

Chapter 2 – Covenant Caring

“When I speak of ‘covenant’, don’t misunderstand me as having some above-it-all disposition; on the contrary, a covenant because of my belief in God’s faithfulness ...
...not hers or my own”

On the eve of our marriage, there might have been good reason to really ask, “What is marriage?” As untrained and untested as I was to relationships, the immediate ideal or concept of marriage was a lifetime of commitment. My idea of marriage was largely fostered by what I experienced in my natural family and what I learned from church family. Sure, I was aware of broken families, but I did not conceive or desire that for mine. On the funny side of it, perhaps a dated commercial about men’s deodorant would be another way of expressing the idea: “anything else would be uncivilized.”

Of course I was a relative babe when it came to marriage; but our concept or idea had long been framed and formed in what we experienced and observed as children. Above everything, I observed commitment between my own parents and, however vague and distant, between their parents. Did I progressively learn of some of their own “skeletons” and did not think about our own family structure? Well, I believe that I did on some level; but above all, was the mutual sacrifices that framed and formed this commitment called marriage. I cannot tell you that there was not some pain form any one or all of these families; but what I know is that, once married, always married.

If my explanation seems self-righteous, please forgive me; I accept that any marriage or pair of persons can, **not** only be individually wrong, but can be doubly wrong in wedlock. Forget the so-called breed or class or creed; all of us are subject to our nature that essentially turns inward to ourselves and our own needs and wants. To think that two people can support “Lifetime-Lifting” and “Covenant-Caring” by themselves is not only unrealistic, but is becoming increasingly scarce in terms of even engagement—let along the institution of marriage.

I have found this idea or concept of marriage is not limited to the Christian faith or to its origin in Judaism; but it transcends these faiths and is even observed in some animal species. For the eagle, as an example, this one-life time mate seems to augment the nobility of it—as though it not only flies or nests above the other flocks, but also embodies some human-like qualities of the sacredness and integrity of marriage and love. *Back on our feet or down-to-earth*, other religions embrace the similar sacredness and integrity; marriage continues to be a time-honored tradition, trait, or testimony of their faith and beliefs.

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But I cannot ignore the exceptions or the failures of the institution either; *let's face it*, marriage has been under attack in our own society for years. In his book, *Life without Father*, David Popenoe comments:

While the enormous increase in fatherlessness over the past three decades stems mainly from the two factors of divorce and non-marital births, a single phenomenon underlies them both: a decline in the institution of marriage.

Other “reserved references” describe this institution in decline in the context of the father’s diminishing value and virtue in our society; that the decline of marriage is due to the dual effect of societal changes. David Blankenhorn offers the broader assessment in his book *Fatherless America*:

As the social role for fathers has diminished, so our cultural story of fatherhood has by now almost completely ceased to portray fathers as essential guarantors of child and societal well-being. Not to be overly gloomy, but in some respects it has been all downhill for fathers since the Industrial Revolution.

You cannot begin to understand the failure of marriage—or the living of this idea or concept of commitment or covenant—without considering and factoring in the devaluing of fatherhood. **The two are inextricably linked and dependent.**

Addressing marriage as a covenant may seem too high-minded or naïve considering the present and the bleak condition of marriage in the first place; but my decision to include this is on the basic premise that it was my understanding

and I had accepted marriage as such. Marriage is still a sacred covenant—as it must be in order for the family, and in turn or society, to remain intact.

This concept of a covenant never really came-up in conversation (as I recall); but it was understood by virtue of the vows (or expressed promises before God and man). Because a covenant—or binding promise—was understood in the context of Biblical teaching, my inclination was always to consider the examples therein.

God made a promise (with Noah) not to flood the earth again; and though there has been some regional flooding, “the earth” or land has not fallen under water again. God made a promise to Abraham that he, although he had not children yet and was beyond child-bearing age, would have descendants beyond measure. As by definition as well as by history’s account, this kind of promise was to endure for all generations as the Psalmist tells us: “And he remembers, remembers his Covenant—for a thousand generations he’s been as good as his word.” **God the creator is faithful, though man the created is not.**

How then can a covenant have any application to or assurance of a marriage, a commitment? If man has proven that he cannot be faithful or trusting, then what’s the point of considering or applying this idea or concept of a covenant? Well, in my simple mind, it’s a about considering and applying something that is bigger and better than each and both of us; it’s about the bigger picture that marriage was made for man—and not man for marriage. If man was made for marriage, than all men would marry and all marriages would be subject to the certain, inevitable failure of those who formed them. As it was however, God established this union, this relationship and this institution to be somewhat of a representation of his son’s relationship to man—of the messiah to his marriage bride, the church.

What is magnificent and miraculous about marriage (in this context) is that, just as we are taken individually as imperfect before God, marriage is designed to take imperfection and join it into a perfectly formed institution. A marriage is not perfect but, ideally, continues in that direction becoming more similar to the comparative relationship of Christ to his true church. Though it

seems idealistic—or even impossible—I believe that God made marriage for man alone and that he designed marriage to be between male and female. All exceptions or alternations to this course, as even included in the Bible such as Leviticus, are the result of man’s imperfections and attempts to make God rather than to accept as being God made. **I think we sometimes reverse our relationship with God.**

Marriage, with all its failures, is a manifestation of this reversal in relationship. The legal community, as marriage licenses are acquired, is a prime example of where the institution is devalued beyond the worth of the paper or processing. Unlike a contract—which is actually of lower intrinsic value than a covenant—a marriage license has virtually no clout or power in divorce court.

