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# Reflections on Divorce and Remarriage in Contemporary African Christianity

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## Abstract

*Ecclesiastical and theological efforts in the Christian faith have failed to build consensus or offer common teachings regarding divorce and remarriage in the contemporary society. The clergy has shunned from discussing matters relating to divorce and remarriage, thereby leaving their congregants to exacerbated marital breakup and reliance on diversified theologies presented by various denominational strands. This paper examines the issue of divorce and remarriage that has persisted throughout the history of Christianity in Africa. It is regrettable that many African Christian churches have not established proper guidance and counseling mechanisms to ameliorate their faithful on these matters. The clergy merely draw their verdict based on experiences from historical encounters, yet they are expected to handle sensitive issues related to divorce and remarriage in the contemporary society. The paper utilizes scriptural assertions on indissolubility of marriage, but also considers exclusions of continued marriage in the context of adultery and conflicts of faith as stated by Jesus Christ and St. Paul. There are examples of unbearable discrepancies that could warrant divorce. But, it is finally recommended that cases of separation, divorce and remarriage should be meritoriously handled. Divorce is discouraged, but could only be granted in scripturally and legitimately justifiable cases. Remarriage after genuine divorce should not be denied to a deserving individual because, it can provide an avenue of administering God's grace, forgiveness, healing and love to those who have fallen from marital love.*

**Keywords:** Divorce, Marriage, Remarriage, Separation, African Christianity

## **1. Introduction**

Marriage is a union between two consenting adults who commit to live together as husband and wife (Crane, 2006). This relationship is sanctioned within certain cultural, legal and religious frameworks. In most cultures, permanency of marriage is urged except in very rare circumstances which are deemed as unsustainable or unbearable to the couples. However, the establishment of marriage as a permanent covenant poses the question of how to handle various discrepancies that challenge its continuity and durability (Garland, 1987). The worst scenario is realized when a couple can no longer persevere their marital challenges resulting into separation or divorce. Separation occurs when a couple stays away from each other which may eventually result to their reconciliation or divorce. Divorce on the other hand refers to a legal termination of marital relationship. In most cases, separation leads to divorce rather than reconciliation. This is why, separation and divorce should be held with the same weight handled. Remarriage refers to the process and status where by a person, upon divorce or death of a spouse, is united to another person other than the previous spouse in a state of marriage (Clark, 2008).

In traditional African societies, marriage was a communal process that incorporated rituals of inclusion geared towards sealing loopholes that could threaten the stability of marriage or lead to divorce (Mbiti, 1991). Marriage relationship was governed by strict taboos that spelled out couples' rights, privileges and duties towards one another as well as the community (Mbiti, 1973). African communities permitted divorce only under very rare and regrettable circumstances. These included gross violation of taboos, barrenness, or irreconcilable traits such as witchcraft, extreme laziness and drunkenness (Malo, 2003). In such circumstances, every community had well stipulated procedures that were scrutinized by elders from both clans. This was observed in order to enhance the possibility of bride-wealth reimbursement and safeguarding the rights of both parties as well as the children (Kenyatta, 2000). Remarriage by a man after divorce was permitted as long as one was willing to address the problem which led to collapse of the previous marriage (Sankan, 1997). On the other hand, remarriage after death of a female spouse was not a serious challenge since a woman was perceived in the first case not to have been married to the deceased spouse, but to the entire clan. In some African communities, a male spouse was sought from among the in-laws to assume the marital role on behalf of the deceased male. This arrangement made marriage to be a permanent covenant between two clans, even after death of a male partner (Magesa, 1997).

The introduction of Christianity in Africa resulted into the replacement of many African traditional beliefs and practices with European or Christian views and practices. The teachings on divorce and remarriage have created a dilemma between the ideal and the practical (Kyomo and Selvana, 2004). The ideal is grounded on the Genesis story of creation before the fall of man, where man's perfect relationship with God transcends to marital relationship (Genesis 2: 21-25). This frees marriage from infidelity and other human weaknesses. The practical situation is realized after the fall of man where human

weaknesses and inclinations affect marriage, leading to its possible dissolution (Genesis 3: 1-24).

