INTERNATIONAL COMMISSION ON

COUPLE AND FAMILY RELATIONS

SUSTAINING SUCCESSFUL MARRIAGES AND RELATIONSHIPS:
- DREAM OR REALITY?

55th Annual International Conference

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CONTENTS

A report from the Chair of ICCFR/CIRCF

Introduction

In some ways, I have found these reports difficult to write. I find myself wanting to "reproduce" for those who were not able to be present a real experience of the Conference. Of course, this is more *dream than reality*, though I hope that you will gain some flavour of our event in Helsinki this year and, if you were present, that you will have some added insight or additional knowledge.

Many people have commented since June on what a wonderful experience Helsinki was. Who knows what the comparison is based on but clearly this was a very satisfying event. Certainly, as one of those charged with its organisation, I can share that good feeling.   The 55th Conference was certainly aided greatly by the main partner organisation, Väestöliitto, the Finnish Family Organisation with additional support from the Office of the Church Council, Finland.

Most delegates stayed at the Hotel Haaga, the conference venue, though a small number were located in other hotels around the city. This did not seem to create too much of a problem and allowed for a flexibility especially for those who needed to watch their budgets. The hotel itself was comfortable and afforded us good accommodation in the attached conference suite. The added attraction for the conference this year was the holding of "Helsinki Day", on 12th June, to celebrate the founding of the city in 1550.   For those who were able, the evening of that day was a good time to be in the city for local entertainment and cultural events.

For the first time in a number of years, there was a good attendance, with delegates in excess of 100 participants. This was also in no small measure due to the large number of delegates from the Scandinavian countries, notably Finland. So, we were not too large so that intimacy was lost, but large enough to provide enough diversion and diversity for participants.   In addition, of course, it was a truly international event with delegates from each of the continents.

Pre-conference – Tuesday, 10th June

Väestöliitto had organised a pre-conference event at its own well-appointed premises. It was a comprehensive programme that focused on the following elements under the title of *The Finnish Way to provide Well-being of Families*:

- *The Nordic Welfare model and the well-being of Finnish families*, presented by Ismo Söderling, the Population Research Institute, Väestöliitto;
- *Policy programme for the well-being of children, youth and families*, presented by Georg Henrik Wrede, Ministry of Education;
- *Policy programme for health promotion*, presented by Maija Perho, Ministry of Social Affairs and Health;
- *Promotion of sexual and reproductive health Action Programme 2007-2011*, presented by Marjaana Pelkonen, Ministry of Social Affairs and Health;
- *What is good for Little Mary? A Model for Child Impact Assessment,* presented by Sirpa Taskinen, the Finnish Association for Child and Family Guidance;

- *Fighting against the Fragmentation of Welfare Services: the Finnish Family Centres at work*, presented by Riitta Viitala, Ministry of Social Affairs and Health, Juha Metso, Deputy Mayor of Espoo, and Vuokko Malinen, Väestöliitto;
- *Väestöliitto as an active partner in policy implementation Know-How in the in increasingly Diverse Society*, presented by Sinikka Kumpala, Väestöliitto
- *Promoting Sexual Health*, presented by Anna Katiranta-Ainamo, Väestöliitto.

Because of the size of the venue, numbers for this event were limited. About 40 delegates arrived for the afternoon-long session and went away, I suspect, very well informed about the Nordic Family model. On reflection, the presentations and information was so good, it was a shame that more conference delegates were not able to attend.

From this event, delegates made their way out to the Hotel Haaga to register and have a reasonably relaxed evening, supported by good food and some quite brilliant piano playing from a young pianist (the brother of Marika Koski, one of the organisers from Väestöliitto).

Conference – Wednesday, 11th June

The conference was formally opened by the Minister for Social Affairs and Health, Dr Paula Risikko. She warmly welcomed all participants to Finland and hoped that we would have a profitable event. She also invited everyone to a social gathering that evening in the Ministry. It is always particularly pleasing and important that ICCFR is welcomed, where possible, by local people who have responsibilities in our general field, so we were more than pleased that Dr Risikko had taken time out of her busy schedule to spend time with us all at the beginning of the conference. As a prelude to that, we were offered some local and traditional music, by cousins of Heli Varannen, to provide us with a *slice* of Finnish culture.

Professor Göran Therborn, from Sweden, currently working at Cambridge University in the UK, gave the first keynote presentation. His theme was of how marriages and families had been successful in shaping the world. I was particularly struck by his opening remark – the job of families is to "turn little animals into human beings"! I found the comment jarring, but also quite true – I had never considered the socialisation process in such terms. He attempted to provide us with a broad view of marriage and family and its impact at a macro level, as opposed to the inevitable and important *myopic view* of social work and therapy.

He went to wonder with us how it was that some countries seemed to produce dynastic families that had a very powerful impact on the said countries, and on the rest of us. He noted this in such families as the Clintons and that of George Bush, in the United States of America, and the Bhuttos in Pakistan, as examples.

In looking at family and social relations, he touched on that oft developed and debated sociological phenomenon of *agency* and *structure*, particularly that stronger families and family structure seemed to suggest less equality of opportunity. I was reminded of the work of Elizabeth Beck Gernsheim who has viewed marriage from this perspective, wondering whether equality is at all possible in marriages in current society.

I know, from reactions around the hall and those afterwards, that his remarks that divorce was not important were viewed with either scepticism or disbelief. However, he did stress that for those directly involved it was clearly important, and that his focus was on the wider society within the current Western European concern about divorce and family breakdown. He felt that it did not really shake the fabric of society, clearly a contentious issue.

My final observation from his presentation was that, correctly, he identified how important family was in societies by reflecting on the respective status given to family Ministers, as opposed to those responsible for War or Defence – a telling comment, and quite appropriate given the country we were holding the conference in. Clearly, Finland does commit much of its financial resource to family support, as opposed to other resources, and we had had a clear presentation on the previous day, and from Dr Risikko, of how this is put into action.

After lunch, delegates moved into the first of the Discussion Groups and then onto the first set of Workshops. I will comment separately on these two elements of the Conference later on in this report.

The end Wednesday was a very splendid affair. We were firstly invited to the Ministry of Social Affairs and Health for a reception given by Dr. Risikko. She again spoke warmly in welcome and hoped that we would all enjoy our time in Finland, as well as working hard in the Conference. From there, delegates moved to Väestöliitto for an evening's entertainment. Delegates were free to mingle informally over drinks and refreshments, and we were welcomed warmly by our Finnish colleagues, many of them in traditional costumes. However, the real feature of the evening was an impromptu *concert* with delegates each taking time to sing a song from their own country. This really brought the internationality of the gathering to life and provided us all with a very fitting, amusing and enjoyable end to the first day's activities.

Thursday 12th June

Thursday morning proved to be both very busy and informed. The second keynote presentation was given by four lawyers from the American Academy of Matrimonial Lawyers – Anne Berger, Joanne Wilder, Anita Rodarte and Suzanne Harris. They focused on the history of marriage but cleverly looked at it in circular and cross-grained approach, each giving a different presentation on Anthropology, Religion, Legal matters, and the issues in 21st century. Therefore, we moved back and forth in time and were treated to a superb presentation on this important topic.

