

COALITION OF TORAH OBSERVANT MESSIANIC CONGREGATIONS

STATEMENT AS TO MARRAIGE AND TORAH OBSERVANCE

The following represents the *Torah* and CTOMC position of “Marriage, Divorce, and Remarriage and is offered as a guide to those involved in upholding this sacred institution.

Marriage is in a state of disorder, and neither faith in Messiah *Yeshua* nor observance to his *Torah* appear to improve the divorce rate. The CTOMC Rabbinic Court affirms the sanctity of marriage as the Creator established and intended. The *Beit Din* desires to prepare those looking to enter into *Kiddushin*, as well as encourage those who have already been joined together.

At the same time, the *Beit Din* recognizes the reality of brokenness that already exists within CTOMC congregations and the broader Messianic community. Divorce is painful and deeply affects those involved. This statement is not meant to condemn or judge those who are divorced or to revive past pain for those who are already remarried. Our aim is to strengthen marriages within the Messianic Community and help every marriage avoid the pain of divorce.

This statement is necessary because:

- > People who visit Messianic synagogues and meetings often ask where we stand on these issues.
- > Marriage is in a state of confusion and must be clarified for the body of believers.
- > Sin that results in divorce destroys marriage, children, families, and the web of relationships surrounding the couple.
- > Marriage uniquely represents the Creator’s relationship to His people, and the family serves as the foundation of spiritual formation. Therefore, marriage and the health of the family must be preserved and protected.
- > Divorce has reached epidemic proportions to the extent that even secular sources are reaching for answers.

Torah’s position on Marriage

1. *HaShem* designed marriage as a lifelong covenant relationship (1 Cor. 7:39; *Mal’akhi* 2:14) between a man and woman (*B’reishit* 2:7; 18-25) for the purposes of mutual companionship (*B’reishit* 2:18), bearing children (*B’reishit* 1:28), marital satisfaction (*Mishlei* 5:18-19; 1 Cor. 7:2-5), relational oneness (*B’reishit* 2:24), and to display the nature of the relationship between *HaShem* and His people (Eph. 5:22-33). In marriage, one leaves primary bonds of mother and father and permanently cleaves to a spouse (*B’reishit* 2:24; *Mattityahu* 19:5-6). Marriage is solely a union of man and woman in an enduring bond of commitment and fidelity. It is solemnized by a vow to this effect and its consummation, sexual union; in this way G-d makes the couple “one flesh” (*B’reishit* 2:18-24; *Mattityahu* 19:5-6). Every marriage is permanently binding under G-d’s authority (*Mattityahu* 19:6).

2. Marriage is not a human institution, but a divine one, initiated by G-d at creation and deemed good by Him along with all of G-d's creation (*B’reishit* 2:18-24). Thus it is far more than a mere human “contract”

that can be breached at the whim of either spouse. It is a covenant as enduring in this lifetime as is *HaShem's* covenant with us through eternity.

3. The Almighty intended that human marriage be a lifelong pursuit of intimacy between a man and a woman and that it end only when one of the parties dies (*B'reishit* 2:24; *Mattityahu* 19:5-6). He intended that two people both live together and that they pursue oneness within their marital relationship. Being in an estranged marriage and ignoring this call to oneness and love violates His intention for marriage (*Eph.* 5:22-31; *Kefa Alef* 3:1-7).

4. Marriage illustrates the covenant relationship between *HaShem* and His people Israel, who were formed as a nation and married to the Most High at *Har Sinai* (see *Yesha'yahu* 54:5; 62:5; *Yirmayahu* 3:14; *Hoshea* 2:19-20). In the same way, Messiah *Yeshua* is the head of His bride, the body of Messianic believers. Husbands are to follow His example in His sacrificial love for His bride. Just as the body of Messiah is to lovingly submit to *Yeshua's* authority as the head, wives are to lovingly submit to the authority of their husbands (*Eph.* 5:22-33).

Who is Qualified to Marry?

1. Marriage of a believer and an unbeliever is impermissible sin (2 Cor. 6:14). CTOMC leaders will not perform such marriages.

2. CTOMC Rabbis, minister and congregational leaders will conduct pre-marital counselling before consenting to perform a wedding.

