

THE BIBLICAL PERSPECTIVE ON MARRIAGE IN THE CONTEXT OF DIVORCE AND REMARRIAGE IN AFRICA: A PANACEA FOR PEACFUL COEXISTENCE

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Abstract

Marriage is an age long institution said to be established by the Creator of the Universe Himself for the purpose of procreation, companionship, unity, love and pleasure. The marriage institution is the bedrock for every society as it helps in modelling and shaping individuals and communities for rapid growth and development. To this end, a divorced marriage certainly has its own repercussions on the family; husband, wife, children and even the community and society at large. To the African, marriage means more than husband and wife relationship as it extends beyond the extended family to the community. This is very much unlike the western concept of marriage where it is viewed as a husband and wife issue, tending to be more individualistic. The African worldview on the institution of marriage is therefore not in agreement with somewesterners' concept of marriage. The incursion of western foreign cultures on marriage has impacted adversely on the African marriage institution. This has resulted in many divorce cases, giving rise to many social vices such as prostitution, child pregnancy, baby mothers, state of insecurity and insurgency, kidnapping, and drug abuse among other societal problems. This paper attempts to briefly consider African worldview on marriage in pre-Christian era, that is, before the coming of missionaries. It will also consider the Biblical perspective on marriage, divorce, the justification for remarriage or otherwise, and its impact on the coexistence in African societies.

Keywords: Biblical, Marriage, Divorce, Procreation, Creator, Companionship, Love.

Introduction

solomon who gave the Hebrew adageIt was king S: מִצֵּן אִשָּׁה מְצָא טוֹב וְיִפְקַד רָצוֹן מִיְהוָה: which translates to the Biblical injunction that says "He who finds a wife, finds a good thing and obtains favor from the Lord (Pro 18:22). The phrase "he" who "finds" is denoted by the Hebrew verb מְצָא The verb is qal perfect, 3rd person masculine singular, meaning, "he finds," but translated he who finds or "he found" for good English reading. Solomon continues "he finds a wife", מְצָא אִשָּׁה,

Here, it simply means that the man who finds a wife. This sentence should be read, "he who marries a good wife, marries a good thing" for good grammatical construction. The Hebrew word אִשָּׁה is noun common feminine singular absolute, meaning a woman or wife.

The point being established here is that marriage is a relationship between a man and a woman as God intended it from creation (Gen 1:27; 2:24). Marriage is not a relationship between a man and a man, even as it is not a relationship involving a woman and another woman. Marriage here connotes a monogamous relationship as opposed to polygamy. It is instructive that today marriage has taken many other forms to include same sex marriage and polygamy and these practices are beginning to impact on the African negatively. If as Solomon says "to find a wife is to find a good thing", then the question here is why and at what time did man get the concept of marriage wrong? Failure in many marriages oftentimes lead to divorce. In African societies, the chief aim of marriage is to procreate, and when marriage does not produce children, divorce is imminent. Today, in many African communities, divorce cases are on the rise, issues concerning trial marriages are rampant. The attendant consequence on marriage failures is insecurity, insurgency, kidnapping, prostitution, armed robbery and all manner of evil unleashed on the society.

Conceptual framework

Scholars have agreed that most African cultures are more similar to the traditional Semitic and Greco-Roman cultures in agricultural practices, marriage customs, linguistic and literary expressions and religious traditions (McCain 2009 p 2). Marriage customs in Africa is one of such issues that is similar to the Biblical world view. Marriage is said to be a "the legal relationship between a husband and wife" (Oxford Advanced Learner's Dictionary 904). Geisler (2010 p. 300) explains that the use of the terms husband and wife in the context of father and mother makes it clear that the reference is to the biological male and female. Kunhiyop affirms that it is "the type of union of a man and woman that God established at creation (2008 p. 190). This means that the institution of marriage was ordained by God himself. The Genesis 1:27 account reads "So God created man in his own image, in the image of God he created them, זָכָר וּנְקֵבָה "male and female", he created them. The Hebrew term זָכָר is noun common masculine singular absolute, meaning a male, while the conjunction "and" וְ is prefixed to the female אִשָּׁה and female" וּנְקֵבָה Geisler (2010 pp. 299-300) alludes that God's original plan for the nature of marriage is that marriage should be between a male and a female and He commanded them to be fruitful