## 2. Christian Views on Divorce and Remarriage

Christian teachings on divorce have been synchronized into four different schools of thought. The first view as propounded by Laney (1990) asserts that, neither divorce nor re-marriage is permitted. He states thus: *"if we believe the bible is totally true, we cannot dodge its claims on our lives in sensitive issues such as divorce"* (ibid, p. 136). The biblical decree on the indissolubility of marriage implies that neither divorce nor remarriage is permissible. Laney (1990), draws an analogy from Genesis 2:24 which states that:

*"For this reason, a man will leave his father and mother and cleave to his wife, and they will become one flesh."*

This indicates that God's primary intention for marriage is its indissolubility. The notion of becoming one flesh is not temporal but permanent. An individual cannot become one flesh with a partner and seek to fall off and reunite with another. This view emphasizes that God is the initiator of marriage and cannot fail to sustain what he has founded. This unity is exemplified in Matthew 19:6 when Jesus says:

*"So they are no longer two, but one flesh. Therefore, what God has joined together, let no one separate."*

Here, challenges that threaten the marriage bond are anticipated realities, but they ought not to outlaw the marriage bond. Since God is the initiator of marriage, his faithfulness, together with the couples' commitment and loyalty to his will should enable a marital relationship to endure and overcome all threatening situations. Couples voluntarily commit themselves to this course in a Christian wedding ceremony when they vow to remain loyal and committed to God's course for marriage until death. Since remarriage is not possible unless divorce has occurred, Christians are expected to focus on sealing their marriage from any possible causes of divorce as opposed to endless debates regarding legality of remarriage. If all marriages are supposed to remain permanent, then, cases of divorce and remarriage will be minimized. Marital nurture and permanency should persist within Christianity as opposed to remarriage. Death inevitably terminates marriages, but remarriage after death of a spouse should not be a controversial issue. For, upon death of one spouse, marriage no longer exists and the remaining person has the freedom to enter into a fresh marital relationship (1Timothy 5:14 and 1Corinthians 7:8-9).

The proponents of this view observe that divorce and remarriage appear in the scripture as issues of concern and possible realities in Christian cycles (Laney, 1990). They further argue that legalizing divorce and remarriage is a secondary option which arises from scriptural misinterpretations, human weaknesses and inclinations. Christians, who opt for

or permit divorce and remarriage, do so basing on their personal experiences as fallen beings. Although such feelings and experiences are practical and warrant a theological reflection and response, they should not be used to set a threshold for divine guidance on marriage (Sharner, 1969).

The main biblical reference on divorce and remarriage evident in Deuteronomy 24:1-4 states that:

*"If a man marries a woman who becomes displeasing to him because he finds something indecent about her, and he writes her a certificate of divorce, gives it to her and sends her from his house, and after she leaves his house and becomes a wife of another man, and her second husband dislikes her and writes her a certificate of divorce, gives it to her and sends her from his house, or if he dies, then her first husband who divorced her is not allowed to marry her again."*

This scriptural reading became a contentious debate between Jesus and the Pharisees in Mark 10:12 and Mathew 5:32. It has been wrongly interpreted to justify divorce and remarriage in circumstances that are perceived as indecent or associated with unpleasant behavior. It is however notable that, reliance on this text alone could be misleading. This legislation was applicable in case a husband divorced his wife and the woman opted to get remarried. The text neither permits divorce nor remarriage, but prohibits a husband from reuniting with a divorced spouse. The text neither legitimizes the reason nor the procedure for divorce in the stipulated case (Laney 1990).

