

Marriage No. 3

“Marriage as Covenant”

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In our series so far we have considered, primarily from the account of the institution of marriage in Genesis 2, *marriage as a creation ordinance*, that is as a divinely ordered structure for human life, fundamental because it creates a family, and *marriage as an affair of love*. As we read in Psalm 68:5-6:

“Father of the fatherless and protector of widows is God in his holy habitation. God settles the solitary in a home...”

It is one of the most magnificent demonstrations of the character of God that he should have made a loving marriage and a loving home the foundation of human life. It is also the explanation for a reality we find everywhere we look in human life. A loving marriage is the general aspiration of virtually every human being; failure to obtain such a marriage is one of the keenest disappointments of human life in any culture, any land, any language. A loving marriage is likewise fundamental to human happiness in so many ways. So the first two sermons in this series.

Tonight we return to Genesis 2:24 to consider marriage as a covenant.

“Therefore a man shall leave his father and mother and hold fast to his wife and they shall become one flesh.”

We have already pointed out that the verb the ESV translates “hold fast to” is more literally “stick to.” That verb certainly conveys the idea of love, as we already noted last time. Shechem’s heart “stuck to Dinah” as we read in Genesis 34:3, and that statement is followed by the words, “He loved the young woman and spoke tenderly to her.” No wonder we read of the wife as the “delight of her husband’s eyes” (Ezek. 24:16) or of her husband as the “companion of her youth” (Prov. 2:17). Marriage is the union of the hearts of a man and a woman.

But, as scholars of Hebrew and of the Old Testament typically point out in commenting on Gen. 2:24, the verb (קָבַד, *dabaq*) implies a covenant. It is otherwise used in the Old Testament in covenantal texts. To be sure, the term “covenant” does not appear in Genesis 2, but the idea is here and the term does appear elsewhere in the Old Testament in regard to marriage. For example, we read in Proverbs 2:16-17, of the adulteress:

“So you will be delivered from the forbidden woman, from the adulteress with her smooth words, who forsakes the companion of her youth and *forgets the covenant of her God...*”

The phrase “covenant with God” or “covenant of her God” indicates that her obligations in marriage were made *before* God, that he was the witness when she entered into this covenant, the guarantor that the vows would be kept or that the parties would have to answer to him. What happens at a wedding, then, when the couple makes their vows, is that they enter into a covenant with one another, a covenant that is made before God, in God’s name, with God as both witness and protector of the sanctity of the promises made. That is what it means to say that marriage is a covenant. It is both a covenant between the man and the woman *and* a covenant with God himself. [Waltke, *Proverbs*, I, 231; Kidner, *ad loc.*] One cannot be unfaithful to a marriage, therefore, without being unfaithful to God. So far Prov. 2:17.

Then in Malachi 2:14 we read:

“Because the Lord was witness between you and the wife of your youth, to whom you have been faithless, though she is your companion and your wife *by covenant*.”

Malachi is explaining here why Israel’s prayers to Yahweh are not being answered. Here, again, we find the idea of the Lord being a witness to the covenant made between a man and a woman when they married. Indeed, the term “witness” is an explicitly covenantal term in the Old Testament. Covenants always had witnesses.

“Pagan covenants named various gods and goddesses as witnesses. Orthodox Israelite covenants, whether between individuals (Gen. 21; 26; 31), nations (1 Kings 5; 15), kings and their subjects (2 Sam. 5; 2 Kings 11), or husband and wife (Prov. 2:17; Ezek. 16) had God as their witness, either implicitly or explicitly.”

“But what did the witness do? He or she surely did much more than watch the covenant being made. Rather, the job of the witness was that of enforcer or guarantor. Thus a covenant witness is not the same as a court witness, who simply gives testimony in a trial. A covenant witness was the third party who could and did make sure that the direct parties to the covenant kept its terms.” [D. Stuart, “Malachi,” *Exegetical and Expository Commentary on the Minor Prophets*, 1337]

Or, if they failed to keep the covenant terms, the witness saw to their accountability for its betrayal. That is Malachi’s point here. The failure to remain faithful to their marriage covenants was rendering Israel susceptible to God’s judgment; to the withdrawal of his favor.