in number (Gen 1:28). This is suggestive of the natural reproduction of the female and male since same sex marriage cannot reproduce offspring. Marriage therefore involves sexual union between the biological male and biological female for reproduction to take place. This union is said to be the reason “why a man leaves his father and mother and is united to his wife, and they become one flesh (Gen 2:24; Matt. 19:15-6; Mar. 10:8; Eph. 5:31). Paul warns strongly cautions against all forms of sexual abuses such as adultery, fornication, homosexuality and lesbianism etc. when he asks the Corinthian Christians “Do you not know that he who unites himself with a prostitute (female or male) is one with her in body? For it is said, "The two will become one flesh." (1Co 6:16 NIV). Paul explicitly talks about the need for monogamous marriage when he advised the Corinthians that since there was so much πορνείας, that is, sexual immorality, unchastity, prostitution, adultery, fornication, of various kinds of unlawful sexual intercourse (Mt 5:32; 19:9; Mk 7:21; J 8:41; Ac 15:20; 1 Cor. 6:13, 18; 7:2; 2 Cor. 12:21; Gal 5:19; Col 3:5), each man should have sexual relations with his own wife, and each woman with her own husband. He says “since sexual immorality is occurring, (διὰ δὲ τὰς πορνείας ἕκαστος τὴν ἑαυτοῦ γυναῖκα ἐχέτω καὶ ἑκάστη τὸν ἴδιον ἄνδρα ἐχέτω) each man should have sexual relations with his own wife, and each woman with her own husband (1Co 7:2 NIV). The word ἕκαστος is substantive adjective indefinite nominative masculine singular, meaning, each man, while γυναῖκα is noun accusative feminine singular, meaning one woman. Similarly, the adjective ἑκάστη is a substantive adjective indefinite nominative feminine singular, meaning each woman. The adjectives ἕκαστος and ἑκάστη are all substantive adjectives meaning each man and each woman respectively. Finally, the word ἄνδρα is noun accusative masculine singular, meaning one man or husband. The idea here is that marriage is monogamous and not polygamous or to be misconstrued in any other way as God designed it.

God’s idea about a monogamous nature of marriage is questioned by some who try to explain polygamy at the behest of people like Abraham who had two wives, David for marrying many wives and concubines, Solomon for his 700 wives, princesses, and 300 concubines etc. There was however, great punishment for all those who were involved in polygamy. In the case of Solomon, the act of polygamy prompted “his wives turning his heart away from God to foreign gods (1Ki 11:3-4). David’s punishment was “calamity” (2 Sam 11:2) and rebellion in his house.

Critiques of polygamy are quick to shed more light than on the concept explaining that “the Bible does not approve of everything it records. They cite

Satan's lie to Eve (Gen. 3:4) and David's adultery to the wife of Uriah, Bathsheba (2 Sam 11), arguing that all these without God's approval (Geisler 2010 p. 302).

Two competing views on marriage have emerged: one view says that marriage arrangement involves a man and a woman as husband and wife, while the other view sees marriage as same sex arrangement. This dualist view on marriage is, according to some scholars, because people have now come to understand marriage differently in accordance with their worldviews, cultural customs, beliefs and core values (Kunyohop 2008 p. 190). These world views are dichotomized between the proponents of polygamy and their opponents, who would rather opt for monogamy. To the Africans, marriage is a societal affair that impacts not only the husband and wife, but also the whole community, that is, parents, brothers, sisters, uncles, aunts, grandparents, cousins, nieces, nephews, the whole extended family and village (Kunyahop 2008 p. 191). Others however view marriage as a union between a man and a woman or same sex marriage as aptly captured by Sheri Stritof who sees marriage as a formal union, a social and legal contract between two individuals that unite their lives legally, economically, and emotionally. The contractual marriage agreement usually implies that the couple has legal obligations to each other throughout their lives or until they decide to divorce. This view continues that marriage is the union of two people, whether of the same sex or opposite sexes, who commit to romantically loving and caring for each other and to sharing the burdens and benefits of domestic life. It is essentially a union of hearts and minds, enhanced by whatever forms of sexual intimacy both partners find agreeable (Macedo 1995 p. 260-278). Geisler (2010 p. 299) however disagrees with the view that marriage is a union between a man and a woman or same sex marriage...throughout their lives or until they decide to divorce. Accordingly, he argues that marriage is a lifelong commitment between a male and a female which involves mutual sexual rights.

Pre-Christian Marriage in African societies

This type of marriage was done traditionally. This is also known as traditional marriage. The procedures for traditional marriage vary from tribe to tribe in Africa prior to the coming of the missionaries and even today. For instance, in Tiv land Rubbingh says to obtain a wife, "a Tiv male will give his sister (in the sense that of unmarried female agnate) to the brother of his intended. This was known as exchange marriage before the advent of bride price marriage" (1969 p. 67). This practice was abolished in 1927.