I was reminded by their presentation, from within the current debate in the UK on the supposed crisis of marital breakdown, of how relatively *young* the phenomenon of marriage is in its present state. We were reminded of how marriage only latterly became a part of the lives of ordinary people – some synchroneous echoes here for me in Göran Therborn's dynastic families. Also, how marriage had been shaped by the demands of society – a need for soldiers, of limited interest for Governments until stability became threatened, and of how *love* and *affection* have been only recent *attenders at the feast*.

They noted how the emergence of Christianity had been a defining moment for marriage but also how the marriage tradition and ritual was rich, and similar, in different religions and societies. We

were treated to some stunning slides of different marriage ceremonies, highlighting the similarities and necessarily showing the differences.

The legal imperatives were also explored and it was suggested that the legal position of marriage in any one society was defined, largely, by the legislation and rubrics surrounding the relationship. Inevitably, the end of marriage, divorce, was explored at least in its aetiology, and it is clear that certainly one of the drivers in the development and licence for divorce was to allow people to re-marry.

The final part of their presentation focused on this century and the issues that people were facing in current society. There are clearly a large number of new elements that are now shaping and defining marriage – trans-racial marriages, gender equality, children's rights and single parenthood.

These brief notes I have offered to little justice to this well-rounded presentation. The full text of their offering was available for participants and this will be reproduced in the Conference publication later this year. I found the ideas presented more than interesting since I am continually struggling and debating in my own country with many who have a view and attitude to marriage that bears little resemblance to its history and growth over time. Thus, I found this presentation more than helpful in setting in context some prejudices and attitudes that sometimes can be less than helpful, particularly for those who have to suffer the breakdown of their marriage.

Our second keynote presentation on Thursday came from Professor Osmo Kontula, on the *Role of Sexuality in Couple Relationships.* Again, Osmo provided us with a detailed pre-conference text so I do not intend to repeat what he said. His approach was very interesting where he began by siting sexuality within tradition and culture, in an effort to understand it as a phenomenon and feature of adult life. He spoke of the natural and dynamic role of sexuality and its expression, and of the *miracle* of passion. It is through passion that we are not in control thus allowing the possibility of sexual activity. He spoke to its primitive nature and also of its role in keeping the couple relationship going.

Given the importance of sex in marriage, he also gave time to explore unfaithfulness as a concept, and its impact on relationships. Certainly, in the organisation that I work for, we find that unfaithfulness is a very difficult obstacle for the couple to get over, and Osmo suggested that it is even more serious and important than the end of love. Sexual union is a very private and primitive experience and the act of choosing to be involved in such activity with another and then for this to be fractured, through unfaithfulness, has far-reaching consequences for couples.

As in the previous presentation, he also touched on how religions had had an impact on this aspect of marriage and adult life, certainly by the negative framing of sexuality often related to Christianity. He posed the question of how this could be, given that we are faced with something that is so natural and innate to our existence and experience.

Importantly, he also touched on the changing nature of sexual expression for a couple over time. Again, in the organisation I work for, we constantly have to help people understand this change. Indeed, romantic feelings and strong sexual expression and activity are vital at the outset in a

relationship, but this changes over the years, giving way to other elements, such as companionship and togetherness of a different nature.

Workshops

Wednesday, 11th June, saw the first set of Workshop presentations.   With such a number and diversity, it is almost impossible to convey here the rich variety of discourse and sharing.   The presentations on this day were:

1. *"Marriage preparation and counselling: keys for the success of the couple?* presented by M. Stanislav Dostál (Czech Republic) and M. Hubert Heek (Germany);

2. *"Lifelong Marriage Preparation?* presented by Deirdre Whitley and Christine May, MRCS (Ireland);

3. *"Family Companies in Crisis: Dealing with Family and Organizational Issues and Relationships"* presented by Lilian Edith Vargas, Attorney at Law, Trainer of Conflict Resolution Trainers, Master of Arts in Conflict Resolution (Argentina);

4. *"Changing Patterns of Marriage and Family in India."* presented by Dr Parul Dave (India).

5. *"Bringing Children into Focus with Separating Parents"* presented by Pam Lewis, and Gail Westcott, Relationships Australia.

I attended workshop number 3 and found it a fascinating exploration of how family businesses, perhaps not surprisingly, get into difficulties because of inter-personal problems and power struggles that beset the families themselves. There was the usual high level of participation from delegates. Anecdotally, I learned from others of their respective good experiences in the above workshops and it is easy to see the rich diversity of approach and culture represented in these events.

On a sombre note, we learned on the day of the workshops of the sad and untimely death of Doreen Corcoran, who was to have co-led workshop 2. Many of you in ICCFR will know Doreen especially for her infectious enthusiasm and demeanour. She is a sad loss obviously to her family and colleagues, but also as a friend and regular participant at Conferences.

Workshops held on Thursday, 12th June were also as diverse in nature. These were:

1. *"Learning about Life through a Couple-Relationship"* presented by Jan-Christer Wahlbeck (Finland);

2. *"Evidence-based Preventive Work in Action"* presented by Karin Lübeck and Anna Sarkadi (Sweden);

3. *"Marriage Is For Now, Family Is Forever: The Changing Social Contract and Promoting Informed Response to Child Experience in the 21st Century"* presented by Julianne Greenfield and Kerry Martin (Australia);

4. **"***For Better or For Worse? Exploring Married Couples' Experiences of the Changing Meanings of Marriage and Understanding the Policy and Practice Implications of Those Meanings"*** presented by Andrew Bell (Scotland);

5. *"Choosing to attend a church-run couples counselling service: does it make a difference?"* presented by Rev. Dr. Joseph Mizzi (Malta).

Again, my own experience was in workshop 3 and I found this a very interesting and inter-active event. It felt as if all of us, from our different backgrounds and cultures were able to engage with the process offered by the presenters. Feedback from other workshops suggested that the choices made by individuals had lived up to expectations and contributed and complemented both the keynote presentations and the Discussion Groups.

Poster Presentations

A new initiative at the conference this year was the Poster and Brief presentations from a range of individuals. I think it says a lot for the stamina of both presenters and participants that at the end of a long day, there was a good level of attendance at this event. Originally, ten presentations had been planned for, but only six were presented finally. Again, feedback from those who did attend was very positive and I feel that these sessions could well become a feature in future years. The presentations made were the following:

- *The promotion of life-long, joyful, successful and beautiful marriage and family in Croatia. Is such a marriage and family life possible to all or only some people? What are the methods to accomplish such life?* presented by Marijo Živković (Croatia);
- *Pregnant women living without sustainable relationship with the father of the child – Voices of South African women heard via MNCH Channel* presented by Pirkko Kouri (Finland);
- *Preventative relationship courses for young couples* presented by Minna Tuominen (Finland);
- *Family network: Guiding Families with small children* presented by Anja Saloheimo (Finland);
- *The Relationship Centre* presented by Heli Vaaranen (Finland);
- *Kotipuu – for Multi-cultural Families* presented by Anne Alitolppa-Niitamo (Finland).

Discussion Groups

This year, the Discussions groups were reduced in operation from four sessions to three. Whilst I heard no adverse comments about this, it is vital that we do maintain this kind of format for ICCFR Conferences. A colleague of mine who has just attended a Conference in the United States of America, and who was also in Helsinki, commented that whilst the former had had a real diversity of interest and experience, what was missing was the time to reflect with other conference

delegates on understandings and events. This element has been very important for ICCFR over the years and is almost unique in conference format structures.

