</sup> Armin W. Schuetze, "Marriage, Divorce and Remarriage," *Wisconsin Lutheran Quarterly: Volume 81:3*, pages 251-252.

Scripture says, going neither beyond it nor falling short of it. Having these principles clear, we then want to see to it that they are not changed or ignored somehow as we apply them to the many and varied situations that confront us from day to day. Because this is not easy, we consult with one another and also treat topics like the present one.<sup>3 4</sup>

In that article Professor Schuetze listed these theses with supporting comments.

**THESIS 1** *Marriage is a union, effected also by God, and is to be terminated only by God through the death of a spouse.*

**THESIS 2** *The will of God that marriage be permanent must be emphasized among our Christians living in today's society.*

**THESIS 3** *Although God wants marriage to be permanent, man can break the bond, but when he does, he becomes guilty of sin.*

**THESIS 4** *According to Scripture the sins of sexual unfaithfulness (adultery) and of desertion break a marriage bond.*

**THESIS 5** *Terminating a marriage bond by common agreement involves both parties in sin.*

**THESIS 6** *When a marriage has been broken, the one who sins is called on to repent of his/her sin.*

**THESIS 7** *The church (pastor) will assure the penitent person of the Lord's forgiveness as well as the forgiveness of fellow Christians.*

**THESIS 8** *Repentance calls for proper fruits. Scripture does not outline these in detail for every situation.*

**THESIS 9** *Fruits of repentance may consist in efforts to preserve a marriage relationship or to reestablish one that has been broken.*

**THESIS 10** *Fruits of repentance for the divorced person may be the firm intention and promise to live a godly life in a new marriage.*

**THESIS 11** *The church and its pastors will carefully seek to avoid offense when ministering in the case of a broken marriage.*

**THESIS 12** *Our concern in dealing with these difficult cases is not the purity of the church nor simply the purity of life of the individual, but the proper application of law and gospel in the interest of the individual's repentance and eternal salvation.<sup>5 6</sup>*

Did you notice that I took the course? At that time I was not able to list my theses about divorce and remarriage. I did not have a clear idea of all of the Bible passages involved. I am certain that those three weeks of slugging through passages and practical theology books clarified my own understanding of the principles, Biblical as they are.

The definitions of marriage and divorce must be established scripturally, and they must be taught regularly (Theses 1,3,2). Later you will hear again about the importance of continuing education and continuing counseling which are prevention and maintenance oriented. Wherever

---

<sup>3</sup> *Ibid.*, p. 251.

<sup>4</sup> The essayist believes that this paragraph captures the substance of what the many pages following will try to say.

<sup>5</sup> *Ibid.*, pp. 251-261.

<sup>6</sup> The author attended a Summer Quarter Class, *The Scriptural Teachings on Divorce* (PT431). Class notes indicate that Professor Schuetze was working on these theses with the class. I offer them here, not only as a quotation of Professor Schuetze's work, but also as my understanding of the principles drawn from the Scriptures.

sin occurs there is a specific course of action outlined for every Christian, every Christian pastor and for every Christian congregation. It is the same for every sin (Theses 4,5, 6,7). As Lutherans we have been taught to follow carefully and distinguish clearly the Law and the Gospel (Walther). But also lurking in our past is the danger of legalism identified by Koehler in his often quoted essay, "Gesetzliches Wesen unter Uns," and a spirit of Pietism and antinomianism which make it hard for evangelicals to preach the law.

Fruits of repentance, often the center of the debate in "uncertain circumstances," must be clearly defined. Three separate theses on this point imply that it must be considered carefully. More on that later (Theses 8,9,10).

Bath Professor Schuetze and Pastor Birner warn about our desire to make "canon laws"<sup>7</sup> in the areas of divorce and remarriage. Much offense can be avoided by careful instruction and great patience with our congregations (Thesis 11). In Thesis 12 the great spiritual goal of all our work is clearly delineated. Would we have said it like this? It is not a useful goal to have purged our congregations of all sin and of any possibility that sin may occur. It is not possible to prevent our synod from going soft in the practice of these principles. Church rule cannot guarantee it. It is faulty reformed thinking to try.