The bride price marriage was introduced initially using shell money as a medium of exchange. Some marriages are by proxy, where a parent may marry on behalf of his son or as happened during the Nigerian civil war where soldiers at the war front would send their photographs to members of their families to marry for them because they had no time to come home for marriage. Some involve a dowry (bride's family giving money or presents to the groom or his family), some require a bride price (the groom or his family giving money or a present to the bride's family), few may have any sort of courtship or dating, but most have deep-rooted traditions.

Trial marriage in Africa

Gwamna observes that the concept of “social sex found in some African societies was foreign to Leviticus and the Old Testament” (2008 p. 172). In the same vein, cohabitation or trial marriage found in many African communities is not existent in the Old Testament. Cohabitation also known as “Abuja marriage”, “arrangement” or trial marriage is a situation where people of the opposite sex stay together in the hostel (student s) or alternative accommodation on their own without proper marriage. Bryson Arthur notes that “trial marriages have been accepted in many African societies” as legal marriages (1988 p. 64).

Forms of Marriages in Africa

- I. Monogamy: this means marriage to one person at a time between a man and a woman.
- II. Polygamy: this form of marriage is profoundly practiced in in Africa. It involves having more than one wife at the same time.
- III. Polyandry: this means having more than one husband at the same time. This form of marriage is not practiced in Africa.
- IV. Exogamy marriage: this is marriage outside the family, caste or society.
- V. Common law marriage: this involves a person, that is, a man or woman who has lived with another for a long time, recognized as a husband or wife without a formal marriage arrangement.
- VI. Cousin marriage: this form of marriage involves the child of an uncle or aunt. It is marriage practiced among the Hausa/Fulani of Northern Nigeria and many parts of Africa. It was practiced by the Jewish people in Abraham’s day in the Old Testament.
- VII. Same sex marriage: is the marriage of the same sex, also known as gay marriage or lesbianism is not practiced in African communities.

Where this is done it is completely against the law as those caught are severely sanctioned.

- VIII. Endogamy: this involves marrying only people of your community.
- IX. Traditional marriage: this is marriage based on the peoples' beliefs, customs, cultures and their ways of life.

Commenting traditional form of marriage, Weitzman notes that traditional marriage created unity that transcended the party's individual interests (1985 p. 367). It assumed that the spouses were engaged in a joint enterprise and were responsible to each other sharing the fruits of their united endeavours.

Common features of African marriages

African marriages share these common characteristics: -The Community Aspect: this means that marriage in Africa is not just a two people affair but involves entire families and even communities. The Dynamic Process: Marriages in Africa are not a contract concluded at one point in time but in stages. The Dimension of fatherhood-motherhood: this implies that being a man means a father and being a woman means to be a mother of children. Indissolubility of African Marriage: Marriage in Africa is a long time affair. There is only one son in law and one wife. A person who respects his parents marries only once. Polygamy: Polygamy does not endanger the position of the first wife, it rather puts her in a privileged position since she is regarded as the mother of all subsequent wives (Benezet Bujo (1988 p. 94-99).

Bujo's view is corroborated by Bryson Arthur when he observes that for the African, marriage is not just arranged between the couples (1988 p. 64). It is rather a family affair as opposed to the western culture where only a couple gets wedded. A married couple with no children is like a dead tree in the eyes of the African community.

African and Biblical concept of sexual consummation

The African worldview on marriage and the Biblical concept on marriage share many commonalities. Just as in the Biblical times, in the African Cultural milieu, the act of sexual intercourse between a man and a woman alone does not constitute marriage. For instance, Abraham had a concubine Ramah (Gen. 22:24), Saul had his concubine Rizpah (2Sam. 3:7), David took more concubines (2 Sam 5:13) and Solomon had 300 concubines (1 Kgs 11:3). All these concubines were not recognized as duly married wives but as mistresses.

The permanence of marriage relationship:

Marriage is a lifelong commitment. The concept of indissolubility of marriage is appealed to by Jesus in Gen. 2:24 in answer to the Pharisees in Matt 19:4-6, when he says "what God has joined together, let not man separate". Paul also, in commenting on the same issue says "by law a married woman is bound to her husband as long as he is alive but if the husband dies she is released from the law of marriage (Rom. 7:2). These concepts in Gen. 2:24, Matt 19:6 and Rom 7:2 underline the time honored phrase in the marriage ceremony "till death do us part" (Geisler 1990 p. 280). Thus while marriage is intended to be a lifelong covenant, it is not meant to last into eternity. This much is made clear when Jesus says "at the resurrection people will neither marry nor be given into marriage, they will be like angels in heaven" (Matt. 22:30). What a wonderful glorious moment it will be for the children of God to be like angels.