Each year that I have written this report, I have struggled to know what to say about these Discussion Groups. It is extremely difficult to capture the essence and experience of such an experiential setting. This year, there was a mixed set of responses or offers of feedback from the discussion group leaders. This also reflects the difficulty I set out above, I feel. My understanding, from workshop leaders, was that there was a high degree of attendance and people used the settings to work on processing their respective conference experiences, sharing and learning with other, and growing closer by consequence.

The ICCFR Debate

A new addition to this year's conference was holding a debate instead of having a fourth keynote presentation in the conventional style. Given that this was the final conference for Gerlind Richards, General Secretary of ICCFR for thirty years, I asked her if she would chair the event, and introduce the topic by reflecting on the changes and issues faced by long-term relationships over her thirty-year's tenure. To aid her in the debate process, four people had agreed to speak formally in relation to the motion, that is, whether marriage and long-term relationships were dream or a reality. The four presenters were:

Dr Samantha Callan, Care for the Family (UK);

Dr Heli Vaaranen, Väestöliitto (Finland) ;

Mr Charles Perryman, Marriage Care (UK);

Ms Anne Hollonds, Relationships Australia (Australia).

As I said above in relation to the Discussion Groups, capturing what was essentially an on-going dialogue between conference delegates is a tricky if not impossible task. The time allowed for the debate had been set at one hour and thirty minutes, though I had indicated to Gerlind that our overall timetable allowed us some flexibility. She decided to stop the proceedings after one hour and forty-five minutes! It was clear that we all could have been there for the remainder of the day such was the interest, sharing and willingness of delegates to enter into the discussion. What we also received was the wide diversity of understanding and cultural impacts of marriage for those present. Clearly, those who spoke did with conviction and knowledge, but the debate also showed that sometimes this was essentially culturally determined and society-specific of the different countries represented. For me, the responses and discussion, and the willingness of all to listen and learn, is again evidence of the real value and preciousness of the ICCFR "family". Clearly, it has been possible for ICCFR to maintain its own *marriage* over a long time, as Gerlind indicated in her pre-amble to the debate – for ICCFR, it has been reality not dream. I set out below some of the points and issues that were raised during this interesting and provoking event:

- Long-term relationship around the world are popular;
- Family breakdown is a growing issue across many continents, but more acute in some continents;

- A basic feature of the human condition is that we all hurt and that the pain from this sometimes prevents us from focusing on other important things;
- Despite the fact that long-term relationships exist, should we really expect relationships to be temporary;
- Children in a family can "hide" the conflict or isolation that the couple actually feel, and this becomes problematic when children leave home;
- There is no "level playing field" and there is clear evidence that some genders and classes are more likely to marry than others;
- For the young, they have many dreams, but these are often kept to the self, and this doesn't necessarily lead to happiness;
- Should divorce be made more difficult, to make people stop and think more before breaking up a marriage;
- There is a need for adults to take responsibility in their relationships, particularly where children are concerned;
- Our humanness means that we are always seeking pragmatic, imperfect solutions, and so we shouldn't be so hard on ourselves;
- Where relationships are more dream than reality, there is limited space for love;
- What should be the limits of state or professional involvement in the lives of couples;
- There is a need in any society to have a culture that supports and sustains relationships – without this, there can be little optimism for long-term relationships;
- Have we moved to far in the direction of personal freedom and does this militate against marriages lasting.

There were countless other comments and arguments presented, and I hope that this gives some impression of the range of discussion engaged in. My apologies both to those who spoke and are not reported, and also to those who did comment where I might have mis-interpreted their words – I always feel that the ICCFR Conference allows us *struggle* with communication, to search for meaning and understanding – very much part of our human condition and experience.

Finale, Conclusions and Thanks

As I have noted elsewhere in the text, this year was a special year in that Gerlind Richards, General Secretary of ICCFR, was retiring from her post after thirty years. The Commission was also losing its Treasurer, Simone Baverey, after a very long association with ICCFR, though sadly Simone was not able to join the conference because of ill health.

A group of people spent Thursday evening together at a dinner in Helsinki in honour of Gerlind. This proved to be a very pleasant evening at a special venue chosen by Helena Hiila, the Managing Director of Väestöliitto. It was a very historic setting and diners were treated to a brief history of the building by the staff there.

As a further and appropriate ending for the conference, Gerlind closed the event speaking about her time in the role, noting the changes over the years, but also stressing the permanence, both in structure and people.

This year's conference was a great success and many have contacted me since June to express their appreciation for the organisation and content of the programme. There are a small but not

insignificant number of people therefore to mention in this respect. ICCFR was indebted to Väestöliitto, and the Office of the Church Council, for all of the work done locally particularly in marketing the event, represented by a large number of participants from the Nordic countries, especially Finland. Certain key personnel from Väestöliitto deserve mention: Helena Hiila, Managing Director, and her team – Heli Vaaranen, Kristiina Poikajärvi, Kirsikka Bonsdorff and Jyri Vikman. During the conference itself, a small secretariat kept the "wheels turning" in a very unobtrusive way: Marika Koski, Laura Kormano, Päivi Kuismanen, Kristina Liusvarra and Sanna Suomäki. From the Office of the Church Council, our thanks also go to Martti Esko and his colleagues, who were also part of the secretariat. One of the memorable aspects of the major presentations was the presentation of scarves and ties in Väestöliitto colours – these were much sought after and are likely to become *collector's items*!

The keynote presenters, Göran Therborn, Suzanne Harris, Anita Rodarte, Anne Berger, Joanne Wilder and Osmo Kontula, are to be thanked for the time and effort they all put in to provide us with such stimulating and provoking presentations. In this context, the Workshop presenters listed above, and those who gave Poster Presentations, must also receive an acknowledgment for their efforts to link into the main theme of the conference, and provide a connection to the keynote presentations.

The Discussion Groups are both difficult to report on but also difficult to facilitate, though I know that those who have carried out this task also enjoy it. Therefore, this year we were indebted to Charlie Hoare (UK), Ingrid Regno (Sweden), Martin Wiklander (Sweden), John Chambers (Scotland) and Joe Mannion (UK) for their efforts, patience and guidance in these sessions, and for the feedback that they endeavoured to share with us during the closing plenary.

One of the key people who made a lot of this conference possible, both by her work in the UK and then in partnership with Väestöliitto, was Carol van Selm, the administrator for ICCFR. She tirelessly and with good grace "chased" those of us directly involved in the conference's development throughout the year, and her attention to detail and quality are particularly notable. She also teamed up with the Finnish Secretariat in the Hotel Haaga and continued to ensure a smooth passage for us all.

The Commission itself exists because a small group of volunteers give of their time, over great distances. The Board of ICCFR worked hard on this project and need to be thanked for their commitment and concern for a good event. These are: Claire Barnes (USA), Claire Missen (Ireland), Anna Vella (Malta), Marc Morris (Belgium/Flanders), Charlie Hoare (UK), Robin Purvis (Australia), Suzie Thorn (USA), Simone Baverey (South Africa), Insa Shöningh (Germany), Martin Wiklander (Sweden) and Chantal Lebatard (France). They are a group of people committed to the ideals and Mission of the Commission. As the *guardians* of the Commission, they take this role very seriously and commit time and effort to ensuring the work carries on, and conferences happen.

