

Observations and Experiences Regarding Marriage, Divorce, and Remarriage (1)

Bill Cavender

From 1926 until 2004, the years of my short lifetime, nations, societies, families, and individuals throughout all the world (untold, unknown, billions of souls having inhabited the earth since Adam and Eve; the estimate of people now living in this present generation is about 6,750,000,000 people, most of them lost in sin, without God, without Jesus, and without hope here and hereafter) have drastically changed in their laws, customs, practices, standards, and public and private attitudes regarding marriages, divorces, morals, pre-marital and extra-marital sexual relationships. What used to be understood and accepted, so it seemed, is now misunderstood and debated in religious, political, legislative, and social circles, i.e., “What constitutes a marriage? What constitutes a divorce? What constitutes a lawful (and to Christians a scriptural, God-approved) remarriage?”

There is no such debate nor discussion in many cultures and countries of the world, especially in Muslim (Arab), Hindu, Buddhist, Hebrew, and staunch Roman and Eastern Catholic countries. Heterosexual unions (marriage “the old-fashioned way,” a man and a woman), same-sex marriages (male homosexual unions and female lesbian unions); homosexual and bi-sexual alternate life-styles; surgical sex changes; companion-civil-marital-rights-and-partnership-benefits, etc., are debated and discussed in “our western culture and civilization” where freedom is thought and taught to be license, and a false, watered-down brand of divided, denominationalized “Christianity” has been taught, believed, accepted, practiced, and defended for several centuries. In the western states of the USA, polygamous marriages (the Mormon system and the “revelation of God to Joseph Smith” authorizing polygamy) are “making a comeback,” are not uncommon, and are receiving greater publicity in the newspapers and in the television news. In many countries of the world there are still no governmental and civil laws regulating marriages, divorces, remarriages, and no civil registrations of births (in or out of wedlock, legitimate or illegitimate), and deaths. *Times have changed and are changing!* We need to be preaching again those old sermons regarding “A Changeless Christ In A Changing World!”

In many parts of the world polygamy is openly practiced. Our brethren who go to various parts of the world to preach Christ and the kingdom of God, especially in some countries of Africa, in the Philippines, and in southeast Asia, have to deal with polygamy when polygamous people hear and believe the gospel of Christ and desire to be baptized for the remission of their sins. Polygamy is condoned by the Muslim system, Islam, allowing a Muslim man to have four wives if he desires. Civil statutes allow multiple, unlimited divorces in western nations, including the USA. Instead of a polygamist having ten wives at one time, and violating the laws of God and men (except in Utah!), he can marry and divorce ten women and be acceptable to the civil laws of men and, according to some brethren, to the laws of God also.

Polygamy and concubinage were practiced in olden times by both unbelievers and believers, as recorded in the Scriptures. Adam, the father of the human race in the flesh, had one wife. Lamech, of the lineage of Cain, was a polygamist (Gen. 4:17-24). Polygamy was common prior to the flood of Noah’s day (Gen. 6:1-8). Noah had one wife (Gen. 7:7; 13). Abraham had a legal wife, Sarah, and at least two concubines and probably more (Gen. 16:1-15; 25:1-11). Sarah died at age 127, the only woman in the Bible whose age is given (Gen. 23:1-20). Her son, Isaac, had only one wife, Rebekah (Gen. 24:61-67). Rebekah evidently died some years before Isaac. She is not mentioned after Jacob left home, when he was about age 77, to go to Paddan-aram, to Bethuel’s house, Rebekah’s father (Gen. 27:41-46; 28:1-22). She was buried in the Cave of Machpelah (Gen. 49:29-32). Isaac lived to age 180, Jacob and Esau then being 120 years of age (Gen. 35:27-29; 25:19-28) when they buried their father’s corpse in the Cave of Machpelah. Jacob had two wives and two concubines: Leah, Rachel, Bilhah, and Zilpah (Gen. 29:21-35; 30:1-13). Joseph was born to Jacob by Rachel when Jacob was 91 years old. Joseph was 29 years old and in prison in Egypt when Isaac, his

grandfather, died. Esau, Jacob's twin, had three wives: Judith, Basemath, and Mahalath (Gen. 26:34-35; 28:6-9). David, who died at age 70, had at least eight wives whose names are recorded: Michal, Ahinoam, Abigail, Maacah, Haggith, Abital, Eglah, Bathsheba and had many other wives and concubines (1 Sam. 18:20-29; 2 Sam. 3:1-5; 5:13-14; 11:26-27). King Solomon, David's son by Bathsheba, had 700 wives and 300 concubines (1 Kings 11:1-8). God had laws regarding marriage in the Mosaic period, for 1500 years. A permission of divorce was granted to men in and under the terms of that law (Deut. 24:1-4), although God has always hated "divorcing" and "putting away" (Mal. 2:1-17). How that facet of God's marriage law, i.e., Deuteronomy 24:1-4, related to David, Solomon, and so many others who lived under that law, yet practiced polygamy and concubinage, is not revealed and related. For sure those times are included in Paul's statement, "And the times of this ignorance God winked at; but now commandeth all men every where to repent" (Acts 17:30). Paul's reference was especially to the Gentile world and their idolatry. But who would deny that even those who lived under the law of God through Moses also came under the purview of Acts 17:30-31?