In Ezekiel 16 we read as well of marriage as a covenant, in this case the marriage between the Lord and Israel (16:59-62).

One fine commentator on Genesis 2:24 summarizes the point this way:

“‘And sticks to his wife.’” This phrase suggests both passion and permanence should characterize marriage. ... The tribes of Israel are assured that they will stick to their own inheritance; i.e. it will be theirs permanently [i.e. because God has made a covenant with them] (Num. 36:7, 9). Israel is repeatedly urged to stick to the Lord [which is to say be faithful to the covenant that they have with God] (Deut. 10:20; 11:22; 13:5, etc.). The use of the terms “forsake” and “stick” in the context of Israel’s covenant with the Lord suggests that the OT viewed marriage as a kind of covenant.” [Wenham, *WBC*, I, 71]

So now we add a third article to the Bible’s doctrine of marriage. It is a creation ordinance; it is a relationship of a unique kind of love; and it is a covenant.

Now, what is a covenant? This is a question that has bedeviled OT scholarship for most of a century, though, as scholars will, they have managed to make the question far more complicated than it actually is. *Most simply a covenant is an ordered relationship.* It is called into existence when promises are made and obligations are undertaken. It is a relationship in which the obligations on both sides are defined and accepted. There are other features that might be mentioned but that is what a covenant is in a nutshell: an ordered relationship in which both parties have both rights or privileges and corresponding obligations. In the Bible we find covenants between individuals, covenants between nations, and, supremely, covenants between God and the world or God and his people. Sometimes in a covenant the partners are equal; sometimes far from equal. Many of the covenants known from the political and legal history of the ancient near east were so-called suzerainty covenants in which a victorious king or a more powerful one imposed his will upon a conquered or weaker vassal. The language of the treaty was politely mutual -- as if the parties participated on equal terms -- but the fact was that one king was dictating terms and the other had no choice but to accept them. It is that kind of covenant we find in the covenant between God and his people, though our suzerain, or king, is a loving, gracious conqueror and it is our highest privilege to be subject to him!

But, to use the vocabulary and concept of covenant to describe the nature of marriage has very definite implications. And the most important of these is this: *To call marriage a covenant means that faithfulness and loyalty are intrinsic to the very nature of marriage.* That is what a covenant requires: that its parties prove faithful to its terms and its requirements. That is the emphasis that falls in the Bible on the fact that our salvation is described in terms of a covenant that God has made with us and we with him. The point is that God will remain faithful to his covenant and we must remain faithful in turn. Everywhere in the Bible this is the point: we must not *break* the covenant; we must remain *faithful* to it. [cf. Collins, *Genesis 1-4*, 142] As those of you familiar with the Old Testament can attest, most of the time the covenant between God and his people is raised as an issue it is because Israel has proved unfaithful to it, because she has not stuck to God as she promised to do and as the covenant requires her to do. *It is interesting, important, and predictable, therefore, that in the places in the OT where marriage is referred to as a covenant,*

the infidelity of one or the other spouses is explicitly the subject. [Prov. 2:17; Ezek. 16; Mal. 2:14]

So let us drill down a bit into this third crucial article of the Bible's doctrine of marriage, viz. that it is a covenant in which it is required that husband and wife be loyal and faithful to one another; that they do not break the marriage by unfaithfulness. This is the clear implication of "stick to" in Genesis 2:24, but it is everywhere else the assumption and in Malachi 2:14-16 the implication is explicitly spelled out. Turn to that text and I'll read it for us, important as it is. It is a text has been variously translated. Indeed, there are at least nine different understandings of the meaning of the statement in v. 16! [Stuart, 1341] Famously in the NASB and the NIV verse 16 begins with the Lord saying, "I hate divorce." But there are problems with that translation. While the statement is true enough -- the Lord *does* hate divorce -- it is a statement that would require some qualification or nuance. The fact is divorce is allowed to some in the Law of Moses under certain circumstances. So, if the verse is translated to say that the Lord hates divorce, one must recognize that the Lord has also allowed in some circumstances that which he hates. It is doubtful that Malachi would have condemned divorce *per se* when the Law of Moses permits it in some circumstances.