Another case which some Christians popularly cite from Ezra 9:1-2, 10:3 to authenticate divorce and re-marriage states that:

*"After these things had been done, the leaders came to me and said, "The people of Israel, including the priests and the Levites, have not kept themselves separate from the neighboring peoples with their detestable practices, like those of the Canaanites, Hittites, Perizzites, Jebusites, Ammonites, Moabites, Egyptians and Amorites. They have taken some of their daughters as wives for themselves and their sons, and have mingled the holy race with the peoples around them. And the leaders and officials have led the way in this unfaithfulness. Now let us make a covenant before our God to send away all these women and their children, in accordance with the counsel of my lord and of those who fear the commands of our God. Let it be done according to the Law."*

The above scriptural references cannot justify divorce in Christianity because, certain Jews had deliberately married foreign wives against God's commandment after their restoration from exile as recorded in Exodus 34:14 and Deuteronomy 7:1-4. In these instances, marrying heathen wives was equated to idolatry since they could obviously influence the Jews into practicing idolatry (Laney, 1990). This is further asserted in Malachi 2:11, where foreign wives were referred to as "daughters of other gods". In

terminating such marital relationships, the Jews were not victims of divorce, but were rather obeying the law that prohibits idolatry.

A second school of thought regarding divorce and remarriage permits divorce, but rejects remarriage. Propagators of this theology regret divergent interpretations presented by various churches and allude that Jesus' teachings in the Gospels and St. Paul in his first letter to Corinthians, should provide the golden rule governing divorce and remarriage (Heth and Wenham, 1985). In Mark 10:11-12, Jesus says:

*"Anyone who divorces his wife and marries another woman commits adultery against her. And, if she divorces her husband and marries another man, she commits adultery."*

A similar gesture is resonated in Luke 16:18. In Mathew 5:31-32, Jesus says:

*"...Anyone who divorces his wife must give her a certificate of divorce, but I tell you that anyone who divorces his wife except for marital unfaithfulness causes her to become an adulterous, and anyone who marries the divorced woman commits adultery."*

Jesus' statement in the three gospels according to Heth & Wenham (1985), suggest that he validated the Mosaic Law which permitted divorce due to some indecent and unpleasant acts as stated in Deuteronomy 24:1-4. This in a way alludes that, Jesus permitted divorce in such circumstances, but rejects remarriage equating it to adultery. Another analogy is drawn from 1Corinthians 7:15 which states that:

*"But if the unbeliever leaves, let him do so, a believing man or woman is not bound in such circumstances. God has called us to live in peace."*

In this context, divorce could be permitted on the basis of conflict of faith, but not remarriage. The freedom attained after dissolution of marriage only releases one from the marriage covenant, but does not permit a spouse to remarry. Remarriage in this context amounts to adultery as taught by Jesus (Heth and Wenham, 1985:113).

A third school of thought argues that both divorce and remarriage are permitted, but only in cases of adultery and conflict of faith. Proponents of this view state that the Mosaic Law as documented in Leviticus 24: 1-4 did not prohibit divorce in totality, but permitted it in case of indecent and unpleasant acts. In such circumstances, the law only sanctioned men to issue certificates of divorce to their deserted wives. It is argued that Jesus affirmed the Mosaic Law which permitted divorce in the gospels of Mathew, Mark and Luke. He also interpreted what the law stipulated as indecent and unpleasant act to mean adultery (Edgar 1990). This standpoint is also anchored on St. Paul's teaching in 1 Corinthians 7:15 which states that a believer is free from a marital covenant if a non-believing partner quits the union. In this case, freeing one from a marital bond nullifies

the covenant itself (Adams, 1986). Protagonists of this opinion also suggest that if a marital union is legitimately annulled, then the Pauline essence of freedom is applicable. This liberty is believed to grant one a chance to make a fresh decision to either remain single or remarry. Remarriage is however recommended as a path to healing from emotional distress and heartache experienced during divorce. It is believed that social despair and loneliness that affects people after divorce could be alleviated through another marriage (Edgar, 1990).

