

Genesis 1:26-28

# COVENANT RENEWAL

Matthew 28:18-20

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## NEW COVENANT, NEW SPOUSE

by Ray R. Sutton

When a man takes a wife and marries her, and it happens that she finds no favor in his eyes because he has found some uncleanness in her, and he writes her a certificate of divorce, puts it in her hand, and sends her out of his house, when she has departed from his house, and goes and becomes **another man's wife**, if the latter detests her and writes her a certificate of divorce, puts it in her hand, and sends her out of his house, or if the latter husband dies who took her to be his wife, then her former husband who divorced her must not take her back to be his wife after she has been defiled; for that is an abomination before the Lord, and you shall not bring sin on the land which the Lord your God is giving you as an inheritance. When a man has taken a **new** [second] wife, he shall not go out to war or be charged with any business; he shall be free at home one year, and bring happiness to his wife whom he has taken.

In the May issue of *Covenant Renewal*, "Until Death . . .," I applied the covenant to the issue of divorce, because marriage is a covenant (Malachi 2:14). I said that if marriage is a covenant then it comes under the same covenantal principles of the **God-to-man** covenant. I reasoned that just as the **God-to-man** covenant can die, so can the marriage covenant; just as the vertical covenant dies a **covenantal death**, so does the horizontal covenant of marriage. In my book on the covenant, *That You May Prosper*, I said the following about the covenantal death of Adam's relationship to God:

Adam ate, yet he did not **physically** die at the precise moment he ate the "apple." Then in what sense did he die? Some people try to explain his death as "spiritual." But the Bible does not speak this way. A better explanation is that **Adam's death was covenantal**, in that God imputed death to him. God **counted him as dead** because of the broken covenant. Then, as Adam experienced the burdens of history, he would draw closer and closer to physical and perhaps even eternal death. He would see the covenantal applications of death in history. Those manifestations of covenantal death would be all around him throughout his life. Imputation went from life to death: from Adam's physical life to Adam's eventual physical death.

Imputation worked the other way too: from death to life. How could Adam be allowed by God to live? How could he legally escape the immediate judgment of God? Because God looked forward in time to the death of Christ. Christ's death satisfied God's legal requirement that Adam be destroyed that very day, body and soul. Adam may or may not have been saved in the sense of eternal salvation, but he surely was saved

from immediate physical death. God **imputed** earthly life to him—life which Christ earned on the Cross. He then gave Adam and Eve a promise concerning the future (Genesis 3:15). Christ's death had assured that future, and the promise spoke of Christ [the seed] crushing the head of the serpent.<sup>1</sup>

Since marriage is a covenant, I believe that it too can die covenantally. I based my conclusions in the May issue of *Covenant Renewal* on a passage in Paul's writings:

For the woman who has a husband is bound by law to her husband as long as he lives. But if the husband dies, she is released from the law of her husband. So then if, while her husband lives, she marries another man, she will be called an adulteress; but if her husband dies, she is free from that law, so that she is no adulteress, though she has married another man (Romans 7:2-3).

I essentially argued from this passage that the **death** referred to includes **covenantal death**, as well as physical death. I examined the context around these verses on marriage, and I demonstrated that **death** is used covenantally. So, I concluded that a marriage can die covenantally long before a spouse dies physically.

I have developed this idea in greater detail in my newest book in the *Blueprints Series*, *Second Chance: A Biblical Blueprint for Divorce and Remarriage*. I also discuss the remarriage question. In this issue, I want to extend the covenantal rationale to answer, "Can a person remarry?" Let me start with a letter written to James Dobson by Roger, found in Dobson's very important book, *Love Must Be Tough*.

Dear Dr. Dobson:

A few months ago, my wife Norma left to go to the grocery store in a nearby shopping center. She told our four children that she would be back in half an hour and warned them to behave themselves. That occurred on Saturday morning. Six hours later she had not returned and I began a frantic search for her. I could imagine her being kidnapped or raped or even something worse. By Sunday morning I called the Detroit police, but they said they could not help until she had been gone 48 hours. The children and I were worried **sick!**

We requested prayer from our Church and Christian friends, especially for Norma's safety. She had left no notes or messages with friends, and she didn't call.

1. Ray R. Sutton, *That You May Prosper* (Tyler, Texas: Institute for Christian Economics, 1987), p. 28.



We did find her car behind the shopping center, locked and empty. The police theorized that she had run away, but I didn't agree. That just wasn't like the woman I had lived with for fourteen years . . . the mother of my four children. We had been getting along quite well, actually, and had been planning to take a brief vacation over the Labor Day Weekend.