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With the addendum of a pre-nuptial agreement (or contract), the institution can be elevated to some status; but alone, a marriage license is worthless save for some smattering of benefits in government and corporate settings that are before or beyond divorce in a “civil” court.

For one who has been through divorce as a defendant, I have witnessed this treatment of the institution under license. It seems to me that other licenses are revoked or cancelled when the holder has been found to have violated the terms or conditions—somewhat like a contract. But with a marriage, there are no such terms or conditions that I’m aware of; thus, the opportunity or condition for nullifying the license can be over the expressed unhappiness of the plaintiff—regardless of what the other holder (or defendant) has or has not done. No terms, no conditions, no promises, no commitment, and no institution—but only another example of what happens when law and politics attempt to regulate a religious institution. A far cry from covenant, marriage has been the victim in part because of a government that treats it as something less than a contract and nothing more than the privilege to drive, hunt and fish.

As the process is often played out, an intended couple will acquire the obligatory license and have some form of ceremony to include the exchange of

vows. A vow or vows is, by definition, a solemn promise or statement; or one in which a person is sworn to an act, service or condition. Though the license is merely a legal transaction, the vows or ceremony is intended to be the essence of this arrangement, this institution.

As I peruse the dictionary for the definition of a “vow”, the word “voucher” *came across*; and reading the definition out of vague curiosity, the analogy to a marriage license was striking. A voucher can be described as: a written affidavit or authorization, or a documentary record of a business transaction. A marriage license is really a voucher in that it is only a business transaction—and can be as illusive and insupportable as an affidavit.

As with the experience of divorce, I have also been the defendant of a testimony or an affidavit. Sworn testimony may be acceptable to the legal community as the truth, but in my assessment, it is no more than a license (or voucher) to lie. She may say that you did this or that, or that you could do or that; but what is said is never validated by the courts or judge. What is testimony in the form of an affidavit becomes more than de facto. Yes, an affidavit is like a marriage license; in that both are vouchers, both can render the defense defenseless, and both can be no more than a business transaction.

Divorce is big business. Make no mistake, the legal system can make a marriage, and it can break it. Law firms have been borne out of the ashes of the institution of marriage, and have made a lot of attorneys filthy rich. Under the arbitrary auspices of a duty to society, this profession has profited on the institution of marriage or its demise. In some remote recesses of my reminiscence is an ailing hooved animal that, largely defenseless, is surrounded by jackals; and after they have made the kill, the vultures arrive to peck at bones. Collectively, these scavengers are simply helping nature by thinning the breed—unless of course your one of the ailing.

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As written in *Diffusing the High-Conflict Marriage*:

It may, for some attorneys, be more comfortable to deal with a parent who is righteously angry rather than a miserable and depressed client who is struggling to cope with the many facets of loss and anxiety generated by divorce...

If I could take my reminiscence (of attorneys) beyond the remote, perhaps I could find some good; for example, the family court attorney who pled for a reconciliation program for me and my alienated children. Again, according to the same reference, the obvious is that “the attorney’s role is to look out for the best interest of their client”. Unlike for the family court attorney, “the client” is not the children; thus, from the same reference, “he (the attorney) may take either approach with little regard for the potential impact to the children.”

In all the collective criticism of the law firms or court system, I am not suggesting that the law (courts, firms, systems) is purposely disposed on destroying marriage; but I do believe that it (the law) is not capable of managing marriage and its aftermath. The law is itself an institution made-up of imperfect people. In a simple way of considering the system, I apply the 3-R’s of the courts: Re-election for the judges; Retainers for the attorneys; and Retirement for the balance. These attorneys don’t care what or who is at stake; but they are keen on *having a stake*. They present their services with all the promises of tomorrow...and all the privilege of carving-up the spoils today. It is the basic *survival of the fittest* and the vulnerable, the ailing, the one and his children.

When the law so intimately governs these matters, it is too late; or when one or more parents abdicate their authority of (and responsibility for) their children, it is too bad. Having (or inviting) such involvement and authority can be expressed by a phrase I’m familiar with, “Designed to fail”. When an intended covenant is reduced from a vow to a voucher, then marriage (and family) is virtually quashed while the courts mediate *The Mess*...leaving the children in the wake of the aftermath of less-than-promised conditions.

In the classic study of children of divorce (1990's), Judith Wallerstein writes:

Divorce is deceptive. Legally it is a single event, but psychologically it is a chain – sometimes a never ending chain – of events, relocations, and radically shifting relationships strung through time, a process that forever changes the lives of the people involved.