Finally, the key people to be thanked for Helsinki 2008 are the conference participants themselves. All of the above organisation and work notwithstanding, the conference is successful because of the way that delegates throw themselves in the activities. There was a marked enthusiasm and

energy this year and the synergy that was a consequence of all of the above activity and personnel was evident to all.

We look forward to a new conference next year, at Sherbrook in the Province of Quebec in Canada. Already, Board members Chantal Lebatard, Charlie Hoare and Marc Morris are working on this event with Claire Missen, the vice Chair of the Commission and myself, along with our Canadian partners.

We look forward to seeing you all again in Canada next year!

Terry Prendergast

Chair, ICCFR

July 2008.

American Academy of Matrimonial Lawyers Foundation

Keynote Address to the ICCFR CIRCF 55th International

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SOCIAL & ANTHROPOLOGICAL HISTORY OF
MARRIAGE & COUPLING
Custom and Ritual

Anita I. Rodarte

INTRODUCTION

It would be appropriate to begin this program with a precise definition of marriage. However, even a cursory review of the literature shows that a concise, accurate, and universal definition is not easily achieved.

The difficulty, in arriving at such a definition for marriage, is that each time one believes 'closure' has been found a counter example is presented. Granted, the relative numbers of some of these examples are small- but they do exist. Indeed, polygamy is only the beginning of the variations from our typical definition. Without going into great detail there are marriages where the couple does not share a dwelling, where economic resources are not shared, where homosexual marriage is accepted (with some interesting rules) and, perhaps strangest of all, a so-called 'ghost marriage', where one of the partners is, from the beginning, in fact dead.i With this level of diversity, one would think that every society would have some type of marriage. However, even here there is one known counter example: The Na people, a tribe of farmers in the Chinese Himalayas practice no observable customs or rituals that can be identified as marriage. ii One final anomaly I would like to share with you: Under Himalayan code, a Babylonian priestess was forbidden to bear children herself, She was required to provide her husband with a concubine, a free woman or a slave, to bear them.iii

Such a range of nuptial behavior, is no doubt why Coontz, in her book on the history of marriage, tells us that "...after a half century of debate, anthropologists and sociologists have not yet arrived at a universally accepted definition of marriage."iv None-the-less, I would venture to say that, even absent a concise definition, you are confident that you would 'know a marriage when you seen one.'

Many scholars hold that marriage tends to develop in step with the economic progress and social complexity of the society in which it is embedded. To this end, polyandry [one wife-multiple husbands] is associated with harsh economic times such as a nomadic lifestyle may offer, polygamy [one husband- multiple wives] is associated with more stationary agricultural environments and, monogamy [one wife- one husband] is predominant in specialized, industrialized societies. I am not suggesting that every nomadic tribe practices polyandry etc.; but, when a great deal of time and energy is required to eek out a living, more than one husband may be needed to provide what is required to sustain a household. Similar theories can be constructed for other forms of marriage. This does not make such constructs universal rules- it is simply an effort to explain the vast array or marital arrangements. [The sociology of marriage has a rather large vocabulary and this overview only touches the surface.] The point here is that the customs and rituals which evolve on a given society will adapt to the greater environmental forces. If they fall- the society will either be absorbed by another or be extinguished. Historically, the bedrock reasons for marriages were procreation and defining the lines of inheritance for succeeding generations. Love and romantic attraction are relative newcomers to the marriage scene. I should point out here that 'inheritance' in the pre-modern sense, did not necessarily include money or real estate. Such items as ' social standing,' tools for working the land, possibly the land itself, but more often only the 'right' to use the land, were passed from one generation to the next.

Additionally, we must remain cognizant of the fact that prior to about 1500 C.E. before Gutenberg's movable type printing, [1452 C.E.] only the aristocracy had access to the scholars and scribes required to construct enduring records. So, it is reasonably safe to say that whatever history we

have prior to 1500 C.E. is subject to the editorial biases of the individuals commissioning the records. Knowing this, it follows that such records likely do not give a clear picture of the ordinary people composing the majority of the population. Marriage was, and remained, a largely civil institution until late antiquity.

The aristocracy of course, had immense interest in maintaining marriage records because they documented an individuals' lineage to gods and kings and hence were used to preserve the wealth and power of the "family". Some time later, during the middle ages [500 C.E.-l 500 C.E.] the nobility recognized that marriage was not only a method for preserving family wealth but also served as an excellent vehicle for increasing the family holdings or, at the very least, for keeping an unfriendly neighbor at bay. The very top of the social ladder, the kings and queens, were adept at using marriage to forge political alliances for all of recorded history. The idea being that one would not attack one's own daughter-in-law or son-in-law. In addition, should the opportunity arise, marrying 'up' is a time-honored technique for boosting the family's social and economic position.

As strange as it may seem to us in the 21st century, the other 95 percent of the population, having meager wealth, apparently 'coupled' without ceremony or public notice. Such arrangements were apparently transacted to preserve the livelihood of the couple-especially to have children responsible for their care in old age. And, to provide for legitimate 'transfer' of tools, land use privileges (usually not the land itself), and housing privileges (not the house itself) to the resulting children.

The point of all of this being that, well into the middles ages, definitive information on the marriage arrangements of the peasants and slaves, composing the majority of the population, is sparse at best.

So, it is fair to say that, among the masses, marriage in antiquity was little more than an 'agreement' between two (or more) people to set up housekeeping. The existing religions provided minimal guidance and whatever there was of governmental bureaucracy- marriage was of no particular concern- preparing for the next battle was far more essential.

The final topic that deserves mention in my introductory comments is that of 'BETROTHAL.' In the modern ages, we equate betrothal with engagement, But, in antiquity and much later, well into the middles ages, betrothal was much more serious. In general terms, betrothal was an agreement between the concerned families, for the 'betrothed' to set up housekeeping. The 'betrothal' itself was not easily separated from marriage. That is, the betrothal consisted of agreements (possibly written), usually witnessed, outlining property and/or financial exchanges to occur prior to marriage. These contracts were strictly enforced and failure to perform the details of the agreement brought severe penalties to the transgressor. [In many ways. Betrothal was the original 'prenuptial agreement'.] It was not unusual for the betrothal to occur years before the marriage. Then, when the economic and social time was right, the couple established a household and consummated the marriage. So the 'wedding' was a matter of having sex. And. Depending upon the wealth of the parties, perhaps there was no additional ceremony at all. These concepts did not quickly disappear and must remain in our minds as we move forward.

THE GREEKS
The "Golden Age" of Greek culture (from roughly 800 B.C.E. to 400 B.C.E.) is a convenient place to begin because it transitions into the Roman Kingdom, Republic and Empire, during which the Jewish Diaspora began and Christianity was born.

No systematic collection of ancient Greek law addressing marriage (or much anything else for that matter) has survived. None-the-less, the Greeks left a trail of literature sufficient for sociologists, anthropologists, and historians to piece together a rough landscape of Greek marriage.

Our knowledge of some of the earlier notions of marriage is derived from the Homeric poems. We do know that "Oikos" (eeh-kos- household) was central to ancient Greek marriage. "Hesiod writing around 700 B.C.E., succinctly articulated the importance of the Oikos: "First a house, a wife, and an ox for ploughing... To be a 'full' citizen a man must establish himself physically, marry, acquire the means for cultivation and production... The 'household' was the ideal institution to create and form new citizens and soldier." v We must be careful here to realize that such statement almost certainly applied only to Athenian citizens- not to foreigners or slaves.