On Tuesday, I obtained the services of a well-known police detective and asked him to help us locate my wife—or at least discover what had happened to her. Well, he began interviewing her friends and associates and the details unfolded. To my utter shock, it became clear that Norma had left of her own free will with a married man from her place of employment. I just couldn't believe it.

Then about two weeks later, I got a "Dear John" letter, saying she didn't love me anymore—that our marriage was finished. Just like that, it was over. She said she would be returning in a few months to fight for the children, and that they would be living with her in Kansas.

Dr. Dobson, I tell you truthfully that I have always been a faithful father and husband. Even since my wife left, I have taken good care of the kids. I did the best I could to pull our lives together and keep going . . . to try to make a decent home for these four bewildered youngsters. Nevertheless, the court ruled in my wife's favor last month, and now I am alone.

I built our house a few years ago with my own hands, and now it is empty! All I have to show for the family I lost is a stack of Norma's bills and the memories that were born in these walls. My kids will be raised in an unchristian home, five hundred miles away, and I hardly have enough money to even visit them!

My life is a shambles, now. I have nothing but free time to think about the woman I love . . . and the hurt and rejection I feel. It is an awful experience. Norma has destroyed me. I will never recover. I am lonely and depressed. I wake up in the night thinking about what might have been . . . and what *is*. Only God can help me now!<sup>2</sup>

"Can He?" That's what I've heard a lot of divorced people say, who aren't quite as sure as Roger. Can God help a divorced person? But let's ask a really tough question: "Assuming that Norma is unrepentant, doesn't want to stay married to Roger, and she or Roger end up filing for a divorce, can Roger remarry?"

### The Remarriage Issue

Many agree that the man in our story could get a divorce. They would concede the point, even though they might not like it. They would see that Jesus' words in the Sermon on the Mount (see below) allow for divorce in certain situations, specifically **fornication**. But in no way would they permit Roger to **remarry**.<sup>3</sup> Why? Their argument is that Jesus only tolerates divorce but not remarriage in the following statement:

But I say to you that whoever divorces his wife for any reason except sexual immorality causes her to commit adultery; and whoever marries a woman who is divorced commits adultery (Matthew 5:32).

The divorce-no-remarriage interpreters say that Jesus grants divorce for "sexual immorality," and some of them

might even agree that this term covers the capital offenses (better, covenantal offenses) of the Old Testament. But they would be quick to point out that Jesus does not say in this verse that He permits **remarriage**. Instead, they would argue that the verse only clarifies who may and may not get a divorce, and that it says **nothing** about being able to remarry. Furthermore, they would say that the last half of the verse simply says, "whoever marries a woman who is divorced commits adultery"!

What's wrong with this interpretation? Plenty! The main problem is that it makes Jesus contradict Himself within fourteen verses of the Sermon on the Mount. How? He says at the beginning of the sermon, "Do not think that I came to destroy the **Law** or the Prophets. I did not come to destroy but to fulfill. For assuredly I say to you, till heaven and earth pass away, one jot or one tittle will by no means pass from the law till all is fulfilled" (Matthew 5:17-18). But if He is saying later that a divorced person cannot remarry by His comment, "whoever marries a divorced woman commits adultery" (5:32), He is **radically changing the law**. He is altering Moses who authored the Law and who allowed for a divorced person to remarry in his statement, "When she [divorced woman] has departed from his house, and goes and becomes another man's wife, if the latter husband detests her and writes her a certificate of divorce, puts it in her hand" and so forth (Deuteronomy 24:2-3). So Jesus would be saying at the beginning of the sermon that He did not come to change Moses, but He would be contradicting Himself later by not allowing for what Moses allowed. On the basis of this one simple observation and this observation alone, Jesus could not be condemning **remarriage**!

What did Jesus actually mean by His comments about divorce and remarriage in the Sermon on the Mount?

First, keeping in mind what He said about not coming to change the Law, He had to be demonstrating His **support** of Moses' view of divorce and remarriage. He was countering false teachers in Israel who were misquoting Moses by advocating a **no-fault** view of divorce. He was arguing that there had to be a **specific** fault, a true Biblical divorceable offense, before one could legitimately get a divorce. He does this by first quoting the false teachers who said, "Whoever divorces his wife [without fault], let him give her a certificate of divorce" (Matthew 5:31), which carefully distorted Moses' true teaching, "When a man takes a wife and marries her, and it happens that she finds no favor in his eyes because he has found **some uncleanness** [specific fault mentioned]" (Deuteronomy 24:1).

