

Jesus appears to be focused on the issue of marriage, divorce and small children in this passage. On the surface, that's true. But you should know by now that I'm not content with superficial readings of our Gospel, especially when there are insights that are far more life-affirming than some generalization about marriage and children.

Divorce was a controversial topic in Jesus' day, with two main schools of thought. Rabbi Shammai held that divorce could be granted only for causes defined by strict, scriptural interpretation; an unpopular view. The more popular view came from Rabbi Hillel, who had innovated a form of divorce that allowed a man to divorce his wife "for *any* cause." Hillel argued that anything could be a cause, including a burnt meal or wrinkles that showed up after a man married his wife.

These opposing views were well known to first-century Jews and the Pharisees were testing Jesus to find out where he stood. At first glance, Jesus appears to agree with Shammai that divorce should only be granted in cases of adultery. Instead, his response actually reframes the issue.

When the Pharisees brought up what Moses allowed, they were referring to a ruling from Deuteronomy that is still in effect for many Orthodox Jews. According to the most conservative reading of Jewish law, a marriage is dissolved only when a man gives his wife a certificate of dismissal. This document is commonly known by its Aramaic name, "*get*." In the ancient world, when a man issued his wife a *get*, the divorce—though Biblical—was still the arbitrary, unilateral and private act of the husband. The husband initiated and executed the divorce at his will and in accordance with his subjective evaluation of the nature and quality of his marriage. His wife, essentially his property, had no capacity, voice or power to protest whether she was at fault for the breakdown of the marriage or not.

All first century Jews would have known about the debate between the rabbis Hillel and Shammai. So when the Pharisees ask about what is allowed as grounds for divorce, the crowd and the disciples gathered around Jesus would have been confused. Jesus rejected Hillel's "no-fault" divorce and yet he did not *quite* endorse Shammai's scriptural divorce for adultery. The Pharisees asked Jesus about what is allowed as grounds for divorce. But Jesus was more interested in what God intends as grounds for marriage—perhaps for all our relationships.

Let me tell me you a story.

Cindy Chupack is an Emmy-award winning television writer and producer. She is also a Jewish woman who has spoken quite frankly about how she received a *get* from her first husband who came to the realization, after two years of marriage, that he was gay¹. After ten more years of single life and dating, she met Ian, the man who would become her second husband. After she and Ian got engaged, they went to see their rabbi, who asked if either of them had been married before. Cindy explained. The rabbi made a note and then asked if her first husband was Jewish.

“This,” says Cindy, “seemed like a moot point to me but I said, yes, my first husband, Sam, was Jewish. I remember how excited my parents were that I was marrying a Jewish doctor. It was like winning the Jewish lottery, until he turned out to be gay.”

The rabbi then asked, “Did you get a *get*?” Cindy explained that she had not and the rabbi suggested that should go to Sam for a *get*. Technically she and her fiancé Ian didn’t need a *get* to be married. “But,” Cindy says, “under Jewish law, if we didn’t get one, our children someday would basically be considered bastards. Now, I was 40 when I was getting married—I knew they would be miracles of science—but *bastards*...”

The rabbi also thought that a *get* would provide closure for Cindy. The idea sounded like the opposite of closure to Cindy. “It sounded,” she says, “like we would have to reopen the doors of communication that we had finally—and I would say mercifully—shut. We were friends; it just seemed easier to wish each other well as friends from afar. I think I was a little resentful that he had a husband and kids before I did and he was a little resentful that I was making more money writing sitcoms than he was making saving lives, so we just agreed to have or have-not in private.”

But she called Sam, who was a little surprised to hear from her, and they made arrangements. She flew from New York to L.A. and they met outside the industrial building where the rabbi worked. While they were waiting for the rabbi and the two required witnesses, Sam told Cindy that his husband and kids were at a nearby café. “It was too late for lunch and too early for dinner,” says Cindy, “which seemed emblematic of our relationship. But we went to this café. And it’s not often a girl gets to have a meal with the guy she thought she’d have kids with and the guy he had kids with. And the kids. But they were this pretty perfect family without me,” Cindy says. “I had met his husband years earlier at a Christmas party and I remember thinking he was really smart and handsome and witty and I liked him immediately. And it might have been inaccurate but I

¹ Cindy Chupack recorded this story for The Moth Radio Hour.

found it comforting to think that he was the male version of me. And now they have these two gorgeous kids that look like they walked out of a Baby Gap ad.”