Nor are we able to prevent sin in our lives by a specific set of rules. The law does not produce holiness. It only demands it. A much more practical goal is to properly apply law and gospel in the interest of the individual's repentance and eternal salvation.

Can it be that all this is telling us that those old-time doctrines we already know, doctrines of confession (with two parts), of repentance with change, of the proper distinction between law and gospel, of justification, of sanctification, of old man and new, or even a phrase like *simul justus et peccator* apply to the "uncertain circumstances of divorce and remarriage?" Brothers, I think you know many of these principles. I also want you to know that they still apply in difficult, confusing, conflicting and uncertain circumstances.

For me, some uncertainty about divorce and remarriage was removed by a careful study of the scriptural principles. I am convinced that these must be studied and restudied by each generation. It is not a case of reinventing the wheel, but we must be able to operate almost instinctively with a whole fist full of principles, Biblical as they are, while concentrating on ministering to the spiritual needs of the sinner/saints we meet.

## **B. Do I know the circumstances?**

Let's list first some of the obvious roadblocks to certainty. I'd like to follow immediately with a comment or two about making that uncertain just a little more certain.

***Deception and hypocrisy*** break our hearts and frustrate us. We must ask ourselves if we can claim Biblically to be able to smell hypocrisy? Can we spot deception? Do we have an infallible sense of people so that we always know when they are withholding the truth from us? I'd like to be able to save myself the grief of being victimized and embarrassed by these people. But I can't. There is one who judges. So we can handle those uncertain circumstances created by lying and deception only with the truth when God makes it plain to us.

***Old Man/New Man conflicts*** are a real part of Christian living. I am not able to always tell the whole truth, because I am trying to crucify some of those emotions and thoughts which are sinful in me. In counseling each person we try to help will have that continuing battle going

---

<sup>7</sup> *Ibid.* , p. 251 .

<sup>8</sup> Herbert A. Birner, *Marriage Should Be Honored By All* (Northwestern Publishing House: 1981), pp. 76-80 especially, but also the entire spirit of his book.

on in the heart. How many uncertain circumstances are best understood by St. Paul's words, "The good that I would, I do not..."

**Lack of education** lays the blame at the doorstep of the educator. It seems to me that people compound marriage-divorce-remarriage problems because they really don't know what they are supposed to do. They may unnecessarily feel guilt and rejection. They may unwittingly wish to avoid judgment and condemnation. So they choose an uneducated path of life that only makes matters worse. At least we can say with certainty that education does not cause more uncertainty.

**Society and technology** have presented pastors in our time with some strange situations. The whole issue of the test tube babies brought out much larger questions about marriage. Surrogate mothers and artificial insemination made marriage relationships more confusing. Here more than ever we need to know **principles**.

**Lack of pastoral follow through** is an item I wish that I did not have to list. Among our profession there are those who have no time for pre-marital, post marital or any other kind of marital counseling. Others are deceived; some are the victims of their own theology. Closer to home, this servant must wonder if just one more visit, one more word of encouragement might have helped one more soul.

One brother, interested in assisting a struggling essayist, suggested that a door may be open for clarifying "uncertain circumstances." He suggested attending the divorce proceedings. I believe he is on to something valuable. We need to remember that God opens all of the doors that he wants open for us. Like the court room, we have several methods of discovering information when we are confused by the circumstances. Inconsistencies demand clarification. "I'm sorry, but I don't understand what you did or why you did it." Information which comes to light later on demands that we ask, "How does this fit?"

If we approach this with a "Sherlock Holmes" attitude, we fail Thesis 12. Our goal is to bring true, divine forgiveness for all sins. The patient pastor who returns again and again and carefully lays the groundwork of true Scriptural teachings regarding marriage will soon learn whether the word he speaks is being heard and obeyed.

**Time and space** cause difficulties and seem to have been the largest contributors to "uncertainty." A spouse who lives three thousand miles away, who has gone out of circulation, a situation which happened several decades, several marriages and several pastors ago led to a lot of questions for which I was never able to get full, two-sided answers.