Then Jesus adds His view of divorce, which perfectly squares with Moses' view of **fault** divorce, when He says, "But I say to you that whoever divorces his wife for any reason except sexual immorality [literally 'fornication' which is broader than 'sexual' offenses] causes her to commit adultery" (Matthew 5:32). So, He deliberately supports Moses' comments about divorce, as I have also proven by the relationship between "uncleanness" and "fornication" in *Covenant Renewal* (5/87).

Second, Jesus' comments do not make sense even at face value if remarriage is not assumed. He says that an unlawful divorce **causes** adultery. How else could the divorce cause adultery if Jesus does not mean to assume that the divorced party was going to remarry? How could the **act** of divorce cause adultery in other words? It couldn't. A divorced **innocent** person could live as a celibate and not ever remarry, removing all possibility of adultery. Instead, Jesus is doing nothing more than addressing a situation where a man gives his wife a **no-fault divorce**, or wrongfully divorces her when he does not have Biblical grounds. He is saying that the man will be the cause of her adultery because if she marries another when she is still legitimately married to her first husband, she would be forced into adul-

2. James Dobson, *Love Must Be Tough* (Waco, Texas: Word Publishing, 1983), pp. 11-12.

3. In my book, *Second Chance*, I discuss how the guilty party can find forgiveness, and even **remarry**.



tery so to speak. He concludes the verse by saying that a man also commits adultery for marrying a woman who is still morally and legally married to another.

The long and short of it is that Jesus agreed with Moses and allowed for divorce **and** remarriage when there were legitimate Biblical grounds.<sup>4</sup> But let's get to the real issue in the marriage question: "Can there be a **second** covenant after the first covenant has died?" If someone is going to say that there cannot be remarriage after a legitimate Biblical divorce, he is really saying that there is no such thing as the concept of a **new** covenant. He is ultimately saying that old covenants cannot be transcended by new ones.

### Biblical Concept of New Covenant

The Bible teaches that there are **two** covenants that revolve around Adam and Jesus Christ. The first covenant dies and is succeeded by the second. The first was made with Adam in the garden under the condition that he would **die** if he ever broke the covenant. It was intended to be a covenant of life, but it became a covenant of death when Adam died. Nevertheless, it died when Adam died as Paul says, "By the one man's offense death reigned through the one" (Romans 5:17). So the operative word to describe the first covenant with Adam is **death**.

What is death? It is not cessation of existence but the cessation of a **covenant** with God, meaning this loss of a relationship cut man off from true transcendence, bringing us back to the first point of the covenant. It causes the loss of both aspects of true transcendence: true distinction, yet true nearness (immanence). How? It reduces man to a life of isolation and solitary confinement by severing man's union with something, to be precise, Someone **beyond** himself. And, it is also the loss of a **personal** relationship. It reduces man to relate to God as a thing, an idol, and not as a person. So the death of the first covenant destroys transcendence for man by totally separating him from God; a new covenant is necessary.

The second covenant of the Bible is called a New Covenant: "Behold, the days are coming," says the Lord, "When I will make a new covenant" (Hebrews 8:8). But it is a covenant that is made through a new spouse, a New Adam, because the first Adam died. It is a covenant that is made through Jesus Christ: "Likewise He [Christ] also took the cup after supper, saying, 'This cup is the **new covenant** in My blood, which is shed for you'" (Luke 22:20 quoting Jeremiah 31:31). And since Jesus Christ is God (John 1:1), the new covenant restored a transcendent relationship with God, which is the true meaning of life, just as death had meant the annihilation of a relationship with God. It brought about a **new**, or a **second** relationship, and this is the fundamental message of the Bible.

But the New Covenant through Jesus was brought about through the Resurrection of Jesus Christ. It resulted from Jesus being lifted from death that man might be raised from his death, particularly his dead **covenant**. It took place when Jesus literally overcame the dead covenant through His own Death and Resurrection. So, to deny the principle of a new covenant is to deny the Gospel of Jesus Christ who was God incarnate, and is presently God ascended on high, who offers a true second chance to all men through the second, or new, covenant in His blood. To deny it is to deny the death of Jesus Christ, and most important, to deny it is to deny the **Resurrection** of Jesus Christ, the greatest transcendent act since the creation of the world.

