

## 2. THE REFORMATIONAL VIEW OF MARRIAGE

Unlike most previous Christian thinkers upon the subject, Dooyeweerd begins his analysis of marriage by analyzing its individuality structure. The normative structure of marriage alone avoids the problematics connected both with the collectivist institutional and with the individualist romantic view. Marriage is founded upon the sexual biological attraction of a man and woman for each other, but it is qualified by the permanent typical bond of love occurring between them in their full temporal existence and thus expressed in all the modal aspects. With respect to its internal structural principle, the marriage community includes more than a biological union; it is also emotive, analytical, historical, lingual, social, economic, aesthetic, juridical, ethical, and pistical (faith aspect of creation). Marriage is ethically, not legally, or ecclesiastically qualified, since its end or purpose is love. It does not exist merely for the propagation of the human race as Roman Catholics suppose, nor is it a legalized form of fornication as many humanists have supposed. For both Roman Catholics and legalistic Protestants conjugal love can only play a secondary role in marriage, not the essential function. For this reason Dooyeweerd roundly rejects such a view on the grounds that it is sub-biblical. He writes:

The idea that the juridical (legal) function is the "leading" or "qualifying" function of this internal structure of the marriage community is untenable and in open conflict with the Biblical view. For instance, contrast Ephesians 5:31, where the bond of married love is clearly conceived as qualifying the "being one flesh." This bond of love has its religious consummation in Christ's love of His Bride, the Church, which in the supra-temporal fulness of meaning is also one body with our Saviour.

As soon as the juridical viewpoint acquires the leading role in the conjugal relationship, it is by nature an external legal viewpoint.

And if the marriage partners give to an external legal order the leading role in their communal relationship, this is clear evidence of the complete ruin of their inner bond. Nor can a civil or ecclesiastical legal order be the foundation of marriage in its inner structure. This foundation is of a biological, not of a Juridical character.<sup>26</sup>

Does not a marriage stand in danger of breakdown if it is not legally qualified? If conjugal love is the qualification of the marriage bond, how can it continue when such love disappears? And if the answers to these questions are in the negative, does not this prove that only as a

legal institution can marriage be held together, regulated by either civil or canon law? To these pertinent questions Dooyeweerd answers:

Our answer is that the marriage institution as such is identical with the structural principle of this community.... The inner nature of a marriage bond is not determined by a contractual agreement between two persons of different sex which satisfies the conditions determined by civil or canon law. Those who unite as husband and wife enter into an institutional community whose structure is in no way dependent on their subjective arbitrary discretion. From the outset they are subjected to its institutional law.

The normative character of the institution of marriage implies that its continuous identity cannot be dependent on the arbitrary way in which from moment to moment the subjects behave in this structural bond. But this does not mean that the continuous identity of the bi-unitary bond of marriage is to be found only on its law-side. There cannot exist any individual community if its structural principle is not subjectively realized to some degree. The unity in duality existing between husband and wife should be realized subjectively, be it in an imperfect way.... In this sinful world the marriage partners by no means always behave conformably to this structural law.

But may we yet speak of a marriage bond if the partners constantly adopt an anti-normative attitude with reference to the internal structural principle of their union and continually live together as strangers, or even enemies? In such a case there is no denying that the internal bond of marriage is not subjectively realized, not even in an imperfect way. Unfortunately this is the state of affairs in many a marriage contracted rashly or from utilitarian motives. Then sin mercilessly puts to shame the tenderest and most intense temporal bond that God in His order of creation has given to man as a task<sup>27</sup>

Does this mean that Dooyeweerd advocates divorce by consent of the partners to a marriage who have become estranged from each other? Does he agree with A. P. Herbert that such a state of "Unholy Deadlock" should be put asunder? Is marriage purely a private affair involving only the two people most concerned? Such arguments for the dissolution of marriage forget that moral love is a permanent norm that can be realized only by God's grace in Jesus Christ, but which is not destroyed as a norm by an anti-normative attitude on the part of the parties of a marriage. Romanticism has identified marital love with an exotic feeling

and because of its underlying psychologism has lost sight of a normative view of life. It deprecates marriage in its idolization of "free love."