3. For followers of Messiah *Yeshua*, premarital sex is a presumptuous sin and is incompatible with marriage preparation and sexual purity (1 Cor. 6:18; 1 Thes. 4:3-8; *Ivrim* 13:4). Before a marriage can be performed in this case, repentance and abstinence is expected. There is no biblical basis to regard premarital sex and/or pregnancy as grounds for marriage. In these cases, repentance, accountability, and discipleship are necessary before marriage (2 Cor. 2:5-8; *Yochanon Alef* 2:1).

4. For follower of Messiah *Yeshua*, cohabitation is also considered sin because it is an arrangement that is not above reproach (*Eph.* 5:3; *Phil.* 2:14-16; 1 Tim. 5:2). Unrelated men and women are not permitted to live in the same dwelling, even in the case of "platonic" relationships or for financial convenience (*Phil.* 2:14-15; *Eph.* 5:3).

What about Divorce?

1. Because of the sinful nature of this world and the hardness of the human heart (*Mattityahu* 19:8), *HaShem* tolerates divorce in three cases, but He does not command it. His toleration should not to be confused with His preference. The Almighty hates divorce (*Mal'akhi* 2:16). Divorce should always be viewed as the last step in lovingly disciplining a rebellious and unrepentant spouse.

2. G-d tolerates divorce in the cases of (1) **Adultery** (*Sh'mot* 20:14; *Mattityahu* 19:9) where there has been sexual immorality. Pornography and other sexual addiction issues might be considered adultery where the offending spouse is in habitual, repeated, and unrepentant sin. (2) **Abandonment** (1 Corinthians 7:12-16) - Where an unbelieving spouse has deserted a believing spouse. However, this must be the choice of the unbeliever and not by the believer's initiative. (3) **Abuse** (*Mal'akhi* 2:16) - Where there is danger to the spouse or children due to physical or sexual abuse, separation may be advisable. Should the offending party remain unrepentant in this sin, divorce may be the end result of this separation.

3. “Irreconcilable differences,” “Incompatibility,” “falling out of love,” “being unhappy,” or “things not working out,” are not grounds for Messianic believers to divorce. However, CTOMC recognizes the traditional rabbinic understanding that divorces should be allowed where both parties desire to be divorced.

4. Reconciliation is always preferred to divorce (1 Cor. 7:10-11). In the case of adultery, abandonment, or abuse, the offended spouse and the community of faith should pursue the unrepentant spouse in accordance with the scriptures (*Mattityahu* 18:15-17; Eph. 4:32, Gal. 6:1-2).

5. In the case of an unrepentant spouse (*Mattityahu* 18:17), the scriptures instruct us to treat them as an unbeliever, and love them back to obedience and repentance (*Kefa Alef* 3:1-2; 1Cor.7:12-16; Gal.6:1; *Mattityahu*7:3 5).

6. While reconciliation is always *HaShem*’s preference, divorce is tolerated for the biblical reasons of adultery, abandonment, and abuse. Divorce is not required or automatic. G-d’s own relationship with His people, Israel, is described as a husband-wife relationship in which Israel is constantly unfaithful to her husband, the L-rd G-d. There is a frequent reminder that it is within G-d’s right to “divorce” Israel, yet ultimately He will be reconciled to her (*Yesha’yahu* 50:1; 54:6-7; *Yiramayahu* 3:8). *Hoshea*’s marriage to Gomer attests to the possibility that an unfaithful spouse can be restored, although restoration in the case of adultery is beyond normal human expectation (*Hoshea* 1:2; 3:1-3).

7. Though G-d hates divorce (*Mal’akhi* 2:15-16), He does not hate the divorced person. He hates divorce both because it distorts the picture of His unending love for His people, and because it devastates children, families and society. Divorced persons may be welcomed in our CTOMC communities as full and loved members. Further, neither *Torah* law nor CTOMC policy preclude the ordination of a divorced person who otherwise meets all other requirements of ordination.

Remarriage

1. As Messianic believers, we are called to a ministry of reconciling all people to G-d (2 Corinthians 5:16 20). Though consistently unfaithful to our Creator, our Bridegroom has faithfully pursued all people that they might be reconciled to Him. As those who have been reconciled, believers have been given this message and this ministry to call unfaithful lovers back to a reconciled relationship with G-d. A believer who is divorced has this unique ministry with their former spouse, and should view the issue of remarriage in light of this higher calling.