The Resurrection of Jesus Christ is the message of hope, the true offer of a second chance to the world. It is the event that makes a New Covenant possible. It offers a sec-

ond chance to man, but it is also the theological basis for the concept of **remarriage**. Without it, there can be no thought of a second covenant of any kind, and certainly not a marriage covenant. With it, however, there is hope! There is a second chance!

### The Marital Covenant

As we saw in the May issue of *Covenant Renewal*, the marital covenant includes the same basic principles as the Biblical covenant, because marriage is a picture of the relationship between God and man. Since there are two covenants, or two marriages in the Bible, the Old Covenant relationship between God and man is pictured by dead marriages and divorce, and the New Covenant is represented by living marriages and remarriage. Remarriage is possible, and it is possible because of the way that God has set up marriage as an analogy of His covenant with man. It is also possible because the Bible explicitly speaks of examples of remarriage.

The passage at the beginning of the newsletter presents the idea of a new **marital** covenant. If you look closely, the chapter in Deuteronomy (chapter 24) begins, "When a man takes a wife and marries her" (verse 1), and then it describes the conditions under which he and his divorced wife can divorce, not allowing them to remarry after they have been divorced and after they have remarried other people. But, immediately following this brief section, a new section begins just like the previous section with, "When a man," only this time it says, "When a man has taken a **new** wife" (Deuteronomy 24:5).

I conclude that the context of divorce means the "new" wife referred to is a second wife taken by the man who has divorced his first wife. I have found in my study of the Bible that the Hebrew word "new" can mean "fresh," but it can also mean "new" in the sense of **second**, an example being the same Hebrew word for "new" in the same verse I quoted above in relation to the New Biblical Covenant: "Behold the days are coming," says the Lord, "when I will make a **new** covenant" (Jeremiah 31:31). I believe the context of Deuteronomy dictates that the "new wife" is a **second** wife.

An example of a second marriage that God blessed is David's adulterous marriage to Bathsheba. After their son by their adulterous relationship had died, the Bible says,

Then David comforted Bathsheba his wife, and went in to her and lay with her. So she bore a son, and he called his name Solomon. And the Lord loved him. And He sent word by the hand of Nathan the prophet; so he called his name Jedidiah [literally, "beloved of the Lord"], because of the Lord (II Samuel 12:24-25).

Was this a legitimate second marriage? Yes, God blessed, or sanctioned, this marriage union, as indicated by the special name given to the son by the prophet, who was himself the embodiment of the Word of God.

How could God allow such a thing? He permitted it the same way He allowed man to return to Him through a second marriage through a New Spouse in the form of His Son Jesus Christ. He allowed it because of the principle of **new covenant**. As sin destroyed the relationship between God and man, so capital offense sin destroys the covenant between a man and his wife. But, as redemption through a New Spouse, the New Groom Jesus Christ, restored the union between God and man, so a new marriage covenant by analogy, presuming the first marriage has died, creates a new union with a new spouse.

By the way, the same picture of a "new covenant" marriage appears in living marriages where there has never been a divorce, because a living marriage could have never been possible after the Fall of man if it had not been for the

4. In my book *Second Chance*, I have basically followed the same line of thought found in R.J. Rushdoony, *Institutes of Biblical Law* (Phillipsburg, New Jersey: Presbyterian and Reformed, [1973] 1984), pp. 401-415.



Death and Resurrection of Christ. All living marriages are in a sense "new covenant" marriages made possible by the Grace of God to man in Jesus.

Even so, the point is that there can be new covenants because of the New Covenant. Now that I've established that there is Biblical remarriage, let's apply the principle of new covenant to the innocent and the guilty parties involved in divorce to see how God offers both of them a second chance.

### Applying the Principle

Remarriage is possible for the innocent. I believe the previous discussion demonstrates that Jesus and Moses were not opposed to remarriage, if the remarriage followed a divorce that had legitimately Biblical grounds. I think the man in the opening story of this newsletter would certainly be free to remarry, and I would even advise him to remarry.