From the beginning of the creation of man and woman, God has decreed one man for one woman as long as they both shall live (Gen. 7:1-4). God hates divorcing, husbands and wives rejecting and repudiating one another, breaking their covenants with him and with one another (Mal. 2:13-16). Even though hating divorce, God, through Moses, allowed men, because of the hardness of their hearts to divorce, repudiate, and reject a wife, giving the wife a writing or "bill of divorcement" when she had found "no favor in his eyes," because he "found some uncleanness in her" (Deut. 24:1-4; Matt. 19:3-9). He rejected and repudiated her in his mind and heart, and then obtained the legal "writing of divorcement." This rejected, repudiated woman, who was divorced unjustly by her husband, being sent out of his house, yet morally innocent and guiltless, could "go and be another man's wife." She could never lawfully return to this ex-husband to be his wife again. She was an innocent, "put away woman," and she had a God-given right to marry someone else.

Jesus, when questioned by the Pharisees about the *cause* or *reason* for divorce; gave rejection, repudiation, divorce rights to a morally innocent, guiltless husband or wife, whose marriage partner has committed adultery against him/her, having broken the covenant with God and with his/her lawful mate (Matt. 19:3-9; Mark 10:11-12). Under the New Covenant, only *adultery, fornication, sexual immorality*, can be the *cause* for the rejection, repudiation, or divorcing of a husband or wife. It is God who "joins" or glues people in marriage and it is God who unjoins, unglues, and dissolves their bonds. No laws of men, of any culture or country, in any century of time, can "join" or "put asunder" marriages for God. God does *that*, the Scriptures say (Gen. 2:23-24; Matt. 19:3-6; Mark 10:9; Eph. 5:31). With all the separations, unfaithfulnesses, adulteries, fornications, spousal abuses, mistreatments, divorces, remarriages, and violations of God's will from the beginning of the world, since Adam and Eve, amongst all the billions of men and women who have lived since then through all these centuries, only an *omnipotent, omnipresent, omniscient, eternal God* can remember, know, and call into judgment all these offenses against and violations of his divine will. He will do so at the last day through Jesus Christ, his Son and our Savior and judge (John 12:48; 2 Cor. 5:10; Rom. 2:16; 14:10-12; Acts 17:30-31, etc.). He will bring to light all the hidden things of darkness, and will sit in judgment upon the thoughts, motives, words, and deeds of each person.

Of the fifty states in our federal union of states, comprising the United States of America, eleven states still authorize and allow "common law marriages." Those states are: Alabama, Colorado, Iowa, Kansas, Montana, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas, Utah, and the District of Columbia. Georgia recognizes such unions contracted before January 1, 1997, Idaho recognizes those begun before January 1, 1996, Ohio recognizes those unions contracted before October 10, 1991; New Hampshire recognizes common-law marriages "for inheritance purposes only." In the early years of our country, all the states allowed and recognized "common-law marriages." Several states in our country now, in 2004, are tending toward and allowing "same-sex marriages": Vermont, Oregon, Hawaii, Massachusetts, and others. Over the political and social horizons for all the states, the debates are "heating up," the politicians are seeking votes, and the political parties are determining their "platforms" as to where they will stand on this issue, for the purposes of gaining votes and entrenching themselves in political offices. "Gay Marriages" and the legality of such unions, in view of recent rulings by the Massachusetts State Supreme Court, will be "a hot button" political issue in this year's fall presidential election and may well determine who will be the President of the USA for the next four years. It now appears that all states, sooner rather than later, will recognize "same-sex marriages."

A “common-law marriage” is defined as:

1. A man and woman living together for a significant time (but the length of time is not legislated nor defined by any state; seven years, as sometimes mentioned, is not a time period imposed by law); this man and woman have the intentions of being represented and recognized as a married couple, they do not have to report to nor notify any civil authorities of their intentions of living together as husband and wife.
2. The couple hold themselves publicly as a married couple, having the same last (family) name, referring to one another as “my wife” and “my husband,” having a joint bank account, and filing joint federal and/or state income tax returns.
3. Their children are legitimately born into such unions and birth certificates of the children are duly completed and filed in the states where these couples reside.
4. If they divorce, they must go through the regular legal divorce procedures in the civil courts of the state where they live.
5. A common-law marriage in a state which permits such unions will be recognized in all fifty states of the USA.

Statistics show that about fourteen percent of all marriages in Canada (our neighbor to our north, the second largest country in the world in land area) are “common-law marriages.” All the early marriages in the Bible — Adam and Eve, Noah and his wife, Abraham and Sarah, Isaac and Rebekah, Jacob and Leah, etc., would have been “common-law marriages” according to modern concepts and terminology. In the early years and decades of our country, most marriages were “common-law marriages.”

In a “common-law state,” years ago, there was a family in a church, a husband, wife and four children. He was a deacon. The oldest son was an excellent youngster, outstanding student, and received an appointment to one of the military service academies through his congressman. A family background check was made by the FBI. It was discovered that the boy’s parents were husband and wife under “common-law,” never having obtained a marriage license from any civil court clerk. The man and woman had been married for twenty-five or so years. The church, though surprised, continued to fellowship them, the state laws upheld them, the son went to the academy, as the man and woman had violated no law. In the sight of God and man, they were husband and wife, a legitimate marriage and family by God’s laws and man’s laws. (To be continued)