But "I hate divorce" is very likely *not* what the Lord said or what Malachi wrote. The ESV is more reliable here. The verb "hate" in v. 16 is in the 3rd person not the first. The Hebrew text has to be altered to get "I hate divorce" instead of "he hates divorce." The literal translation of the opening sentence of v. 16 should read: "For the one who hates and divorces... covers his garment with violence..." That is, the one doing the hating in v. 16 is not the Lord but the man who divorces his wife! [cf. Duguid; Stuart; Collins, "The (Intelligible) Masoretic Text of Malachi 2:16 or; How Does God Feel about Divorce," *Presbyterion* 20, no. 1 (1994) 36-40; David Jones, "Malachi on Divorce," *Presbyterion* vol. 15, no. 1 (1989) 16-22] The translation issues are too complicated to explain but we'll stick with the ESV, though the point is largely the same however v. 16 is read. The prophet is explaining why the Lord is not answering his people's prayers.

"Because the Lord was witness between you and the wife of your youth, to whom you have been faithless, though she is your companion and your wife by covenant. Did he not make them one, with a portion of the Spirit in their union? [Once again an allusion to Genesis 2:24] And what was the one God seeking? Godly offspring. So guard yourselves in your spirit and let none of you be faithless to the wife of your youth. For the man who does not love his wife but divorces her, says the Lord, the God of Israel, covers his garment with violence, says the Lord of hosts. So guard yourselves in your spirit and do not be faithless."

Before taking up the burden of the text it is important nowadays for us to notice that a text like this illustrates the equality of the woman in Old Testament marriage. She too had rights. The

husband had sacred obligations toward her that he was not free to betray. He could not divorce her simply because he didn't like or love her any longer or because he would prefer another woman. This was not the case anywhere else in the ancient world, I mean *anywhere* else in the ancient world, but it was the case in Israel: the husband had to be as faithful to the marriage covenant as the wife.

But the burden of the text is clear enough. *What is being forbidden is what is called "aversion divorce,"* that is, divorce because of dislike, divorce because a husband has lost interest in his wife. That is the burden of the first phrase: "If a man hates his wife and divorces her..." That is the divorce here being particularly forbidden, and that must have been the reason for most of the divorces being obtained in Judea in Malachi's day. Husbands divorced their wives because they didn't want to be married to them anymore or because they found another woman more interesting to them. That is also, of course, a very common reason for divorces today.

The OT law (chiefly Deut. 24:1-4) permitted divorces for some indecency on the part of the spouse (probably a reference to sexual infidelity), but it did not permit divorce for a lack of affection or romantic attraction or because the husband was simply tired of his wife and wanted to trade her in on a new model. In Deuteronomy we find the requirement that a certificate of divorce be written out, and the clear assumption is that some cause had to be given and the cause, thus, had to be one for which a divorce would be granted by the law.

But, in Malachi's day, all of those niceties had been long since forgotten as had so many other stipulations of the covenant law. Moses and Malachi come at the question from different directions. Moses permitted divorce for some reasons, particularly serious crimes against the marriage covenant; Malachi forbids it in the case of the particular reason for which divorces were being sought and granted in his day, that is, so-called "aversion" divorces. Of course, we find this same sort of teaching about the permanence of marriage and the obligation of spouses to be faithful to their covenant in the NT, as you find in a few places as well the permission to divorce under certain extreme circumstances. It is often supposed that the OT and NT laws of marriage and divorce are not precisely the same, that the NT is stricter; but that isn't the case. The ethics of marriage and divorce seem to be the same whether Moses, Jesus, or Paul is speaking to the issue.