But what about Norma, Roger's wife? Yes, if she has repented and she has paid the proper restitution. She too would be able to enter a new covenant, but only after her previous offense is dealt with. When the covenant with Adam died, there had to be a payment for sin before he could make a new covenant with God. Biblical history illustrates time and again that the Old Testament payment for sin was unsuccessful until the Death and Resurrection of Jesus, meaning a true New Covenant was not able to be formed until true restitution had been made for sin. So the same principle would pull over into marriage. Rushdoony says the following:

The early church had a serious problem, its duty to uphold the law in a lawless age. Men whose offenses required the death penalty, as with the case in the Corinthian church, remained alive, and their return to the church on repentance posed problems. Where the Biblical law required restitution, the matter was relatively simple, but what of those offenses requiring death? Acceptance on a simple declaration of repentance was obviously to make these crimes lighter in their consequences than many lesser offenses. As a result, the penitential system evolved. Protestants, who are accustomed only to see its later flagrant abuses, almost always fail to see its earlier health, and its force as an instrument of law. Acts of penance were required of adulterers, for example, **not** as a work of atonement, but as practical acts of sanctification. The penance served a double purpose. First, it demonstrated the sincerity of the profession of repentance. Second, it constituted a form of restitution. Penance was thus a firm step towards re-establishing a law-order which the state had denied.<sup>5</sup>

Let's go back to the David and Bathsheba story. Their relationship was illegitimate until the death of the son. Even though Bathsheba's husband had died, and the marriage with that husband had died, she was directly responsible for his and their death. True, the covenant was dead, but she had been one of the people who had killed it. She bore culpability in the matter and restitution had to be paid. The restitution was the illegitimate son. When her son died, the payment was made, and her relationship with David became a legitimate marriage. This message points to the True Son Jesus Christ who offers forgiveness to people no matter what they have done. But it also offers a second chance, if the person is willing to pay restitution, admitting his sin and making a show of good faith.

The only guilty party that could not remarry would be a person with AIDS, and certain other incurable transmitted diseases. By definition, any diseased person in this situation would have to resolve himself to a life of celibacy, or until a cure is discovered.

### A Qualification

One slight qualification on the remarriage question is made in the Bible. It is mentioned in the passage at the beginning of this chapter which says,

If the latter husband detests her and writes her a certificate of divorce, puts it in her hand, and sends her out of his house, or if the latter husband dies who took her to be his wife, then her former husband who divorced her must not take her back to be his wife after she has been defiled; for that is an abomination before the Lord, and you shall not bring sin on the land which the Lord your God is giving you (Deuteronomy 24:3-4).

The qualification on remarriage is the following: When a man divorces a woman and she remarries another, and if her second husband divorces her or dies, she is not allowed to remarry the first husband. So, a divorced person cannot remarry the original spouse if he or she remarries.

Why? And why does the Bible speak of such a remarriage as bringing sin on the land? The answer is found by beginning with a simple reminder of the fact that **marriage is a picture of God's marriage to His people** (Ephesians 5:22ff.). Anything that is condemned in the God-to-man relationship is found by analogy in the husband-wife relationship. In this case, going back to a previous spouse after remarriage is condemned because this process would picture God's going back to a previous spouse after He has entered a new covenant.

What do I mean? In the Bible, God's first bride is **Israel**. He is cheated on by her, when she apostatizes. As a result, He divorces her (Isaiah 50:1) time and again, always taking her back, but constantly being rejected by her. One day, He personally comes as Jesus Christ to try to restore her one last time, but when she rejects and she even puts Him to death, she is finally cut off. He describes this divorce as the "cutting off of a branch" (Romans 11:17, 24), which is replaced by another, called a "grafted branch," the Church which is the "New" Israel (Galatians 6:16). But most importantly, He says that the original branch that was cut off, Old Testament Israel who was the original bride, will not be able to return as a separate bride; how could God have "two" wives? Rather, He says that the first bride can only come back to Him through the second bride, the Church (Romans 11:25). He forbids the first bride (Israel) to come back as a **bride**; she can only come back by becoming **part of the second bride**.

The reason remarriage to the first bride after a second marriage is forbidden is based on God's relationship to His brides. After He divorces His first bride, He can only approach her again via the second bride, the Church. So, remarriage to the original spouse is strictly forbidden if there has been a second marriage in the interim, bringing this one qualification to the issue of remarriage. But even this qualification proves the basic idea of this newsletter: what happens in the God-to-man covenant is found by analogy in the marriage covenant. As there is an Old and New Covenant, so a sinful marriage becomes analogous to the Old Covenant that died, and so a faithful marriage becomes analogous to the New Covenant.

5. R.J. Rushdoony, *Institutes of Biblical Law*, p. 401.