The fourth argument purports that divorce and remarriage can be permitted in cases of adultery, conflict of faith and any other unbearable causes (Wayne, 1990). The proponents of this view admit that the bible renounces divorce as a painful experience, but acknowledges it as a practical reality resulting from human weaknesses. These authors further assert that adultery and conflict of faith are cited as being some of the unbearable challenges and irreconcilable behaviors that can warrant divorce. They also argue that any other issues that persistently and grievously pose threats to a harmonious and peaceful marriage can lead to divorce. Marital life is meant to be pleasant and enjoyable. But, if problems become intolerable, dissolution could be permitted. Adultery and conflict of faith are often cited as being some examples of agonizing challenges, but not the only grounds for divorce (Moloney, 2016). If divorce is granted basing on a valid reason/s, then remarriage should be permitted on account of God's grace who forgives and accords humanity a second chance (Wayne, 1990). In this case, it is believed that denying divorcees a chance to remarry is tantamount to condemning and judging them. In permitting them to remarry, God's forgiveness and grace is underscored, offering them a chance to build new Christian homes irrespective of their past failures. The authors resonate that if God can grant a second chance after any fault, then there ought to be a second chance after marital breakup (Moloney, 2016).

The existence of diversified opinions regarding divorce and remarriage is not peculiar to modern Christianity, but has persisted from the early church. The unity of faith was pursued by early church fathers, but they never built consensus on theological affirmations regarding divorce and remarriage. Tertullian for example proclaimed that a marital covenant remains valid even after the death of a spouse. He further asserted that, marital union is both spiritual and physical. Death only causes physical separation, but does not invalidate its spiritual essence. As a result, one remains spiritually united to the deceased spouse and should not seek for remarriage. If one remarries after the death of a spouse, he or she belongs to two marriages, one in the spirit and another in the flesh amounting to adultery. Tertullian also taught that remarriage in the church could only be permitted in cases of spousal divorce or death before conversion. If this occurred, then one becomes a new creature at conversion and is at will to marry in church (Zhekor, 2009).

St. Augustine argued that the sacramental bond of marriage holds even after divorce or adultery. He upheld that remarriage remains unlawful unless and until the first spouse dies (Snuth, 1990). Origen contradicted this view by permitting remarriage and further

argued that if divorce is sanctioned, one can remarry even before the death of a former spouse. For him, restricting remarriage to death of a former spouse poses the risk of one wishing death to the other, thus committing murder in the heart. Origen argued that the temptation of adultery after divorce could be unbearable and recommended that remarriage was a lesser evil than adultery (Ryrie, 1982).

St. Thomas Aquinas took a stern stand against divorce between two believers, but permitted it between a believer and a non-believer. He pointed out that the sacrament of marriage was instituted by a new law of Christian faith to govern relationships between members of the new community which is the church (Ryrie, 1982). For him, the law that permitted divorce and remarriage was only applicable to the Jews under the old mosaic covenant and not in the church. St. Thomas Aquinas asserted that in case of adultery, the spiritual essence of marriage should lead to repentance and reconciliation as opposed to divorce. He further stated that even civil authorities do not hold any right to terminate a Christian marriage.

In case of a union between a believer and non-believer, Thomas Aquinas opined that divorce should be permitted since the unbeliever is first and foremost united to other gods, hence guilty of spiritual adultery (Eldredge, 2002). He stated that a believer is only free to remarry if an unbelieving spouse quits. But, if a believer abdicates and remarries, he or she is guilty of physical adultery. Martin Luther had a more liberal opinion regarding the question of divorce and remarriage. In his exegesis on Jesus' teachings on divorce and remarriage, he noted that the Mosaic Law warranted an adulterous person to be stoned to death (Zhekor 2009). In doing so, the adulterous individual was first separated from God, and then separated from life before being separated from the spouse thereby permitting the partner to remarry. He suggested that reasons for divorce should not be limited to adultery alone, but could even include; violence, desertion and continued anger. He declared that: "if a husband and a wife cannot live harmoniously but only in continuous hatred and conflict, then let them be divorced. If anyone divorces for any just reason, he or she should be permitted to remarry." Luther further stated that: "if one is not able to remain chaste after divorce, he or she should remarry for God does not demand that which is impossible from man" (Zhekor, 2009).