Greek sexuality during this period gives us a glimpse, more into what marriage was not than into what it was. Being "A slave-owning society, for example, assumed that the bodies of the un-free were available for the uses (and abuses) of the free." vi "Mutuality in sexual relations did not have to be taken into account, still less shared feelings." vii Men of high status could demand sex from anyone of inferior status "including, women, boys, servants, and foreigners." viii "Their world was full of explicit erotica, about which they were sublimely embarrassed." ix

Greek religion was composed of a cauldron of gods, myths, and kings and likely was different in each city-state for there was neither uniform government nor code of law. While such 'religion' may have played a part, marriage was largely a secular undertaking to produce 'legitimate' children and to pass along a means of livelihood and social standing to the next generation.

The Greek marriage customs were structurally typical for the time. A man could have only one wife. Cousins as well as half-siblings were allowed to marry but a citizen could not marry a non-citizen. The woman was expected to stay true to her husband but, it was acceptable, even expected, that the man, depending upon his wealth, would have concubines and visit prostitutes. As economic circumstances improved, the plight of the wife actually declined. This is attributed to the ability to own slaves to do the work of the wife. Consequently women had no 'reason' to go shopping or to do errands and were confined to the house- sometimes to a single room. For the husband, having sufficient wealth to keep a wife (or wives and concubines) sequestered from daily life, came to be a significant status symbol.

ROMAN MARRIAGE
About 450 B.C.E. the Romans produced a work called the Twelve Tables, parts of which have survived. The 'Avalon Project', under the auspices of the Yale Law School, has translated these tables and some parts address specific family issues but do not offer much about the broader picture of the institution of marriage.

Mathew Kuefler has written about the revolution in Roman marriage in the 4th and 5th centuries C.E. in the Journal of Family History. x Much of what he offers relies on the Theodosian Code. The Theodosian Code (TC hereafter) was intended to collect the laws of the Roman Emperors from Constantine (306-377 C.E.) to Theodosius (408-450 C.E.). A few later Emperors also added to the Code making it a reliable source through 500 C.E. Kuefler reminds us that much of the TC was composed to influence marriage in the upper classes of Roman society. So once again, information on ordinary people is limited. All this aside, the TC does show that within these 200 years, there was a conscious effort to "mold marriage by means of the law" Xi and this was likely the first concerted effort to do so. Even so, there is some uncertainty about how effectively the law was actually enforced throughout the enormous Roman Empire.

As we will discover, the TC chronicled several changes in marital history. Foremost among them, was the idea that marriage became less of a 'civic duty' (which it was in both Roman and Greek antiquity) and more of a 'family choice' and eventually an ' individual choice' for both men and women.

At the beginning of the Common Era, Emperor Augustus instituted changes in Roman law that strongly encouraged Roman citizens to marry. The primary enforcement lever for these changes was to remove or curtail the inheritance rights of unwed persons. The TC tells us that Constantine I [the first] did away with these restrictions in 320 C.E. thus restoring the inheritance rights to celibate persons. Obviously the Church and traditional social mores were on a collision course. The timing of this change roughly coincides with the growing Christian preference of chastity over marriage and it is believed that Constantine made the changes to garner Christian support. In any event, this change was likely welcomed among Christians where the preference for celibacy was long standing.

Four conditions were required for a valid Roman marriage on antiquity: 1) There were specific rules against incest. The exact level (I, e, cousins, niece, etc.) of prohibited relationship apparendy varied from community to community. None-the-less serious transgressions could carry the death penalty. 2) Valid marriage could not be contracted between persons f widely divergent social class. A 'full marriage' was available to a privileged few including, of course, Roman citizens. Other terms were used to describe 'lesser marriages'. The largest transgression of this requirement was a free woman taking up with a slave man. 3) Both partners had to have reached the minimum acceptable age. Again, the exact requirements varied by community; but generally the man was in his twenties and the woman in her teens. 4) Consent was necessary. It is likely that at the beginning of late antiquity this included family- specially the fathers of the couple to be wed. But, by some two hundred years later, the opinion of the couple to be wed, both the man and the woman began to bear more influence. xii

JEWISH MARRIAGE
"The majority of Jews in the Hellenistic and Roman cultural orbits subscribed to a fundamentally Greek understanding of marriage." xiii

In the early history of Hebrew marriage, prior to the notion of wealth accumulation and land ownership, women were highly valued, not only for their unique ability to bear children but also their contribution of 'feminine labor'. Both of which were vital to the survival and continuity of the society. Consequently, it was common under these circumstances for a man to pay 'bride-price' to the woman's father or consent to 'bride-service' to the woman's family (perhaps for years) for the right to marry the daughter.

An example of bride-service gone awry is recorded in Genesis 29:15030, Jacob had his eye on Laban's daughter Rachel and agreed to work for Laban for seven years for the right to 'marry' her. When the seven years were over Laban delivered his oldest daughter Leah to Jacob in place of Rachel. In either the passion of the moment or the dark of night-or both, Jacob consummated the marriage with Leah. When Jacob realized he had been tricked he went back to work for Laban for another seven years resulting in a marriage to Rachel.

As these societies moved, from pastoral nomadic life to more stable agricultural and eventually to urban life, the prospects to accumulate wealth increased dramatically... Following these changes, marriage arrangement shifted from "...Bride-service and bride-wealth to dower and dowry. xiv That is, in place of the groom subsidizing the bride's father for the lost labor' either the groom or the bride's father (sometimes both) established a 'reserve fund' for the bride should some catastrophe befall the husband or the marriage.

Satlow, in his book Jewish Marriage in Antiquity, tells us that early Jewish groups "... had fundamentally different understandings of the goals and functions of marriage...Palestinian rabbis...understood marriage in terms more similar to their Roman and Greek contemporaries than to those of the Babylonian rabbis." The Palestinians saw the "functions of marriage as a creations of a household... which would bring social respectability to the man. Whereas, the Babylonian rabbis saw marriage more as a necessary evil, a legitimate channel of the sexual urges that night also bring some personal...reward." Satlow goes on to say that, "There is nothing essentially Jewish about "Jewish" marriage in antiquity."..."There is no single quality to make a marriage "Jewish." xv

During this period, the "...Hebrews followed a patrilineal [kinship determined by the husband], patrilocal [wife goes to live in the husband's community], polygamous [polygamy in which the husband has more than one wife], extended family, and a somewhat endogamous pattern[custom of marrying within a community or clan]?'xvi A this time in history, marriages were typically arranged. For the aristocracy, the goal was often to gain, preserve, or consolidate power and wealth. For the 'other 95%' it was —survival.

Satlow further makes the case that Jewish marriage, in antiquity, was molded by the milieu on which it evolved. He tells of his experience of visiting an exhibit in Afghanistanian Jewish marriage at the Israel Museum on Jerusalem. His observation was that the marriage customs of these Jews more closely resembled those of their Moslem neighbors than those of the Europeans or American Jews. "Yet," he says, "both feel what they are doing is Jewish."

What is notably lacking in an 'ordinary marriage' in antiquity is the marriage ceremony. Families were expected to adhere to any prevailing customs, especially regarding marrying up or down in one's social class. But, there would be no rabbi and usually no witnesses to a marriage. If the concerned families and usually, the concerned bride and groom agree that the couple was 'married' they were in fact married with the all rights (inheritance) and obligations (procreation) that go with it. Marriage within the elite was different.