**Buried hatchets** may be the only way that two spouses, victims of each others' sins may continue their lives in peace and harmony. Their civil tongues and their firm refusal to bring up old dirt may actually be their way of repenting and resolving to live for the Lord in the future.

**Inter-Church relations** get rid of my problems because I just transferred them to you. People leave one fellowship because church discipline was brought against them. Fleeing that unfriendly environment, two lost souls show up at the doorstep of my brother. It's hard to get into the third degree with someone who eagerly listens and learns while carefully deflecting probing questions about the past church relationship. "We just didn't agree with the pastor." "We didn't go to church much then. Do you remember the name of the church, honey? Neither do I!"

We worry that we will lose good evangelism prospects by hammering down on their rebellion too soon. Rather than call this an "uncertain circumstance," I prefer to think of it as the Law vs. Gospel choice we must all make. Discussion about divorce and remarriage did not seem to bother Jesus when he dealt with the Samaritan woman. People who sin have a conscience which is beating them down.

**Real knowledge** is what we need. We are plagued by questions like, "How deep should I get into this?" "How much should I investigate?" Perhaps we are assuming that we can get full information about every detail. Realizing how complicated human beings are, that is an impossible goal. You cannot know everything. No one ever does. And even if you would know everything, you would be so hopelessly bogged down in details, that you would not be able to function at all.

I am also convinced that God allows us to find out things according to his own time schedule (which is not always the same as ours). So unless we are closing our eyes to obvious problems, a simple form asking questions about addresses, parents' names, previous marriages seems perfectly natural to people who fill out forms all the time. Genuine pastoral love opens our heart and ears to the needs and feelings of those to whom we speak. That love can be felt. That honest concern is most often appreciated. Those that deceive or lie have a far greater problem.

**Real forgiveness**, can the guilty remarry? The other side of the fence reminds us that guilty consciences do not need to be hammered down some more. I would like to suggest that this uncertain issue might be best handled by a gentle question on the part of the pastor. It is possible with love in our hearts to touch on sore spots? It is possible to hold out a kind of forgiveness that a couple may never have felt before? It is possible to make an adulteress the center of a Christian community, and an adulteress an object lesson for church leaders? At least Jesus did it once.

We live in a world that has not seen the Gospel. It does not understand it. Our old man naturally rejects it. Our own members naturally discount it. I wonder if they don't stay away because they really don't know how much we want to say to them, "I forgive you!" Forgiveness means that the entire guilt and punishment has been removed and paid for by the atoning death of the Savior. Questions about remarriage for a forgiven believer are best answered by looking at ourselves and asking, "Do I have a right to marry since I am a sinner?" Since my forgiveness is the power by which I marry and live in marriage, will it be all that different for another sinner forgiven the same sin by the same Savior? Forgiveness works! Only Catholic and Reformed canon law would demand something besides! (Remember again that "fruit" is a result of forgiveness not a condition for it.)

**Real Fruit**, that's my nemesis. A large percentage of our class questions in PT 431 were focused on this one point. How do I know when there is enough fruit hanging on the tree to assure me that the tree is a living Christian, and how do I know when the fruit on the tree is rotten and the soul inside is spiritually dead? First, I must know what fruit is.

Professor Schuetze dealt with it in Thesis 8. He refers to the words of John the Baptist, Zachaeus, the Samaritan woman, David and then explains:

This was not to earn forgiveness. Fruit is a result and not a cause. It is evidence of repentance, not directly a part of it ...Paul tells the Ephesians that they who have come to know Christ should put off their old self, and put on the new self ...(Ephesians 4:17-32).

The term "fruit" implies willingness and a degree of spontaneity. Fruit is produced without legal compulsion. Hence we find that Scripture has not set up a code book that specifies the exact form which fruit of repentance must take in the case of every sin. But broad principles can be recognized:

- Fruit of repentance is to desist from the sin for which one repents.