The Roman Catholic Church's teaching on divorce and remarriage is based on the theological interpretations of Saints Augustine and Thomas Aquinas who both asserted that the sacredness and sacramentality of matrimony implies that nothing but death can dissolve marriage between two Catholic communicants. As a result, the Roman Catholic Church declines to grant divorce on grounds of adultery and instead exhorts forgiveness and reconciliation. Divorce can however be permitted in cases of conflict of faith. In such a case, a believer who has been deserted could be allowed to remarry. If divorce is initiated by a believer, he or she may not be excommunicated from the Church, but could not be permitted to remarry as long as the former spouse is alive (Eldredge, 2002). The Roman Catholic Church's doctrines hold that the church has a final exhortation regarding remarriage even after divorce that has been granted by civil courts. Whereas the church



agrees that a court of law may grant divorce as a way of solving a civil dispute, such cases do not warrant remarriage until one underwent ecclesiastical annulments which were traditionally approved by two tribunals (Eldredge, 2002). This canonical tradition was however revised by Pope Francis in 2015, when he declared that a single tribunal can grant annulment and that a diocesan Bishop remains the single judge in determining the verdict of the case. The annulment should not be viewed as a way of terminating a valid marriage, but rather a process through which an invalid marriage is nullified by the church. It must therefore be preceded by divorce in a court of law (Pope Francis, 2015).

### **3. Divorce and Remarriage in Contemporary African Christianity**

Contemporary marriages are placed in a context where new secular, social, political and economic influences have widely weakened the religious tenets leading to increased prevalence of divorce (Kisembo *et.al.*, 1998). Most churches however, still lack an official policy to guide their members on this matter. Discussions on divorce and remarriage have remained solely under the domain of theologians whose arguments are considered complicated and technical for the laities' interpretation. The reactions of many scholars on the above emotive topics are often defensive, seeking to justify a preempted position as opposed to listening to a liberal stand (Bujo, 2009). This calls for the need to re-theologize issues related to divorce and remarriage as a contemporary, practical and pastoral challenge without ignoring historical encounters.

The increased prevalence of divorce in contemporary society is attributed to changing trends in upholding and contextualizing traditional religious beliefs and values. Since some churches subscribe to western views that are contrary to African culture, Christians have found themselves at the center of this crisis. Adams (1986) lamented that: "they have been pulled up by the roots, thrown into the air and are now beginning to come down like tossed salad." Many Christians are divided between what is traditional and that which is biblical. Traditional values seem to remain a reserve for the aged rural based parents and grandparents whose ideologies are gradually fading away. Many young couples seek guidance from the church, but bible teachers have not offered a firm and universal teaching regarding divorce and remarriage. Many Christians still err between diversified schools of thought presented by various denominational strands, hence presenting divergent theological and pastoral challenges to both the laity and clergy.

A study of selected New Religious Movements in Nairobi showed that these movements have increasingly attracted young couples, but they lack sound policies or teachings on divorce and remarriage (Otieno, 2021). The Mavuno and Jubilee Christian Churches in Kenya for instance, consider divorce and remarriage as controversial discourses. But they apparently lack a guiding policy to govern their followers on such matters. Lighthouse Chapel International has a policy that places responsibility on men (Otieno, 2021). It is argued that God entrusted males with the duty to care for marriage. This affirms the irreplaceable authority and role of husbands over marriages, but ignores the fact that both men and women can in some way contribute towards marital breakup.

Nairobi Chapel has a policy that permits divorce on the basis of infidelity and conflict of faith (Otieno, 2021). In either case, the willingness to quit must come from an unbelieving or backslidden spouse with the evidence that efforts to restore him or her to Christian faith has proved futile. A couple is further subjected to a seven-year separation period during which further arbitration and reconciliation is sought. If all these efforts fail, then the offended party is at liberty to pursue a divorce suit in a court of law. It is upon judicial conclusion of a divorce case that the church organizes for a dissolution service which is meant to grant permission to remarry in the church. Although Nairobi Chapel is an example of a Christian church that offers some guidelines to its members in this discourse, a seven-year separation period is perceived by the faithful as being too long for divorcees who want to bury their past and move on with life. The dissolution service was also criticized by church members for its lack of scriptural backing and could expose divorcees to public reproach (Otieno, 2021).

