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Back | Home

Family Man

Covenant Marriage

By Michael Wayland

Last month in this column, we explored making the difficult world of divorce a little more manageable through the use of divorce mediation rather than divorce litigation (IF archives: June - www.gentledivorce.com). This month we are going to explore the polar opposite. Staying together until death do us part. Really!

When we are dating, we see a limited amount of our partner's true self. Usually it is simply what they allow us to see. Over time, and as a result of shared experiences, we see more of the partner's true self. It is like we are standing 10 feet from a house and looking through the front window. We have a limited view of what is in that room. As we move closer, say to 5 feet, our field of vision improves. When we walk up and press our nose up against the glass, we can see almost every thing in the room, save for a few pictures on the wall with the window.

Marriage is like pressing our nose against the glass. Eventually we see it all. Often we don't like what we see and back away from the window. Many states have "no-fault" divorce laws, and many of those that don't, have defacto "no fault" through case law. The court system allows us to back away and file for divorce easily. But what if we couldn't. What if we bought the house and had to keep it for the rest of our lives?

We could certainly back away (emotional distance) or have affairs (escape reality), we could kick, punch and scream (abuse), or we could find a way to work with what is in the room.

That is the new wave of marriage. It is called Covenant Marriage. The couple enter into a contract of marriage. Think "pre nup" in reverse. The old prenuptial agreement specified in advance of marriage, how the couples assets would be divided if they split up. It recognizes at the outset that the couple agree the marriage is terminable. Often people manage their marriage accordingly and bail as a result.

The Covenant marriage is different. At the outset the couple agree that the marriage is not terminable except in rare circumstances (abuse, adultery, abandonment and felony conviction with jail time). Some contracts allow for divorce outside of those circumstances but only after significant marital counseling.

The idea was first proposed in France in 1947 by JULLIOT de la MORANDIERE. He posited that *for "divorce, which is evidently an irritant, because it touches on the convictions of each of us, the solution is to leave the liberty to each, so that they who want a divorce can profit from it, and those who are against divorce can contract a marriage that will be an indissoluble marriage. This has the advantage of avoiding the deceptions that often exist at the time of the marriage, because often one of the spouses believes they are contracting an indissoluble marriage but the other reserves the exit door of divorce."*

The idea of covenant marriage is to make people think twice before getting married by limiting the escape options. It also causes people to address issues in the marriage more directly and quickly rather than letting them fester and later erupt. It forces people to think of their marriage

as a long-term commitment. The belief is that if the problems are addressed contemporaneously with the issues, inevitable conflict will lead to resolution and resolution leads to peace and a successful relationship.

In the US, states are moving to enact covenant marriage laws. Arkansas, Arizona and Louisiana have passed such laws. In those states, a couple getting married can choose a covenant marriage or a traditional marriage. Other states including Oregon, Georgia, Texas, Oklahoma, Iowa, Missouri, Virginia, West Virginia, Indiana, Texas, and others have introduced but not yet passed such bills. Other states are contemplating covenant marriage.

Some churches have introduced private marriage covenants as an option or even a requirement. Dennis Stranges, pastor of the Vineyard church in Delaware, Ohio reports that he has performed over 300 marriages. Of those marriages, there have been a total of zero divorces. You read that right. Zero. The Vineyard requires premarital counseling and a marriage covenant. The contract severely limits the "outs" and requires potential divorcees to undergo counseling. The couple contract that during the term of the marriage, the partners will submit their grievances with each other to mediation. While marriage mediation flourishes in this sample, divorce has been virtually eliminated.

The Vineyard is on the cutting edge of another trend. Marital mediation. Mediation is different from therapy. Therapy seeks to elicit change and growth in the individuals involved. Although we always want growth from a partner, change might be difficult or unattainable. It can be at least a long journey. Mediation is results oriented. Mediation focuses on the problem and seeks resolutions that both people are happy with. Some couples seek mediation for significant problems, others have bi-weekly standing appointments where they can speak their mind on the little problems at hand and have the mediator work them through to a happy solution so nothing festers. The result is that the bumps in the marital road are much smoother. Marriage, like our highway system, is never free of potholes and bumps. The mediator helps the couple fill in, smooth out and navigate their way to a successful marital journey.

Marital counseling or marital mediation are often integral parts of a marriage covenant agreement. It would be difficult to commit to a 50-year contract without a dispute resolution clause yet marriages do that all the time. Corporations and unions that have to live with each other under a union contract in perpetuity have a grievance procedure. Why not in a marriage. In fact, failure to resolve disputes is a significant precursor to divorce. Failure to view the marriage as forever adds to the divorce rate and a no fault system can make marriage down right disposable. The covenant marriage concept seeks to remedy that.