Many marriages within the higher social class were arranged to signal all concerned parties that an alliance has been forged between major political entities. Then there were very likely witnesses and celebrations, perhaps blessings or sacrifices by sectarian leaders- all to put concerned parties on notice of the newly forged relationship. But, for the common folks, two people were in fact 'married' if they said they were, That is, there was no real distinction between marriage and cohabitation.

CHRISTIAN MARRIAGE
The influence that Christianity wielded over marriage in the Western world is difficult to exaggerate. As Satlow writes, "Rome may not have had much of an impact on Jewish marriage in Palestine but Christianity did... as demonstrated through an increased interest in the myth and metaphor of marriage...Christians were Christianizing certain classical conceptions so too rabbis were Judaizing the same conceptions...each trying to clarify their own distinctive identities and boundaries..." xviii

According to Coontz "What distinguished early Christianity from Judaism in its approach to marriage and family was the belief that the kingdom of God was close at hand, and people must therefore break with worldly ties to prepare for the imminent arrival of God's kingdom." xix Ensuing centuries have somewhat tempered this concept, but Christianity remained, for several centuries, [200-300 years] less than amiable to marital and kinship obligations because such activity distracted from preparing for the coming of the kingdom of God. [Luke 14:26 and Mathew 8: 21-22]

From a sociological perspective, early Christianity has been presented as minimizing the biological family and transferring traditional family loyalties to Jesus. "Thus marginalizing the concept of 'human marriage'...and elevating the metaphor of marriage as a description of the relationship between God and his people." xx It follows then that 'traditional marriage' would stand between a Christian person and their God. This in turn gave rise to the idea that celibacy was the mark of a 'higher good' because indulgence in conjugal pleasure took one's mind off preparing for the coming of God' kingdom. Indeed, for the early Christians, sex was only for the purpose of procreation and any collateral enjoyment was to be absolutely avoided.

As we have noted prior to this time, marriage was a predominantly secular agreement molded to fulfill two basic purposes: one was to provide socially acceptable access to sex, procreation, and the other, to establish rules for passing material successes and social accomplishments to succeeding generations.

With the possible exception of justifying male dominance [which many religions did], religion played little if any role in defining marital rights and obligations. However, Christianity, by placing God in the center of the marriage equation, CHANGED EVERYTHING.

As Mathew Kuefler writes, "... few social changes had the impact that the conversion of the Roman Empire to Christianity did [4th century C.E.], and scholars have spilled more than a bit of ink debating the impact of the new religion on marriage laws of late antiquity ..." xxi

While a history of Christianity is far beyond the scope of our discussion, it is useful to point out a few milestones of its development, which have a direct connection to marriage. Likewise, it is useful to recognize that Christianity took considerable time to attain the dominance that we see today. A significant impetus was provided to the Christian movement by the Edict of Milan [C.E. 313]- a joint effort of Constantine of the West and Licinius of the East- which proclaimed religious tolerance. This, together with Constantine's own conversion to Christianity allowed this fledgling religion legitimate entrée into the social and political fabric of the Roman Empire albeit as the Empire began its decline.

The next thousand years offered the Church ample opportunity to shape the institution of marriage. Among the earlier significant changes was to recognize marriage among the lower classes. Here we must recall that 'full marriage' was traditionally reserved for the nobility. Persons lacking this privilege were, at best, permitted to cohabitate- a concept not different from 'common law' marriage today. What we will soon see as more important was that such marriages were as easily undone as done. That is, if one or both partners decided to Part Company, they simply went their separate ways. Unlike the nobility-there was no wealth to bicker over. Since such marriages were clandestine; that is, there was neither ceremony nor witness to the marriage, there was no 'process' required to dissolve it For the first eight centuries of its existence, the Church had little interest in what constituted valid marriage or divorce among the lower classes of society .xxii

For obvious reasons, the preference for all Christians to remain celibate did not long endure. [As an aside, the concept of requiring the clerics to remain celibate persisted as a controversial issue for over a thousand years. In 1139 C. E., in the face of robust resistance, Cannon Law decided the answer in the affirmative. Still, more than a century would pass until the matter was, more or less, put to rest.]

It was after 800 C.E. that the Church began to take interest in marriage and divorce among any other than the nobility.xxiii Oddly enough, marriage takes a back seat to divorce in this development. Odd indeed, until we realize that the teachings of Jesus were by now redacted; and

Mathew 19:6: "What therefore God hath joined together let no man put asunder" was for the time, more important to the Church than how the marriage was originated.

As earlier noted, the prevalence of clandestine marriage made 'putting asunder' a rather simple task. After all, there was no public ceremony and no witnesses: how could anyone know if a couple was actually marriage? So, divorce amounted to a denial by one or both of the parties that the marriage ever took place.

In order to stop the, then very common, practice of such 'divorce' the Church needed credible evidence of marriage. To address this dilemma the Church began to develop formal marriage rituals. It was not until the Fourth Lateran Council, in 1215 C.E. that the Church put an end to the recognition of clandestine marriage.xxiv [All of this is happening prior to any influential 'state' or 'governmental' power evolving after the fall of the Roman empire popularly dated at 476 C.E.} Eventually this led to marriage requiring a priest to perform the ceremony, in a church, with at least two witnesses. [Now we are getting closer to our modern concept of marriage.] These requirements for marriage were, consequent to the Council of Trent in 1563, elevated to occupying one of the Seven Sacraments of the Church. xxv

The remaining significant change in the sociological-anthropological history of marriage was sparked by the Protestant Reformation. Just as the schism of Judaism and Christianity deeply influenced the institution of marriage so did the schism of Catholicism and Protestantism.

Three of the major influences this movement imposed on marriage are: 10 Marriage was returned to its former status of 'covenant' as opposed to a 'sacrament. '2) Clerics are allowed to marry and, 3) A procedure for marriage dissolution is allowed.

This is not to suggest that marriage issues were the focus of the Reformation. But, absent this movement, the sociology of marriage and marriage law would look very different today.

Our quick journey has taken us back to ancient Greeks forward through the rise and fall of the Roman Empire, the Reformation and part of the Renaissance. The confluence of the advent of Christianity, urban development, and bureaucratic development- all of which were fueled by economic prosperity, created an incubator for social change the likes of which had never been experienced. Throughout this journey we have seen that, well into renaissance, change to marriage came neither quickly nor easily.

1 Stephanie Coontz, Marriage, a History (New Yourk: Viking,2005), 26-27
2 ibid, 24
3 G. Robina Quale, A history of Marriage Systems (New York: Greenwood Press, 1988), 81
4 Coontz, 24
5 Michael L. Satlow, Jewish Marriage in Antiquity (Princeton: Princeton University Press, 2001), 12
6 Norman Davies, Europe: A History (Oxford: Oxford University Press, 1996), 126
7 Ibid.
8 Ibid.
9 Ibid.
10 Mathew Kuefler, "The Marriage Revolution in Late Antiquity: The Theodosian Code and Later Roman Marriage Law." Journal of Family History 32, no 4 (2007): 343-370.
11 Ibid. 345
12 Ibid. 345

13 Michael L. Satlow. Jewish Marriage in Antiquity (Princeton: Princeton University Press, 2001), 25

14 Quale, 83

15 Satlow, xiii

16 Quale, 83

17 Saltow, xviii

18 Satlow 262

19 Coontz, 85-86

20 Satlow, 262

21 Kuefler, 345

22 Coontz, 104

23 Coontz, 104-106

24 Coontz, 106

25 Quale, 170

HISTORY OF RELIGIOUS MARRIAGE
AND MARRIAGE CEREMONIES
Suzanne Harris

The formalization of a marital union by a religious ceremony emerged some time after the evolution of marriage in primitive society but some time before the formalization of marriage according to a legal process. During the course of the evolution of human civilization, however, the need to regulate and structure the marital union became of interest to the religious bodies of virtually every known culture. The religious bodies framed their regulations to delineate property rights and to enforce conformity to a socially acceptable order among its congregants.