Procreation and its two views

Among the many other purposes of marriage as ordained by God, procreation stands out tall to the African Christians. Africans emphasize the procreative intent in marriage more than any other aspect of marriage i.e. love, companionship, and sexual pleasure. Africans often argue that the command to be "fruitful and multiply" (Gen. 1:20) applies to all marriages. The argument on the nature of marriage has created two opposing views even in the church. These two views held by the church on the issue of procreation are majorly between the evangelical church and the Pentecostal church. While the evangelical church does not emphasize the procreation aspect of marriage so long as there is love, companionship and mutual sexual relationship, the Pentecostal and the independent church however place special emphasis on the necessity of having children in marriage. Kunhiyo says that "it is their firm belief that barrenness and impotence is a curse that can be cured by special prayers of the man of God, even as infertility is a curse and a stigma, because it is God's will that every married person should have offspring" (2004 pp. 288-289).

These extreme positions are to be avoided because, the biological urge to procreate is divine (Gen. 1:28) Childbearing is therefore normal and it is to be expected in marriage. All the aspects of marriage; love companionship, sexual; fulfillment etc. are important and none should be singled out at the expense of others. Infertility could have both spiritual and or physical causes. This should be handled prayerfully by the church through prayers, counseling and seeking medical help.

Monogamy verses Polygamy

Kunyahop (2008, p 226) posits that the Bible has no clear-cut statements condemning or prohibiting polygamy as practiced in the Old Testament. There are therefore two contending views on which form of marriage is ideal. These two views are premised on which form of marriage is best for man. Those who support polygamy cite examples of Abraham who had many wives and concubines (Gen16-17; 28-30), Jacob and his two wives (Gen 29:1-30), Levirate marriage as a "mandated form of polygamy" (Gen 38:6-10; Ruth and Boaz, Deut 25:5-10), David's wives and concubines (2 Sam 3:2-5; 1 Sam 25:44; 2 Sam 12:24; 2 Sam 5:13), and in 1 Kings 11:3, Solomon married many wives and took concubines (Kunyahop 2008 p 229-235). The other view is the one supporting monogamy which points out the fact that without doubt monogamy is "God's ideal for marriage, as evidenced in (Gen 1:28; 2:24) where God created one wife for Adam (Kunyahop 2008 p 227). Supporters of monogamous school of thought on marriage agree that at creation God instituted marriage as a cherished institution. In Gen. 2:18, The Lord God declared, "it is not good for a man to be alone; I will make a helper suitable for him. Thus God formed Eve out of Adam, and because God felt that the man He created was lonely, He said "for that reason a man will leave his mother and father and be united to his wife and they will become one flesh" (Gen 2:24). The Lord Jesus agrees with God The Father on the issue of polygamy when he told the Pharisees that "Because of your hardness of heart Moses allowed you to divorce your wives, but from the beginning it was not so (Mat 19:8 ESV). The fact that polygamy was permitted did not mean God prescribed it, in the same manner divorce was not prescribed but the people adopted it. This goes back to the fall, when Adam and Eve lost out in the garden on account of willful disobedience, since then man has continued to break the commands of God, marriage rules inclusive.

Those who advance polygamy as the best form of marriage are quick to point to the law empowering levirate marriage, a form of polygamy drawn from Deuteronomy 25:8-9 to defend their position. This law was invoked when Er, Judah's firstborn, was killed by God for wickedness, Judah then said to Onan, his second son to sleep with his brother's wife, Tamar, to fulfill his duty to her as a brother-in-law to raise up offspring for his brother." But Onan knew that the child would not be his; so whenever he slept with his brother's wife, he spilled his semen on the ground to keep from providing offspring for his brother. What Onan did was wicked in the LORD's sight; so the LORD put him to death also (Gen 38:7-10 NIV). This implied that God acknowledged the need for import for

polygamy. Levirate marriage was also applied in the case of Ruth and her “kinsman-redeemer” Boaz from whose genealogy the Lord Jesus descended from (Kunyahop 2004 pp. 231-232). Again, the import of this acknowledgement is that polygamy is condoned and not in any way a nascent development. Further, they cite David’s punishment for his marriage to Bathsheba because of coveting, adultery and murder of Uriah, the Hittite and not because of polygamy. For, prior to this time, David had married so many wives and concubines, yet he was not sanctioned, until he coveted, committed adultery and killed Uriah, offences that were forbidden in the ten commandments in exodus 20:13-13. This view agrees that it was as result of his murder and adultery, that David’s concubines sexually abused in broad daylight and there was constant bloodshed in his household (Kunyahop 2008 p. 233).