In her groundbreaking of this study (1980's), Wallerstein and Kelly postulate that **divorce hurts children throughout their childhood and adolescent years and often into adulthood.** Referencing these findings, further commentary in *Diffusing the High-Conflict Marriage* supports her conclusions: “The simple answer is that indeed everyone suffers in a divorce. “Everyone” means the family, of course; but not the courts. I say again that divorce is big business; it is so big that it deserves more discussion.

In all my business dealings, I can't recall such a rule (or ruse) of attorney's retainer. Paid in advance (hence “retainer”), the attorney often conducts his services without any disclosure of billed time and without any pre-determination of expectation or outcome. To consider non-disclosed billing to be a forgone conclusion, consider the later or the services. Maybe it been my choice (in attorneys, etc.), my disposition or any number of other variables; but I often feel or sense that my so-called attorney is not really helping me—or even wanting to. I know that if someone handed me a check before rendering services, that motivation would definitely *take a hit*. If I could retain the retainer, maybe the “dangling carrot” would render some caring; maybe if he (or she) yelled repeatedly, “show me the money”, we could establish an understanding; but as been experience, service is incidental and, “It's about my economy stupid.”

If commitment is lacking in marriage, it is also lacking in the so-called “client” relationship; far more often than not, attorney’s just don’t offer anything of the “warm and fuzzy” variety. Phone calls are ineffective in terms of substantive conversation; writing is probably disregarded because it’s written in common English; and face-to-face meetings are *hurry-up and wait*. Realizing that “the firm” is somewhat supported by “the state”, is it any wonder why the attorney might be caught in allegiance between the courts and the client? In the matter of a public defender, allegiance is clearly understood; but when the attorney is retained, well, what then?

Perhaps the most evident show of commitment is between the attorney and the judge; a commitment that is awarded by virtue of the judge’s authority and position—and the commitment most often preferred over contempt or contentiousness. What is particularly troubling is the “brotherhood” or, in the contemporary description, “The League” of the court system: the implied if not apparent relationship between these “regulars” that makes a one-timer like myself as incidental as the so-called client relationship. The judge may speak to me; she may recite such standard questions as: “Do you speak English?” or “Do you understand the verdict of this court?” Of which, I must respectfully reply: “Yes, I do speak English...”; “...No, I will never be able to understand...” “The League” does understand however, as they are all a piece or subsystem of the system that mediates *The Mess*. They make substantive phone calls, they can write in the acceptable jargon, and they generally operate under the *rule of expediency*—where the defense is on *the wrong side of the fence* and the prosecution is not.

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“The League” has a predominant dependence on itself; thus, the same participants who go-at-it in the court by day, may have drinks at their favorite place by night; or for those who enjoy a round of golf, the same goes. With this possible if not very real relationship, comes even further lapse in the potential of the “warm and fuzzy” variety; especially, when the two (or more of “The League”)

address each other on a first name basis or enjoy a moment of cajoling or casual conversation—while you wait for the rest of your life to come to order, if that were possible. Yes, this league has all the making of brotherhood unless, of course, your not a brother and your not part of the league.

Retainers of my giving are probably *small change*; thus, I presumably get what I pay for...which is not much. In actuality, I have had one or two good attorneys—who happened to be woman. For one of the two, par excellence may come from her former profession as a nurse. Outside of experience and memory of these two, I have **not** been impressed; but on the contrary, loath the very thought of legal services. Maybe it's all those "variables"; but I am tired of defending my marriage, my fatherhood and myself among those who simply do not care—and never will care except for "The League" of their own.

With all the commitment in this professional league and the lack of commitment to marriage, the *end-game* is indeed *survival of the fittest*. How long will the herd survive is the bigger issue? With commitment waning in the one institution (of marriage), but apparently strong among "The League" (in terms of growth in number and financial health), what will happen (or is happening) to the herd? The seemingly-endless resources describe the bleak situation and circumstance. Divorce may have stabilized or even slightly decreased per capita; but marriage is on the decline as is fatherhood or paternal participation. As David Popenoe writes under the subtitle of *Fatherhood in Contemporary Culture*:

One of the principal social functions of marriage is to hold men to the mother-child bond. For men everywhere, marriage and parenthood are a package deal. In downgrading marriage, men will get the message that they are no longer needed, or even wanted, in family life.

Again, "the two are inextricably linked and dependent"—when one fails, so too does the other.

As a matter of sensitivity, let me clarify that I am not attempting to condemn or to criticize the many single-parent homes where one or the other has been forced to a singular-parent role; where abandonment or abuse were truly cause for a radical change and the consequence of single-parenting. What I am trying to present is the condition where the one institution is systematically supporting the demise of the other—or where the families that can (or could) survive are being duped into divorce with empty promises, empty pockets, and empty hearts.

“Covenant Caring” is about a promise; a promise that, in my belief, involves one male, one female and one God. My realistic impression is that these two persons are imperfect, but God is not. My expectation is that God, in his perfection can bound imperfection in love—which can yield “Lifetime-Lifting”, commitment and a time-honored covenant. Call it an idea or concept, but this belief is where I began my marriage, and refuse to dismiss it following my divorce. After all, I am a father; I am “a once and always father”—regardless of the divorce industry, “The League”, and the state’s voucher for marriage.