Finally, the rabbi called. And so Cindy and Sam left to meet with the rabbi, who was bearded and old, and the two witnesses, who were even older with longer beards. “We were on one side of a table,” says Cindy, “and they were on the other and we watched in respectful silence as the rabbi, who was also a scribe, wrote our divorce document in pen and ink, in Hebrew, and after what seemed like an eternity, he was only half done so Sam left to feed the meter.” When Sam left, the rabbi asked a question that Cindy could tell had clearly been bothering him since they had arrived.

He said, “Who was that other man who came with you?” Cindy was not sure of the official Orthodox stance on homosexuality, so she said, “That’s Sam’s friend.” Then the rabbi asked, “And who were the kids?” Well, Cindy didn’t like where this was going, so she asked, “Will this affect the *get* process?” The rabbi said it would not, so Cindy decided to be honest and told him that Sam was gay, that the other man was his husband and the kids were theirs.

To which the rabbi replied, “I think that’s sick.” Cindy said, “It’s not sick. They’re very happy.” Then the rabbi made what was either an ignorant comment or an unoriginal attempt at a joke, asking, “Which one is the man?” Cindy said, “They’re both men and they’re both very good men.” And then Sam came back in the room. “I felt ill,” Cindy says. “I felt like I had spent \$500 and flown cross-country and taken Sam to this unmarked warehouse to sit in front of these old holy men who were in judgment of him. And the irony is that Sam is the more religious one. His husband had converted to Judaism so they could raise their kids Jewish.”

Cindy was so angry that she began mentally composing an angry letter to her rabbi back in New York, hoping this wasn’t representative of their faith and feeling like maybe she should get out. But then the *get* was ready. The rabbi instructed her and Sam to stand and face each other. “And as we stood looking at each other,” Cindy says, “I remember thinking Sam looked handsome and it was kind of like we were standing on our wedding day. He looked more handsome and happier. And I thought about why he married me all those years ago.”

“He did love me,” Cindy says, “but on top of that he probably thought he couldn’t have the kind of family he wanted unless he married a woman. And now he had that family without having to compromise any part of who he was.” She thought about what Sam had given her more than ten years earlier in their civil divorce. She acknowledges that those years of single life with all the longing and heartbreak and been hard, but they also led her to a career writing about being single to award-winning work on television to New York, and now to her

new life with Ian. “And I also thought,” says Cindy, “about how this tribunal, this ridiculous judgmental tribunal, is what Sam faces every day, sometimes when he least expects it—sometimes from family, sometimes from within. And as he dropped the *get* into my open palms, which made it legally binding, I was proud of him and proud of us for releasing each other to our proper destinies.”

You see, it’s not the legal issue of divorce that concerns God anywhere near as much as the rupture of relationships that defy forgiveness, humility and reconciliation. Moses, Jesus and Paul all taught that we should forgive the faults of our marriage partners if we can. What Jesus and Paul both criticized was “no-fault” divorce that treated the woman like property. Jesus did, however, allow for the divorce that Moses permitted for a marriage broken by “hardness of heart” – an Old Testament notion implying stubborn unrepentance. Moses, Jesus and Paul all left room for the tragedy of divorce based on adultery, and also for abandonment or abuse that cannot be forgiven.

The Episcopal Church considers marriage to be a sacramental act. By that we mean that God created humans—*all* humans—to be in relationship with others *and with God*. God creates some relationships to be marriages—unions created to have God at the center, where the kingdom of heaven is welcomed and nurtured as though it were a child. Sacramental unions created by God are characterized neither by human legal definitions nor by tenacious *independence*, but by *mutuality*—by *interdependence* on each other and *dependence* on God because we are all sinners.

Just imagine if we were to approach all of our relationships as though God had entrusted them to our care and nurturing, as if the relationship itself was a child. Imagine if we held all our relationship, especially those most intimate to us, as though God had charged us to assist each other in our relationships with God. Imagine setting aside our judgmentalism of other people’s relationships long enough to recognize our own failings as evidence of our profound dependence on God’s loving mercy. “Whoever does not receive the kingdom of God as a little child will never enter it.’ And he took them up in his arms, laid his hands on them and blessed them.”