Polygamy: Biblical and the African Perspectives

The Biblical Old Testament worldview and the African world have many things in common, one them being on the issue polygamy as was practiced in the Old Testament, with particular reference to levirate marriage. Kunyahop (2008 p. 224), citing Ralph D. Winter, states that: polygamy as practiced in the (Bible) and in Africa ensures the bearing of many children so that the status and property may be passed on, and the family may become extended in space and time...polygamy serves the prosperity and growth of extended family and provides status and support for women in societies where they have no vocation other than marriage and the bearing of children to the husband’s lineage...it provides solution to a wife’s infertility.

Africans generally do not regard polygamy as being an adulterous act just as we have seen in the biblical passages about Abraham, Jacob, David and Solomon. Africans however, view adultery as disgrace and shame not only to those caught in it, but as sacrilege brought on the community and was punishable with serious sanctions. Mbiti (1982 p. 147) agrees that when adultery is discovered, the man involved is whipped, stoned to death or made to pay compensation or have his head or other part of the body mutilated. Kunyahop continues that special cleansing rituals were required so as to remove the shame and guilt of such behaviour. Sometimes it involved forcing the culprit to drink excrements of a black dog and the hanging of a testicle of a goat on the neck of the adulterer (2008 p. 224). In the Holy Books, punishment for adultery was death (Lev 20:14).

Geisler (2008 p. 299-301) says that the basic elements of Godly marriage include:

1. Marriage is between a male and a female and there is no accommodation for homosexual marriage.
2. Marriage involves Sexual Union and it is referred to as a “union of one flesh”. Sexual union before marriage is fornication while sexual union after marriage is adultery. Paul’s usage of the same phrase in ICor.6:16 to condemn prostitution is understandable. God commanded that the male and female he created should propagate children, thus same sex marriage cannot procreate.
3. Marriage is a companionship (Mal. 2:14). Marriage is more than a sexual union. It is also social and spiritual union of friendship between the couples. Sexual union in marriage is anchored on propagation (Genesis 1:28), unification (Genesis 2:24), recreation (proverbs 5:18-19).
4. Christian marriage involves a covenant before God. It is not a union between male and female involving sexual rights but it is a union based on covenantal mutual promises of a man leaving mother and father, cleaving to his wife. Both Mal. 2:14 and Prov. 2:17 talk about the covenant relationship of husband and wife as that of God and Israel. From these two passages it is evident that marriage is not only a covenant, but one of which God is a witness.

Consent and approval in marriage

Clark and Rakestraw (2007 p. 232) observe that for any marriage to be effectual there must be consent and approval. He notes that the consent of the partners and of the parents must be obtained; Hagar and Ishmael (Gen. 21:21), Shechem and his father Hamor in Gen. 34:4-6. There must also be a public avowal which could include a marriage contract as well as legal and social customs (Gen.29:25) such as where Shechem discussed the bride price and gift items with Dinah’s father (Gen. 34:12).

African perspective on divorce

In the African worldview the main aim of marriage is to procreate. This underscores why divorce cases are high in Africa when such marriages do not produce children. A woman who is married and cannot bear children is sent away packing. In extreme cases, even when she bears children and all are females, the husband is at liberty either to divorce and remarry or simply marry

another wife who will give him male children or at least one to continue with the family's lineage upon the death of parentson divorce.Childlessness is the single most important impediment affecting marriages in Africa.According to Kore, a husband will divorce his wife or marry additional wives in order to have children. A childless wife due to inability to conceive, abortion or miscarriage is looked down upon with shame and abuse (Kore 1989 pp. 95-99).Bujo adds that "a married couple with no children is like a dead tree in the eyes of the African community" (1998 pp. 94-99). Those who are in agreement with this school of thought on divorce articulate that marriage should be done in stages i.e. trail marriage, also called provisional marriage, and until the wife is pregnant she should not be accepted fully as a legitimate wife.

Perspectives on Christian Divorce

Divorce continues to be a sour grape for Christian ethicists as there is no common agreement for reasons for it. Moralists observe that divorce was permitted in the Old Testament and Jesus may have given a leeway about sexual immorality and there may be instances where divorce may seem ok! for the good of the children as well as for the spouses. Denise Carmodynotes that even Roman Catholicism which has been hardest hit on the divorced, forbidding remarriage under penalty of being banned from the sacraments, now does more pastorally to help the divorced people gain annulments and continue an active church membership (1993 p. 175). Moses' teaching in Deuteronomy 24:1-4 is appealed to by proponents of divorce (Kunyahop 2008 p. 250). Other passages alludedto are God's query to unfaithful Israel where He asks Israel "Where is your mother's certificate of divorce with which I sent her away? (Isa 50:1 NIV). Also in Jer 3:8, The Lord God gave faithless Israel her certificate of divorce and sent her away because of all her adulteries. These passages seem to give credence to divorce on account of adultery in the Old Testament by the issuance of a certificate to annul the institution of marriage. Thus the instrumentality of divorce was the certificate which legalized the nullity of the marriage contract.