- Fruit of repentance is to restore, if possible, what sin has ruined.
- Fruit of repentance is to amend one's sinful life, to replace evil with good.
- Fruit of repentance is to do all to the glory of God, whether we eat or drink, or work or play.<sup>9</sup>

In counseling situations of the past, I believe that I spent most of my time trying to uncover fruit, trying to grow fruit, wishing that fruit would appear. I wonder if I know what fruit really was? Now I wonder if those people had any idea at all of what fruit meant for them? It seems that we must teach those who come to us the real meaning of "the fruits of repentance, the result and not the cause, the evidence of repentance, and not, according to Luther's explanation, directly related to it."<sup>10 11</sup>

### C. Do I know the people?

That leads me to the third part of this paper. People must apply the scriptural principles of divorce and remarriage to uncertain circumstances. Because this topic relates to people who can affect the principles and the circumstances. Let me begin with me.

**The pastor** who went through three messy divorce and remarriage situations in the past week will have a difficult time being objective as he listens to what appears on the surface to be a rehash of the same old sins. If he does not understand the principles himself, he cannot apply them for others. If he has been confused or even led astray by one of the ancient or modern books of misinformation on divorce, he may either say that it does not matter, or refuse to allow another marriage to take place even by the innocent victim.

The pastor is a leader, a commander-in-chief of the congregation. By definition, the leader must make leadership decisions. So what does that mean for "uncertain circumstances." It means that like the general on the battlefield, we will be operating in the "fog of war." We will receive conflicting and often erroneous intelligence. We will never really know the strength or source of opposition. We will not always fully know the personalities involved either on our side or theirs. So to us is given the task of courageously making decisions. The decision will be based on Law and Gospel based on what the Lord has let us know at the time we decide, based on full forgiveness and backed up by a God, who makes all things work for good.

**The brothers**, more often than we care to admit, are a very big part of the uncertainty. People transferred to us "in good standing" could mean that they had not been excommunicated yet. "Hot prospects" are really cold, dead wood. There is in all of this a basic dishonesty which makes pastoral work uncertain. We owe it to our brothers to be honest with them.

In churches and church bodies where there is a large, fully developed and blossoming grape vine, difficult and uncertain circumstances become the butt of jokes told at pastoral conferences, gossip passed around the circuit and the continuous analysis of the arm-chair counselors who know little about the facts and may even care less for the souls involved.

In a synod where purity of doctrine and correctness of practice are held in high regard, rightfully so, pastors agonizing over extremely difficult and often uncertain circumstances may worry about charges of false doctrine or loose practice will arise. The gossip and innuendoes are

---

<sup>9</sup> *Ibid.*, pp. 257-258.

<sup>10</sup> *Ibid.*, p. 257.

<sup>11</sup> It is amazing that from Luther's background comes a Catechism that does not mention one word of good works or "fruits of repentance" in the section on **Confession**. How remarkable a man who could divide Law and Gospel so clearly in a book for children.

worse. Do we have enough room in our synod to boldly serve the Lord as circumstances seem to dictate, and then, when more facts come to light, be able to say, "If I had known that, I would have done this?"

Do we have room for the pastor who must hang his head in repentance for his lack of quick follow up, for his misunderstanding of the situation, for his poor grasp of the principles who says, "I am not a heretic, for I can be taught?" What does our forgiveness of that brother involve? And what is our reaction to the pastor who is the victim of lies and deceit? Some hidden circumstances cannot be known.

**The couple** which comes for counseling may see themselves as the "innocent victims." They are full of anger and hatred. They break the eighth commandment at every turn. The way to serve them is not uncertain. Sin must be met with the law, penitence with the Gospel.

Another couple simply announces that they have both decided to get a divorce which has no Scriptural basis. This rebellion against God's commandment is not an uncertain circumstance. Each must be met with the fury of God's law, although they may not respond in the same way.

Perhaps here is a good place to put in a pitch for being a good pastor. In the age of programs, policies, forms and ministries which seem to come out of our ears, maybe there still is a place for the Karl Vertz-type ministry. In his congregation of 1,200 communicants, he could not be found at his desk in the afternoons or evenings. He was visiting his members. Getting to know our members, how they live, the way they think, the frustrations and desires they hold close to their hearts is the very best way of preventing many "uncertain situations."