People in Malachi's day were used to laxness in the matters of marriage and divorce, so they were very much like us today. Ezra and Nehemiah had both to address the issue of spiritually mixed marriages and it appears that a number of them, if not the vast majority, were the result of a previous divorce. An Israelite man had divorced his wife in order to marry a pagan woman. But here came Malachi saying that their practice in such matters was a profound violation of the covenant (their covenant with God and their covenant with their wives) and, therefore, were exposing them to God's wrath. People like to be in charge of their own lives; they don't like to be told what they can and cannot do, especially when they are used to doing things that are now

forbidden them. No wonder that Ezra and Nehemiah had to take the drastic steps they took, requiring that all the wrongly made marriages be set aside. And so Malachi is careful to add twice in this one sentence, “says the Lord.” It is God’s law they are violating, not Malachi’s, not man’s. It is to God they have to answer to for what they’ve done.

I tell you, in our *Presbyterian Church in America* elders are dealing with folk all the time who want out of their marriage but haven’t a biblical reason for leaving it. We heard at our most recent presbytery meeting several pastors say that they were dealing with several such situations at once. And such people can be very adamant. It simply is impossible for them to believe that God would have them remain married to somebody they don’t want to be married to anymore. But he does and often enough says that he does in his Word. I don’t deny the heartbreak or the pain that can be caused by the requirement to remain faithful to a loveless marriage or to remain a faithful spouse to a man or woman one does not now love or like or respect. But that God requires such a thing cannot be doubted. There are many things in the Christian life that can be excruciatingly difficult and punishingly painful while, at the same time, being absolutely and obviously required. The Lord wasn’t kidding, he wasn’t beating his gums, when he said that his disciples would have to take up their cross to follow him.

But, in this case, there is more. This particular crime is unusually serious and jeopardizes the entire covenant community and its future. The holy seed is put at risk with this sort of divorce. Violate one’s marital covenant and one violates the Lord’s covenant with us at the same time. This is a sin with reach, a sin that spreads, a sin that has all sorts of consequences unforeseen when it is committed. “Violence or crime covering his clothes” is an ancient Hebrew equivalent to “You’ve got blood on your hands.” [Stuart, 1343] This is a sin that affects not just the husband and the wife who are divorcing, but their children; and not just their children, but their children’s children. It is not the way to produce a holy seed! Great guilt has come from a great sin. And what is the sin: well, in our modern terms, the sin is *divorce for incompatibility; divorce for a loss of love -- or perhaps too much love as Elizabeth Taylor said as she was divorcing Richard Burton for the second time, “We just loved one another too much,” -- divorce because one is unhappy in his or her marriage.* For such divorces, Malachi says, God’s wrath loomed over Israel.

How much of the trouble we are having in this society; how much of the loss of influence that the Christian church has suffered; how much of our spiritual weakness; how much of the difficulty we are having transmitting our faith to our children do you think has been caused by all the illegal divorces that have been sought and granted in the Christian church over the last generation? We too have blood on our hands!

We will consider the matter of divorce next time. But for now let us summarize. So much of what marriage is and does in the Bible, so much of the life that marriage creates, both for the husband and the wife and for the children and succeeding generations, depends upon its being a

covenant to which both man and woman remain faithful. Permanence is fundamental to marriage and to the blessings that marriage should convey. Think about how marriage creates a family, how families, generation by generation, form traditions of their own that so profoundly influence the character of the members of that family, building upon what has come before: a family culture, a family lore, a shared memory, a powerful bond. All of this breaks down when marriage is impermanent, when marriages fail and end. And in a Christian marriage what is so often and regularly lost is a Christian family culture, a shared loyalty to Jesus Christ; what is lost is salvation and heaven, if not for the spouses, themselves for their children, if not for their children, for their grandchildren. I ask again: how many of American evangelical Christianity's problems, do you suppose are the result of so many divorces in so-called Christian marriages, divorces the church allows with a wink and a nod?

So much of our social agony in America today is the direct and predictable result of failed marriages. We used to understand this as a people, even as a largely secular people, and so we expected and largely required that marriages endure. We were alert to the damage that was done to the social fabric when marriages ended and how much the lives of children were blighted by the divorce of their parents. Marriage is a covenant. So says the Maker of marriage. Covenants require faithfulness or else. God said that. The easy acceptance of temporary marriage more than perhaps anything else in our time has undermined our social fabric and blighted the lives of untold numbers of people and generations still to come.