John Wilkinson has summarized the essence of Christian marriage thus:The purpose of an expression of human sexuality in the Christian understanding is to be found in marriage relationship. For the Christian sex means marriage, marriage means monogamy..... and love and fidelity within Christian marriage (1988 p. 182). This therefore presupposes that in Christian marriages divorce should be avoided at all cost. Alternative ways of settling disputes between spouses should be sought for such as guidance and counseling from Church counselors and other specialties on marriage issues.

Arguments for and Against Divorce

Christians are divided on the issue of divorce. There are three arguments put forth as follows: There are no grounds for divorce. There is only one ground for divorce. There are so many grounds for divorce.

Proponents of no divorce school of thought give the following reasons to support their claim:

Divorce contravenes God's plan for marriage. In the New Testament, Jesus echoes the law when he told the inquisitive Pharisees 'Anyone who divorces his wife must give her a certificate of divorce. "But I tell you that anyone who divorces his wife, except for sexual immorality, makes her the victim of adultery, and anyone who marries a divorced woman commits adultery (Mat 5:31-32 NIV). When the Pharisees asked further, "why did Moses command that a man give his wife a certificate of divorce and send her away in order to trap Him, Jesus replied that "Moses permitted you to divorce your wives because your hearts were hard. But it was not this way from the beginning (Mat 19:8 NIV). Paul's statements on divorce are a categorical no to divorce for married couples. He says, "A wife must not separate from her husband. (1Co 7:10 NIV) but if she does, she must not remarry. Here, Paul is categorical that a divorced wife must not remarry, but he has not expressly stated whether a divorced husband could remarry. Paul's advice to the believer who marries an unbeliever is loaded with conditions of "if" and "willingness" on the part of the spouses. He says, if any brother has a wife who is not a believer and she is willing to live with him, he must not divorce her. This applies also to the believing woman who has an unbelieving husband (1Co 7:12-13 NIV). In his final submission, Paul states that a woman is bound to her husband as long as he lives. But if her husband dies, she is free to marry anyone she wishes, but he must belong to the Lord (1Co 7:39 NIV).

A Church elder must not be a divorcee and he must be the husband of one wife (1Tim. 3:2). Divorce violates a sacred typology of the heavenly marriage between Christ and his bride, the church. According to this view the "exception" given in Matt 19:9 refers to fornication (premarital intercourse) and not adultery after marriage, therefore there is no ground for divorce what so ever.

A second view says that there is only one ground for divorce. And that ground is adultery. Proponents of this view are however quick to point out that divorced persons are not to remarry (Matt 5:32). They cite Jesus and Paul teaching to back

up their claim. The teaching of Jesus in Matt. 19:9 where He says “except for marital unfaithfulness” permits divorce, however it does not permit remarriage, even as this is considered adulterous (Kunyahop 2008 p 253). One view holds that the Greek word *πορνεία* “*pornea*” used includes all illicit sexual relationships of married and unmarried people such as unchastity, prostitution, fornication, and various kinds of unlawful sexual intercourse (Mt 5:32; 19:9; Mk 7:21; J 8:41; Ac 15:20; 1 Cor 6:13). Therefore, on the ground of any these, divorce is permitted. Another argument for this view holds that “*Pornea*” refers to sexual unfaithfulness (adultery) after marriage by one of the partners and it should be the only ground for divorce (Geisler 2010 p. 310). Yet the other view submits that Matthew’s usage of the word “*pornea*” is referring only to fornication and not adultery. This is supported by his usage of the terms *μοιχεῖται*, adultery, and *πορνεῖται*, sexual immorality (fornication) separately in Mat 15:19 as one of the seven listed items that defile a person. The Marcan list of thirteen things that defile (Mark 7:21-22) is here reduced to seven by Matthew, that partially cover the content of the Decalogue in Matthew 15:21-28. It is observed that in both Mark 10:11 and Luke 16:18, the authors made use of the verb *μοιχεῖται*, *moicheia* and they did not use the verb *πορνεῖται* in their writing. So it is only Matthew that mentions the ‘exception’ of *pornea* which he refers to as fornication. This exception is explained by his Jewish background to emphasize Jewish exception to premarital fornication as led down in the mosaic law in Deut. 22:13-21.

In 1 Cor. 7:10, Paul also shares on his thought on divorce issues. He legitimizes divorce in a situation where an unbeliever is married to a believer and the unbeliever decides to leave the marriage. In 1 Cor. 7:15 he says “if the unbeliever leaves, let him do so.” A believing man or woman is not bound by their marital vows in such circumstances. However, remarriage is forbidden.