There are no bright lines in the above-described evolution of marriage from its primitive roots, to the marriages recognized by the world's great religions, then to marriages under the laws of men and women. The transitions are gradual and blurred. What started out as marriage by capture or force amongst primitive warring tribes, transforming into marriage by service as in ancient times (where husband works for the family of his bride to be until he earns her), then moves along into marriage by purchase (i.e.,dowry) is a natural progression. Remnants of this evolution exist today in the religious and the legal descriptions of marriage. This paper brings together some of those remnants.

ISLAM

Islam was founded by Mohamed, who lived from 570-632 A.D., in Arabia. The religion developed and spread as a reaction to idolatry and paganism. Mohamed received revelations from an angel, Gabriel, which messages became the scriptures of Islam, called the Koran. The 114 chapters of the Koran are believed to be the exact words of Allah from the Prophet. The Koran does not contain any special passages to be recited for solemnizing a Muslim wedding but marriage by contract is the form of marriage the Prophet Mohamed prescribed and it states that it is the religious duty of all Muslims to get married.

In traditional Muslim families, it is usually the parents or other guardians who take an active part to arrange the marriages of their sons and daughters. The union is formalized through a marriage contract. This contract is between the bride and groom. The marriage must be publicly proclaimed and held in a public place. Islam prohibits marriage by force or coercion. Therefore, the consent of both the bride and groom is an essential element of the contract (Hadith, Bukhari: 67: 42 & 43). The mutual consent of the couple is verified in the presence of eligible witnesses for each of them at or before the marriage ceremony.

Another essential component of the matrimonial contract is the mahr, or dowry given to the bride. The amount of the payment depends upon the husband's wealth and the bride's status. As the Koran states " ...the wealthy according to his means, and the poor according to his means." (2:236) The amount of mahr is specifically put into the written contract, which also give the terms of the payment. This document is similar to the khetuba in a Jewish religious ceremony.

Because Islam developed as a reaction against idolatry, the Muslim wedding ceremony is relatively simple when compared with other religious wedding ceremonies. The groom's party goes to the bride's home and is received there by her family. The house is decorated and there is often live music. A mullah performs the ceremony of marriage, after first asking the bride and groom, separately, whether they consent to the marriage. They are asked and they must answer affirmatively three times, then the contract is signed by the couple and their respective witnesses. During the ceremony, the couple is seated side by side, with a mirror placed before them, for exchanging glances. The mullah reads appropriate verses from the Koran and this completes the ceremony itself, which is invariably followed by a feast and a modest party.

JUDAISM

Under traditional Judaism, marriage is viewed as a contractual bond commanded by God (Deuteronomy 24:1) in which a man and a woman come together to create a relationship which is expected to fulfill the commandment to have children (Genesis 1:28 "Be fruitful and multiply and fill the earth...”). Marriage in the Jewish faith is thus considered to be a religious duty. Procreation is stressed as an important purpose of marriage so that Jewish values can be transmitted to the next generation and so that the population of practicing Jews increases. The first five books of the Old Testament of the Bible constitute the Torah, which together with certain literature from other sources, make up the Talmud. The Talmud deals with obedience to the laws of God in every area of Jewish life, including marriage.

The Jewish wedding ceremony is quite elaborate and most Jewish families try to follow the traditional customs to the letter. As part of the ceremony, the groom (chatan) gives the bride (kallah) a ketubah, or marriage contract, which is prepared before the wedding and will be read aloud at the wedding. The ketubah is written in Aramaic and is ordained by Talmudic law. The document has much in common with prenuptial agreements in that it includes obligations of the husband both during the marriage and in the event of a divorce. After signing of the ketubah, the chatan together with his father and future father-in-law and musicians, goes to the room where the kallah is receiving her guests. She is veiled and sitting surrounded by her guests. The chatan, who has not seen her for a week, uncovers her face, identifying her.

The wedding ceremony takes place under the chuppah, which is a beautifully decorated canopy held by four posts, and symbolic of the making of a new home for the couple. It is open on all sides, just as Abraham and Sarah had their tent open on all sides to welcome friends and relatives. The canopy is usually placed in the out of doors. The kallah and chatan are accompanied to the chuppah by their parents. When the kallah arrives, she circles the chatan seven times with her mother and future mother-in-law. Just as the world was built in seven days, the kallah is symbolically building the walls of the couple's new world together.

The couple, the Rabbi and two witnesses stand beneath the chuppah, where the kallah's father offers her hands to the chatan while the chatan asks the kallah to be his wife under the law of Moses and Israel. He places a ring on her finger, In Jewish law, a marriage becomes official when the chatan gives an object of value to the kallah.

The ketubah is then read aloud and then given to the kallah. It is her property and she must have access to it throughout their marriage. It is often written amidst beautiful artwork, to be framed and displayed in the home. Now, the couple have passed from the betrothal stage and are married.

After this, the seven blessings are recited by the Rabbi, over a full goblet of wine. The couple drinks from the goblet and then the chatan smashes the glass with his foot. This serves as an expression of sadness at the destruction of the Temple in Jerusalem, and identifies the couple with the spiritual and national destiny of the Jewish people. This marks the conclusion of the ceremony. The guests shout "Mazel Tov" and the married couple go to a private room where they have a short time alone together before they re-join their guests for music and dancing and feasting.

CHRISTIANITY

In marriage, Christians see a picture of the relationship between Jesus and the Church. They believe God created the institution of marriage when he gave Eve to Adam. "Then Lord God said, 'it is not good for the man to be alone. I will make a helper suitable for him'". (Genesis, 2:18) And, in Genesis 2:22-24, "Therefore a man shall leave his father and his mother and hold fast to his wife, and they shall become one flesh." But until the ninth century Christian marriages did not

centrally involve the church. Up until the twelfth century there had been blessings and prayers during the wedding ceremony and the couple would offer their own prayers. Around the 12th century, however, priests first began to insist that any marriage agreement be made in their presence. English weddings in the thirteenth century among the upper class, for example, became religious events but the church only blessed the marriage and did not want to be too involved in the actual ceremony nor did they have any legal heft.

It was not until 1563 that the Council of Trent required that Catholic marriages be celebrated at a Catholic church by a priest and before two witnesses. By the eighteenth century the wedding was a religious event in all countries of Europe. "Holy Matrimony" is considered to be one of the seven sacraments in Roman Catholicism and such a marriage is indissoluble when performed by a priest in front of members of the community as witnesses during a "Nuptial Mass".