2. Remarriage is permitted when the former spouse is deceased (*Devarim* 24:1-4; *Mattityahu* 19:9; Rom. 7:2-3; I Cor. 7:39).

3. The remarriage of one’s divorced spouse may be viewed as severing the former marriage so that the unmarried spouse may be free to remarry a believer (*Devarim* 24:1-4; *Mattityahu* 19:9; Rom. 7:2-3; I Cor. 7:39).

4. Where the former spouse has not remarried, it is more difficult to establish *halakhah* regarding remarriage. Though reconciliation or remaining single is always preferable,

CTOMC grants flexibility to those who have been divorced for the Biblical reasons of adultery, abandonment, or abuse. These individuals may remarry.

5. We reiterate that forgiveness and total restoration of fellowship with the L-rd and the Messianic

community are always available to the genuine believer upon repentance (II Cor. 2:5-8; *Yochanon Alef* 1:9; 2:1). For those who abandon a spouse or commit adultery as a believer, this forgiveness does not bring permission to remarry as long as the offended spouse is living, or when reconciliation is still possible (I Cor. 7:10-11; Rom. 7:2-3).

May You Remarry a Former Spouse?

If one is divorced and a later marriage ends in death or divorce, an individual is not permitted to remarry any previous spouse (*Devarim* 24:1-4).

What if You Divorced Before Becoming a Believer?

1. Where divorce has occurred prior to *gerut*, the new believer should take responsibility for their part in the dissolution of the marriage and seek forgiveness and reconciliation in accordance with the warnings and admonitions given in Scripture (I Cor. 7:11; *Yaakov* 5:16).
2. Remarriage is also possible where divorce has occurred before *gerut* (II Cor. 5:17; Rom. 6:4-7). However, if the new believer is guilty of pre-conversion adultery or desertion, and the abandoned spouse is still unmarried and desires reconciliation, it is necessary for conversion to lead to reconciliation of that marriage. Therefore, if possible, a reasonable attempt at reconciliation should be made. If unsuccessful, the new believer is permitted to remarry.
3. If an individual was divorced prior to attending a CTOMC congregation, a conversation with a *shamish* or *zaken* is necessary for mutual understanding of those circumstances.

When Must the Congregation be Involved?

In the case of a failing marriage between two professing Messianic believers where a husband or wife is involved in adultery, abuse, or has may have abandoned the marriage, the biblical process according to *Mattityahu* 18:15-20 is as follows:

1. Private confrontation in which the offending spouse is confronted by his or her own husband or wife.
2. If the offending spouse will not listen, repent, and be reconciled in the marriage, the one seeking reconciliation should bring one or two others from the congregation to confront the parties and attempt to mediate a solution. Those selected mediators may not be relatives or personal friends of the person claiming to be an offended spouse.
3. If the resistant spouse still will not listen, the problem must be submitted to the *zakenim* of the congregation, who will confront the spouse to restore the marriage, or determine that they adamantly refuse to be reconciled. Such a refusal demonstrates a lack of repentance and faith. The congregation may then regard the unrepentant man or woman “as a Gentile and a tax-gatherer,” meaning a nonbeliever, since he or she has disregarded the marriage vow and shown contempt for the body of believers (I Cor. 5:1-5, 9-13).
4. After reasonable attempts to reconcile an individual to the congregation and to the marriage, the believer who has been unjustly abandoned must then be regarded as “not under bondage” to the

unrepentant spouse, since this offending spouse is now regarded as a non-believer who has deserted the marriage (I Cor. 7:15). Where the *Zakenim* have determined biblical grounds for divorce, there is no necessary waiting period imposed upon the offended spouse; they are free to “let him/her leave.” Where proper grounds for divorce have been established, the matter of who “files for divorce” is irrelevant.

5. If during this process, in the case of desertion, the offending man or woman responds, thus showing evidence of repentance and faith, the congregation and the spouse are obligated to forgive and work to fully restore the marriage (II Cor. 2:5-11; *Mattityahu* 6:14; 18:21-35; Mark 11:25; Luke 17:3; Eph. 4:32). Church discipleship and counselling are strongly recommended. However, in the case of adultery, the sin itself destroys the marital bond and constitutes desertion. G-d likens adultery to marrying another (I Cor. 6:16). Therefore, the offended spouse is not under obligation to reconcile in this case, however reconciliation is preferred.