The last view is that there are many grounds for divorce.

The act of adultery is a good reason for divorce (Matt 19:9, Matt 5:32). When an unbeliever deserts one of the believing partners in marriage, divorce may be allowed (1 Cor. 7:15). Where there is spousal abuse or one of the partner’s contracts as infectious disease or neglect divorce could be effected (Geisler 2010 pp. 306-307).

This view is supported by the Mosaic Law in Deut 24:1-4 which stipulates that the if the man “finds something indecent about her” he may divorce her in spite of the Lord’s hatred of divorce as recorded in Malachi 2:16. The hardness of hearts of the Jews, it would appear was the reason why God permitted divorce but it

was not intended to be so from the beginning. God therefore understood that in a fallen world, the ideal cannot always be realized therefore He accommodated divorce in his plan. It is further noted that God even divorced Israel and gave her a certificate of divorce sending her away as an adulteress (Jer. 3:8). Prophet Isaiah concurs when he says “where is your mother’s certificate of divorce with which I sent her away” (Isa. 50:1)? Implying that divorce was permitted.

Supporters of this school of thought argue that marriage is not an unconditional vow but a mutual vow hence a conditional vow may be broken by the aggrieved party (1Cor. 7:15). The view continues that marriage becomes legalistic when divorce is not allowed. They cite Jesus saying to the Pharisees “the Sabbath was made for man, not man for the Sabbath” (Mar 2:27 NIV) to back up their assertion that “likewise marriage was made for man; man was not made for marriage” (Geisler 2010 pp 306-307). This last view of divorce on many grounds apart from adultery allows remarriage. Kunhiyop (2004 p. 306) asserts that those who hold this position also permit divorce for other reasons such as mental illness, desertion, abandoning the faith (such as becoming a witch or member of a secret society), conviction for a crime, and imprisonment for a serious crime such as murders. This position allows remarriage for the innocent party

From the foregoing three schools of thought on divorce, it can be conjectured that God intends that marriage be a lifetime monogamous relationship and this is God’s standard for Christian marriage. Divorce therefore is breaking God’s command. God hates divorce and there are no scriptural grounds supporting divorce. Divorce is failure to measure up to God’s standard destroying his plan for marriage.

Remarriage

We have noted above that there may be many grounds for divorce besides adultery, such as mental illness, desertion, abandoning the faith, conviction of a crime, imprisonment for a serious crime like murder (Kunyahop 2008 p 253). They argue that just because divorce is always wrong, this does not mean that remarriage is never right. The view continues that while lifetime marriage is God’s ideal, the ideal is not always possible because we do not live in an ideal world but a real world that is fallen. Therefore, when the ideal is not achieved, then the next best thing should be done (Geisler 2010 p.388). To buttress their point, they note that just as God allowed the children of Israel to observe the Passover on the second month (they could not observe it in the first month due to uncleanness) even so remarriage not being God’s ideal, should be a realistic

accommodation to a less than idealistic world (Geisler 2010 p 308). Other reasons given to support remarriage include forgiveness. This can change one's status before God. God told his "divorced children" to repent and return to him (Jer. 3:1-14). This meant that repentance out rightly voided their divorce. Therefore, they argue that repentance cannot cancel the adulterous status of the divorced to remarry (Geisler 2010 p 308). According to this view divorce was not an unpardonable sin as it is only blasphemy against the Holy Spirit that is unforgivable (Matt. 12:32). The Bible says if we confess our sins God is faithful and just and will forgive us our sins and purify us from all unrighteousness (Geisler 2010 p. 308). The other reason has to do with the fact that divorce laws were made to help couples, not to hurt them, citing Jesus in Luke 14:5 when he declared that the Sabbath was made for man, not man for Sabbath, (Mk. 22:7). When marriage and divorce becomes legalistic at the expenses of showing mercy to the divorced then we are thrown neck deep into legalism which Jesus talked against.

The biblical texts as we have noted that deal with the issues of divorce and marriage include:

The mosaic regulation (Deut. 24:1-4), The prophetic protests (Mal. 2:13-16), The teaching of Jesus (Matt. 5:32, 19:9, Mark 10:11-12 and Luke 16:18) and The teaching of Paul (1Cor. 7:10-16). David Clyde has observed that "the covenantal perspective on marriage is so much part of the Old Testament religion and culture that God's covenant with Israel is often pictured in such terms. Sadly, however, the figure of the marriage covenant is exploited primarily in dealing with Israel's apostasy (188). The Prophets Hosea, Jeremiah, and Ezekiel represent Israel's infidelity to the Sinaitic covenant as committing adultery and fornication".