By moral love Dooyeweerd therefore does not mean mere physical attraction or what is called falling in love. This may mean anything from physical attraction to mere infatuation. In most modern cases it amounts to what the Greeks called Eros, that is, passion or lust. According to Dooyeweerd, marriage based on passion cannot hope to last any longer than the passion lasts. Such love in the sense of eros is changeful in its very nature. As Dooyeweerd sees it, marriage is based on fidelity or faithfulness. Now such faithfulness means waiting while true moral love between a young couple develops. Love in this sense means caring for the other person as one cares for oneself. To love one's wife means to care for her because of what she is and not because of anything she can give you or do for you. To love your husband means to treat him as an end in himself and not as a means to your own satisfaction. In short, real marriage is not a traffic in selfishness but a giving of one's self to the other totally and completely. You give yourself to your wife and she gives herself to you. Such a giving of one's self is possible only by God's grace. Only by receiving such a gift from God's Holy Spirit can we hope to love in this deep sense of the word. Brunner points out that it is God the Creator who created both the structure of existence binding a father and mother to their child and also the love of each towards the other two. He says:

This uniqueness of love has been created by the Creator for the sake of the uniqueness of that "structure of existence"; to Him it is the means for that end; but it is not only a means, for even the Creator never makes use of human relations merely as means. It is His will that in natural love man should experience that structure of existence as a state of being bound together in responsibility, that love should find its own meaning, which is called fidelity, in this fact of being bound together.... So long as love does not become fidelity, sex union simply means-as people rightly say-that the one "makes use" of the other, even though this may be willed by both sides and be mutual; it still remains subpersonal, the enjoyment of the other, not identification with the other. It is not Eros, but solely the responsibility of fidelity, which creates the bond of matrimony... .

The meaning of the divine order of creation in marriage is this: it is life in community of two persons of different sexes, a community which is complete, based on the natural foundation of sex love, but only fulfilled in the recognition of the fact that by divine appointment they belong to each other.... To experience this meaning

of marriage is grace-the grace which is in Christ, whose most essential element is forgiveness... .

Marriage is the "school" of community, created by God, in which man-learn "learn" that he cannot live as an individual, but only in so far as he is bound up with the other, as also that each one of us has received his or her own life from such a connexion between two persons .<sup>28</sup>

Marriage is the method which God has chosen to teach us to live for others. And because it is the most important school in life, it has its own disciplines. Like all good disciplines, it is designed to help us to mature. A man who leaves his wife because of her bad temper or sharp tongue may be behaving as a child. We mature only through solving difficulties, not by running away from them.

In his books *Return to Religion* and *Rediscovery of Personality* Link has shown that ninety percent of the people who obtain divorce were as much to blame as their partners. And that is why so many divorcees make a mess of their second, and even third marriages. Such people are spiritually incapable of assuming the responsibility of marriage.<sup>29</sup> For this reason Havelock Ellis' counsel should be heeded by leaders in both Church and state:

Alike from the standpoint of reason and of humanity the gate that is easy on ingress must be easy of egress; or if the exit from marriage is necessarily difficult then extreme care must be taken in admission.<sup>30</sup>

Instead of advocating easier divorce then, let the "reformers" tighten up the law regarding getting married.

While the state does not conclude a marriage (since marriage is established by the promises of the bride and groom to remain faithful to each other), it is concerned with the possible social and legal consequences of such a marriage. The state is concerned with marriage because marriage, in addition to its internal functions, also functions externally as a civil legal institution. Marriage is *enkaptically* interwoven with the state and with the Church if both parties involved are church members. Indeed, a marriage may be ruined internally, but with regard to its external relations in human society it is not thereby *ipso jure* dissolved. As Dooyeweerd points out:

The marriage bond functions in numerous enkaptic interweavings and as such it is never a matter that concerns husband and wife only in their relation to each other and to God. It is, just as the family, a pillar of human society. According to the divine order of creation it is a union for life. For these reasons the formal dissolution of the marriage bond may not be left to the sinful arbitrariness of the marriage partners, especially not in times when public opinion no longer respects the institutional character of this bi-unitary community.

If marriage can be formally undone so easily, it spells ruin for human society. In its external enkaptic interweavings the conjugal bond comes especially to the fore in its external function as a civil or, at a more primitive stage of society, a tribal law institution. Human licentiousness in this field meets with an external restraint. In case the internal marriage bond has been definitively broken, only the civil or tribal law order is able either to keep an external frame of the bond intact with the constraining power of the State or the tribe, or to give a binding regulation of its formal dissolution....

Civil law or tribal law respectively regulate the general conditions for contracting or dissolving marriage, together with other points that are of general importance for the civil law relations, in which the marital bond functions.... The "lawfulness" of a marriage depends on its satisfying the general conditions of contracting it established by these legal orders.... In other words, in the regulation of these enkaptic interweavings of marriage with other societal relationships it is really the civil, or tribal, or canon law function of marriage that takes the lead....

But this external legal framework of marriage should not be confounded with the internal structural principle of this bi-unitary community. The proper internal stability of the latter must never be founded in its supposed essence as a civil, or an ecclesiastical institution. This internal unity cannot at all be maintained by any external legal order, as it can only be realized under the leading function of faithful married love.<sup>31</sup>