#### **4. Emerging Theological and Pastoral Issues**

Jesus declared that adultery could warrant divorce, while St. Paul included even conflict of faith (Mathew 5:31-32, 1Corinthians 7:15). These views present arguments as to whether any case of adultery or conflict of faith can warrant divorce. Many church wedded couples have reported cases of suspected infidelity or provided evidence on the same. In case divorce could be permitted for every reported case of adultery, then numerous cases of marriage dissolution could be evident, thus hindering the Christian spirit of forgiveness and reconciliation. However, many relationships have experienced forgiveness, reconciliation and healing even after marital infidelity.

The Old Testament permits divorce in proven cases of adultery (Deuteronomy 24:1-4), but also condemns those who are caught in the act to be stoned to death (Deuteronomy 22:22-24). The law also seems logical, only if the two clauses were applied together (Zhekor 2009). Since the church does not impose a death penalty on an adulterous partner, permitting divorce on this basis could sound illogical. In Mathew's gospel, Jesus Christ quoted the same law, but did not justify the case. He instead, emphasized on the indissolubility of marriage and further asserted that, if a man divorces his wife due to adultery, then he has to issue her with a certificate of divorce (Mathew 5:31-32). In St. John's gospel, Jesus forgave an adulterous woman thereby replacing the death sentence with God's grace and forgiveness (John 8:1-11). The aggrieved couple should seek for forgiveness and restoration in proven cases of adultery, as opposed to irrational divorce. A remorseful and repentant offender could lead to marital reunion, while intentional and recurrent cases of adultery should be treated as an unbearable cause for divorce.

The decision to grant divorce basing on conflict of faith is very controversial in contemporary Christianity because, Christian denominations have diverse opinions regarding their belief systems. The Roman Catholic Church for example teaches that a baptized Catholic congregant is justified through regular participation in the sacraments (Wachege, 2000). Most adherents from the Protestant and New Religious Christian

churches assert that personal knowledge and confession of Jesus Christ as Lord and savior validates one's faith. Pentecostal followers insist on baptism of the Holy Spirit which is manifested in glossolalia as a true sign of salvation (Lindhardt, 2015). The permission to grant divorce basing on conflict of faith should be considered only if a couple disagrees over the elementary doctrines and not denominational deviance. The conflict must have also posed a challenge to a believer's continuity in faith, hence presenting a dilemma in salvaging either a marriage or one's faith. It is also notable that even in such a circumstance, a believer must not initiate a divorce, but should always work towards marital continuity, unless the unbeliever deliberately quits the union. This provision should therefore apply, only if a believer's marriage to a non-believer poses a threat to the believer's faith, and the non-believer in question has voluntarily deserted the union.

Contemporary Christians are also confronted with the question as to whether divorce can be permitted in cases of adultery or conflict of faith alone. Martin Luther alluded that Jesus cited adultery, while St. Paul suggested conflict of faith as unbearable relationship discrepancies that could warrant marriage dissolution (Moloney, 2016). The clergy has the discretion to qualify other marital discrepancies of similar magnitude as possible causes of divorce. The decision to leave this clause open is human oriented, since certain individuals have experienced marital challenges that are worse than cases of adultery or conflict of faith. Some spouses could for instance suffer from physical violence which could result into either permanent deformation or even death. In such cases, priority is geared towards saving a life rather than salvaging a marriage. Divorce can only be granted if a marital relationship is compounded with violence which poses a risk to one's life. Both marriage and life are sacred, but life is of greater value and cannot be physically experienced after death.

It is evident in (Mathew 5:32, 19:9, Mark 10:11-12, Luke 16:18) that remarriage after divorce is one form of adultery which often poses the question whether this kind of adultery is a one-time event or a continuous activity. Athenagoras, a second century church Father opined that remarriage after divorce was tantamount to a spacious room of endless adultery (Hunter D. ed.2001). Whereas other cases of adultery are events that could be forgiven after repentance, remarriage makes one to commit the sin and live by it as long as that marriage exists. He further insisted that true repentance from sins of remarriage should only be followed by termination of the relationship, before one is reinstated to the body of Christ and Eucharist (Arendzen 1919). This view defends the presumed permanency of the first marriage and discourages Christians from deserting their marriages with the hope of initiating new relationships. It is however unsound and unrealistic to apply the rule on individuals who faithfully and resiliently fought for their marriages, but still had to divorce due to the discrepancies of their partners. Before imposing such a cruel judgment, it is prudent to establish whether the individual was an offender or had insulted in the first marriage. The rule could only apply to the offender, but not to the offended.