The mosaic regulation of Deut 24:1-4 tolerates divorce to the woman who finds no favour in the first husband and the second husband is said to divorce her simply because he dislikes her. Moses said:

When a man takes a wife and marries her, if then she finds no favor in his eyes because he has found some indecency in her, and he writes her a certificate of divorce and puts it in her hand and sends her out of his house, and she departs out of his house, and if she goes and becomes another man's wife, and the latter man hates her and writes her a certificate of divorce and puts it in her hand and sends her out of his house, or if the latter man dies, who took her to be his wife, then her former husband, who sent her away, may not take her again to be his wife, after she has been defiled, for that is an abomination before the Lord. And

you shall not bring sin upon the land that the Lord your God is giving you for an inheritance) (Deut 24:1-5).

Because of the patriarchal system of the Jewish people, marriage laws never favoured the women who could be at a disadvantage at any moment of being divorced without any rights to claim. The divorce practice witnessed under the mosaic regulation was however given knocks of protests by prophet Malachi. Malachi protested against two specific instances of covenant infidelity: entering into marriage with pagan wives and divorcing “the wife of your youth”. Thus it can be seen in Malachi protest in chapter 2 and particularly at verse 16 which says, He hates divorce because it covered “one’s garment with violence” (Mal. 2:16 NKJV).

The teaching of Jesus and Paul has so much been treated above vividly. But mention must be made that both Jesus and Paul did not tolerate divorce. Christ condemned what Moses accepted in the Deuteronomy code about divorce saying it was because of the hardness of their hearts that Moses allowed divorce.

Clyde Jones (1998 p.201) however observes that “scripture does not forbid remarriage in such cases as desertion” where one partner decides to abscond the marriage without any cogent reason. Where genuine conversion is evidenced by sincere and heartfelt repentance and faith in Christ the church after providing pastoral counseling and instruction in biblical teaching about marriage may approve remarriage in the lord.

Ethical Implications of Marriage and Divorce

It must be noted that Christian marriage is for life. Christian marriage is also monogamous and indissoluble. God’s intention for marriage is that it should be enjoyable, faithful and lifelong (Gen1:24, Matt 19:5-6 and Rom7:2-3). Divorce is against God’s law of marriage. Divorce is breaking Christian Ethics on marriage. God says he hates divorce (Mal 2:16). The aftermath of Divorce is undesirable. Its effect is traumatic, psychologically socially and even mentally destructive. Divorce shatters hope and aspiration of families as its damage is irreparable. Divorce frustrates Gods purpose for marriage as the victims: husband and wife, the children, the family experience psychological pain, loses alienation, frustration, disillusionment, recrimination and guilt.

The Biblical example of marital unfaithfulness of King David with Bathsheba is glaring for us to learn lessons from. The child of adultery died and there was rivalry between the line of Bathsheba and David’s first wife. Solomon himself

indulged in chronic polygamist life and this led him to spiritual apostasy as he turned to foreign gods after his foreign wives (2 Sam 11). Ethically they argue that some laws are higher than others. There are greater virtues like love and mercy and when these come in conflict there is an obligation to the higher moral law while not being held responsible for keeping lower one (Geisler 1990). Therefore, even when divorce is wrong, there may be occasions when a greater responsibility will override this law.

Conclusion/ Recommendations

The marriage institution is ordained by God himself, and it is intended to foster procreation, companionship, unity, love and pleasure among the spouses. While marriage is not eternal, it is meant to last till the death of one or both of the spouses with or without children as against the norm in African cultures where marriage is merely seen as a venture for producing children. This is against the backdrop of African worldview of marriage which sees procreation as the ultimate reason for marriage. Divorce is not God's ideal for solving marital problems. While the challenge of marriage, divorce and remarriage will continue to pose great concerns to the church and society, the church has to be cautious in dealing with these challenges prayerfully, while guidance and counseling is to be given to its members about the dangers of divorce and remarriage. The marriage institution regards the permanent characteristic of marriage as an essential ingredient and this must be taught to the society by the church. The spirit of give and take has to be put into use by the spouses for marriage to succeed. When problems arise in marriage, they must be dealt with immediately by the acknowledgement, confession and forgiveness. When marital issues are attended to, that could lead to failure in marriages and the ugly sad result is divorce. Forgiveness is a virtue that must be practiced by the spouses who want the marriage to succeed. Marriage that are collapsing must be salvaged through counseling, if such counsel fails, the causes that led to the break down must be recorded and kept for future references. Divorce should be the last resort when all has failed. Remarriage should not be rushed into and should be considered thoughtfully and approved where there is need.

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