It almost makes a person wonder whether a pastor ever really makes a social call? Are we really wasting our time when we learn about a member's total preoccupation with fishing, or a brother's absorption with the ministry? Are we surprised when the wife suddenly leaves home in a strange set of "uncertain circumstances?"

**The extended family** often is a source of great amounts of data about the marriage relationships of the couple. If the pastor is fortunate enough to have both families holding visible positions in the congregation, he will be buried with suggestions, comments and criticisms. These very often are of no use. Usually the eighth commandment has been ignored. Often the procedures outlined by Jesus in Matthew 18 have not been followed. Even in the best of circumstances, the family just doesn't know the whole story. The horse's mouth is still the best place to find out how many teeth the horse has.

**The congregation** can be affected by the rumor mill and the gossip gaggle. They will certainly be confused by a pastor who announces God's forgiveness to one couple and recommends excommunication for another. It's not hard far us to understand the difference between penitence and impenitence, but have they been taught? What happens when they discuss these "loose practices" with friends from other congregations? "We have divisions in our synod." Some rejoice, others cry.

**Where does it all end, long as it is?** I am sending back into the fray almost completely unarmed. I have only given you one weapon, the Law and Gospel, and then you must know when to use which. I have given you only one way to sift through the "uncertain circumstances," great patience and careful instruction. I have insisted that you show great love and rely on the truth, the whole truth at all times. But I have not promised that you will always know the truth.

But I am convinced that this is all God expects you to use. Therefore, this is all you need. With a pastor's heart, with the Lord's Word and with the prayer that goes with those two, God calls on you to make decisions and to lead his people. He also assures you that behind you and behind your words lie the force and power of the Almighty God. He has clothed you with his

helmet of salvation. He has forgiven your sins. And with his Spirit he has equipped you for doing all that he has expected of you.

Be careful as you venture forth. Do not try to be God. Only he knows with certainty every uncertain circumstance. But do not fail to be God's representative, charged with proclaiming the whole counsel of God, speaking the truth in love with great patience and careful instruction. May God bless your ministry to those marrying, divorcing and remarrying. They all need you.

## B I H L I O G R A P H Y

Birner, Herbert A. *Marriage Should He Honored By All*. Milwaukee, Wisconsin: Northwestern, 1981.

\_\_\_\_\_. "Book Reviews." A conference paper reviewing two books on marriage, divorce and remarriage by John Murray and Jay E. Adams. The paper was delivered at the Northern Conference on February 8, 1983 meeting at Christ Lutheran Church in Shields, Michigan.

Breiling, E. A. "Guidelines in Divorce Counseling with Special Emphasis on "What is Malicious Desertion?" A conference paper delivered to the Southwestern Conference on September 28, 1976. This conference was held at Baraboo, WI.

Hennig, Richard F. "Divorce and Remarriage Practically Speaking." This conference paper was delivered to the Northern Conference of the Michigan District on September 17, 1984.

Koeplin, Kurt F. "Counseling Couples Contemplating Divorce." This paper was prepared for the Pastoral Conference MetroNorth: Southeastern Wisconsin District on May 24, 1971. The conference was held at Jerusalem Lutheran, Milwaukee, WI.

Schuetze, Armin W. "Marriage, Divorce and Remarriage." *Wisconsin Lutheran Quarterly*, Vol. 79, Number 4 (Fall 1982), pages 251-262.

\_\_\_\_\_. "Marriage, Divorce, and Remarriage." A conference paper delivered to the Chippewa River Valley and Mississippi River Valley Conferences, September 17-18, 1979.

Waterstradt, Ronald L. "Marriage and Divorce in I Corinthians 7, An Exegesis." This conference paper was delivered at the Fall Meeting of the Northern Conference, Michigan District meeting at St. Luke's, Saginaw, Michigan on September 20, 1983.

Wiedmann, Lynn E. "A Review of the book, *Divorce*, written by John Murray." Unpublished paper for PT 431, no date.

\_\_\_\_\_. "An Exegesis of Matthew 19:3-12." A conference paper delivered to the Northern Pastoral Conference, Michigan District at St. Luke's Lutheran Church, Saginaw, Michigan on September 20, 1983.