Remarriage in the contemporary society exposes women to challenging complications as compared to men. A man who opts to remarry after divorce or death of a spouse could easily continue to live with the second spouse in his home. But, a woman in a similar situation is faced with the trial of shifting residence to the new marriage. If she had sired children in the first marriage, then the first husband's family may not permit her to move with her children to the second husband's home. Most African families are deeply attached to children and permitting them to shift allegiance to another marriage could imply casting away the deceased's children from their ancestral home. The inherited property of a departed husband could also become a technical issue to handle if a woman is remarried outside her former husband's clan. The woman could end up forfeiting her deceased husband's ancestral property such as land and domestic animals which her children may require for future use. The estranged children could even end up suffering from rejection in the second marriage.

## 5. Conclusion

Falling in love is a very exiting experience that creates a sense of self-worth, value, acceptance and relevance. On the contrary, parting out of love is the most heartbreaking, upsetting and regrettable encounter that makes an individual feel isolated, rejected and disappointed in life. Garissom and Leonard (2005) state that:

*“Divorce is like a cyclone, ripping through your life, threatening to destroy everything in its path. The emotional whirlwinds bring fear, confusion and despair, affecting you, your family, children and friends. It is easier to clear up the physical damage by cyclone than encounter emotional damage caused by divorce.”*

If divorce happens, offenders are ashamed of the declined relationship. The sufferers remain emotionally wounded, socially uprooted and mentally confused, calling for spiritual care and affirmation. The church appears to be perhaps a more suitable institution to minister to marital vulnerable groups since it has both human and divine attributes. It is divinely endowed with the gifts of grace, love and comfort. Many churches lack divorce care pastoral programmes despite the prevalence of divorce among their congregants. Since the bible asserts indissolubility of matrimony and espouses reconciliation in case of separation, the rationale for divorce care is very limited. Any kind of Christian service is validated by the scripture, thereby undermining the biblical rationale for divorce. The universal love for humanity is declared in John 3:16 that:

*“For God so love the world, that he gave his one and only son...”*

In Malachi 2:16, a contrast is presented when God declares that He hates divorce which ensures the survival of every marriage despite the forces that threaten its permanency. If divorce occurs, perhaps God's universal love should be declared to divorcees, despite their fall from marital love. God hates divorce, but not divorcees. Jesus for example carried out a healing mission (Luke 4:18) and commissioned his church to continue

propagating the same (Mark 16:18). If the broken-hearted partners are successfully healed, this could imply that divorcees can eventually turn out to be powerful “wounded healers” (Lewis 2001). The recovered divorcees could then minister to vulnerable families through their personal experiences, thus enabling culpable couples to avoid similar challenges.

The justification of remarriage ought to be judged on its own merit, coupled with scriptural guidance and considering the cause of dissolution in the previous marriage. Gottman (2014) warns against haste remarriage after divorce because, it poses the danger of transferring relationship discrepancies from one marriage to another. There is however no scriptural reference that hinders a partner from remarrying after the death of a spouse. A marriage covenant is only binding as long as both parties are alive (Romans 7:1-4). But, if a marriage is dissolved due to adultery or conflict of faith or any other justified reason, then the Pauline essence of freedom as exemplified in 1Corinthians 7:15 ought to be rightfully applied. A believer that is deserted and has legitimately gone through civil and ecclesiastical divorce procedure is at liberty to remarry.

## References

- Adams, J.E. (1986). *Marriage, divorce, and remarriage in the Bible: A fresh look at what scripture teaches*. Michigan: Grand Rapids Publishers.
- Arendzen, J.P. (1919). Ante-Nicene interpretations of the sayings on divorce. *JTS* 20:233.
- Bujo, B. (2009). *Plea for change of models for marriage*. Nairobi: Pauline Publishers.
- Clark, D.S. (2008). *Divorce and separation in encyclopedia of law and society: American and global perspectives*. 1,12: 430-434.
- Crane, D. (2006). A Judeo-Christian argument for privatizing marriage. Retrieved from [www.heinonline.org](http://www.heinonline.org). on 14<sup>th</sup> June 2017.
- Edgar R. (1990). Divorce and remarriage for adultery in House, W. ed. *Divorce and Remarriage: Four Christian views*. Illinois: Intervarsity Press.
- Eldredge, R. B. (2002). *Can divorced Christians remarry?* Camarillo: CA, Choice Publications.
- Garissom, S. and K. Leonard. (2005). *Divorce care: Hope, help, and healing during and after Your Divorce*. Nashville-Tennessee: Nelson Books.
- Garland, D. E. (1987). A Biblical view of divorce. *Review and Expositor: A Baptist Theological Journal*, 84, 3: 419-432.
- Gottman, J. M. (2014). *What predicts divorce: The relationship between marital process and marital outcomes*. New York: Psychology Press.

- Heth, A.W. and Wenham, J.G. (1985). *Jesus and divorce: The problem with the evangelical consensus*. New York: Paperback Publishers.
- Hunter, D. (ed.). (2001). *Marriage in the early church*. Eugene: Wipf & Stock Publishers.
- Kenyatta, J. 2000. *Facing Mount Kenya: The traditional life of the Agikuyu* 2<sup>nd</sup> ed. Nairobi: Kenway Publishers.
- Kisembo, B. et.al. (1998). *African Christian marriage*. Nairobi: Pauline Publishers.
- Kyomo, A. A. and Selvana, S.G. (eds.). (2004). *Marriage and family in African Christianity*. Nairobi: Action Publishers.
- Laney, J.C. (1990). No Divorce, No Re-marriage in House. *Divorce and remarriage: Four Christian Views*. Illinois: Intervarsity Press.
- Lewis, R. (2001). *The Church of irresistible influence*. Zondervan: Alison Morgan.
- Lindhardt, M.( ed.) (2015). *Pentecostalism in Africa: Presence and impact of pneumatic Christianity in postcolonial societies*. Leiden: Brill.
- Magesa, L.(1997). *African Religion: The moral tradition of abundant life*. Nairobi: Pauline Publishers.
- Malo, S. (2003). *Luo customs and practices*. Nairobi: Sciencetech Network.
- Mbiti, J.S.(1973). *Love and Marriage in Africa*. London: Longman Publishers.
- \_\_\_\_\_ (1991). *Introduction to African Religion*. 2<sup>nd</sup> ed. Nairobi: East African Educational Publishers.
- Moloney, F.J. (2016). *A body broken for a broken people: Divorce, remarriage and Eucharist*. New York: Paulist Press.
- Otieno, I.O. (2021). "Contemporary African Christian marriage challenges and responses in selected new religious movements in Nairobi City County". (Unexamined PhD Thesis). Nairobi: University of Nairobi.
- Pope Francis. (2015). "Press conference details marriage law reforms, Sept. 8, 2015". Vatican: Vatican Press.
- Ryrie C. (1982). Biblical teaching on divorce and remarriage. GTJ 3:2 (Fall 82:177).
- Sankan, S.S. (1997). *The Maasai*. Nairobi: Kenya Literature Bureau.
- Sharner, D. W. (1969). *A Christian view on divorce: According to the teachings of the New Testament*. New Jersey: Drew University.

Snuth, D.L. (1990). Divorce and remarriage from the early church to John Wesley.  
*Trinity Journal* 1990, 1,2: 131-142.

The Holy Bible (2011). *New International Version*. Nairobi: Biblica.

Wachege, P.N. (2000). *Salvation and being saved: An African socio-religio-philosophical touch*.  
Berlin: Heinrich Boll Foundation.

Wayne, H. (ed). (1990). *Divorce and remarriage: 4 views*. London: Intervarsity Press.

Zhekor, Y. L. (2009). *Defining the New Testament logia on divorce and remarriage in a pluralistic context*. Oregon: Pickwick Publications.