Taking from the early Christian period, betrothal precedes the actual wedding. There is the saying of the banns, publicly during the church service, which is a form of agreement that a - marriage will be performed within a specified time. This betrothal contract, as in early Christian times, is confirmed by gifts, a ring, and a kiss. Formerly, a breach of this agreement would result in Church censure. Present day rites which were also a part of early Church ceremonies include (1) the joining of the right hands of the couple; (2) the carrying to the alter of lighted candles by the couple; (3) the bridal veil; (4) the giving of the bride by her father; (5) the crowning or garlanding of the couple; (6) the blessing and presenting of the ring(s) . Sometimes the bride and groom are asked to sip wine from the same goblet.

In the Eastern Orthodox church, marriage is one of the Mysteries, and is seen as an act of God in which he sanctifies the joining of two people into one. This joining is seen as a dispensation allowed by God for the mutual comfort and support of the individuals involved. While procreation and the perpetuation of the species is seen as important, what is more important is the bond of love between the two individuals as this is a reflection of ultimate union with God.

The Mystery of Marriage in the Orthodox Church has two distinct parts: The Betrothal and The Crowning. The Betrothal includes the exchange of the rings, the procession, the declaration of intent, and the lighting of candles. The Crowning includes the readings from the epistle and gospel, the Blessing of the Common Cup and the Dance of Isaiah, where the bride and groom are led around the table 3 times, and then the Removal of the Crowns. There is no exchange of vows. There is a set expectation of the obligations incumbent on a married couple, and whatever promises they may have privately to each other are their responsibility to keep. After that there is the Greeting of the Couple by family and guests.

In the seventeenth century the wave of Reformation in Germany initiated and spearheaded by Martin Luther meant challenging the Papal authority of Rome. Among other things, this resulted in the Civil Marriage Act of 1653, which prescribed a mandatory civil ceremony.
In the optional religious ceremony in a protestant Christian religion, the bride typically is accompanied by her father with attendants and the groom is accompanied by his best man. The ceremony consists of (1) addressing the congregation; (2) invocation; (3) consent; (4) invitation to block the marriage; (5) wedding vows; (6) blessing and exchanging of the rings; and (6) pronouncement of the husband and wife. The invocation includes readings from The Bible and a sermon explaining the significance of marriage and its responsibilities.

HINDUISM

Hinduism is the oldest surviving religion, estimated at 5,000 to 6,000 years. The sources of Hindu wedding ceremonies are the Vedas, which go back about 3,500 years. Marriage is the most important of the Vedic rites. It is a spiritual union of two souls for their worldly happiness,

propagation of the race and for the development of the best qualities of human nature (Rig-Veda, X.85.42). Some of the verses that are recited in a present day Hindu wedding ceremony are the same as those that were written in the Rig-Veda thousands of years ago.

Arranged marriages were once the norm, though modern day couples have moved away from the arranged marriage, particularly in urban areas. The ceremony is quite extensive and elaborate. The engagement ceremony entails the boy's father visiting the daughter's house and presenting a piece of jewelry to the girl as a token of commitment. The girl's family thereafter visits the future bridegroom's family to bless him. The families pick an auspicious day for the wedding.

On the wedding day, the bride and groom are ceremonially bathed at their respective homes. The groom's wedding procession arrives at the bride's house and he is welcomed by her family. At the ceremony itself, the priest welcomes the congregation and there are offerings to the deities and to the ancestors and the chanting of hymns. The bride's father gives her to the groom and a fire is lit and the fire god is invoked to witness the ceremony and give blessings on the couple. With fire as the witness, the bride and groom exchange garlands and hold hands. The most important part of the ceremony is the Seven Steps. The couple takes seven steps, matched with seven vows, for their mutual conjugal love and happiness. Finally, the groom puts a vermilion mark on the bride's forehead, indicating her married status.

BUDDHISM

Buddhism was founded by Gautama Siddhartha (563-483 B.C.) who attained enlightenment in India. The essence of Buddhism is to become free from earthly desires by following a moral code of conduct which proscribes killing, stealing, telling lies, improper sexual conduct and intoxicants. While Buddha did not dictate any specific ritual to be followed for marriage, lie taught that man and woman should have mutual respect for one another, should have pure and selfless love for one another and should help one another in the attainment of Nirvana.

Japanese wedding ceremonies are often a combination of Buddhist traditions and the older Shinto religion. The ceremony consists of rites of purification, prayer, invocation and offerings, sometimes with a ring exchange, recitation of vows and sharing of sake cups. The bride and groom are seated facing the sanctuary and the priest recites a prayer for their marriage. He then offers food and drink to the ancestors, performs a ritual purification of all those present and chants to the gods, asking them to bless the couple. The newly married couple then share the sake cups, which are brought to them by three young girls, to the accompaniment of loud flute music. The groom takes three sips, then the bride takes three sips. This is done three times with three different cups, as nine is an auspicious number. The young girls then serve sake to all and the priest instructs the assembly to toast the new couple.

CONCLUSION

The threads of religious marriage traditions are interwoven among the world's religions. Further, the strands originate in even earlier customs from tribal and primitive societies: dowry and trousseau, marriage contracts, rings, the need for witnesses, the concept of marriage as a religious duty, ceremonies, veils and a wedding toast. Each derive their meanings and their purposes from past social and anthropological needs. A review of the various rites underscores that, although the customs and ceremonies are diverse across the broadcloth of religious faiths, just a few of which are mentioned herein, there are underlying threads of unity and similarity.

Marriage and the Law: From Private Ordering to Public Regulation

Joanne Ross Wilder

The development of a relationship between marriage and the law in the United States is a useful exercise because the colonists brought with them traditional European notions of marriage that did not work in the context of the colonies that later became a new country. It was therefore necessary to invent a new regime, one that adapted traditions to suit the exigencies of life in the new world.

Historically, marriage was essentially a private affair, to be arranged between the parties or their families, with varying degrees of formality and the exchange of property or symbolic gifts. Private ordering first began to erode with the influence of the church that encouraged a view of marriage as a sacrament and provided context and regulation. Eventually, recognition of a public interest in the institution of marriage prompted governmental incursion into the realm that had previously been left to religious authorities or the parties themselves.

Marriage is more than a civil contract between the parties to the union. While it has aspects of contract, marriage is a relation or status. Moreover, marriage is not a strictly personal matter; it has wide public concern because it is viewed as a foundation of society and the basis of the social structure. Viewing marriage as a simple contract would theoretically permit the kind of private ordering that would allow, for example, marriages between persons of the same sex or within prohibited degrees of relationship. Accordingly, the state is an unnamed third party in interest to any marriage.

Public policy operates generally to encourage marriage, but only in accordance with the traditional model, involving one man and one woman. The traditional model of marriage reflected separate spheres for husbands and wives in which the husband was the breadwinner and provided support for the wife and children in exchange for the wife's serves, encompassing homemaking as well as procreation. In order to promote marriage, states have conferred numerous highly attractive benefits on married couples that are otherwise unavailable to individuals, including preferential treatment with respect to inheritance, income taxes, protection from creditors, testamentary privileges, and rights to public and private benefits by virtue of marital status.

Privately contracted marriages were initially outlawed by church authorities seeking to exercise control over marriages by defining marriage as a sacrament. In 1563 Pope Paul III convened the Council of Trent for the purpose of fighting heresy and the goal of ultimately converting Europe to Roman Catholicism. Protestantism had been sweeping Europe and the Pope sought ways to expand the authority of the Roman Catholic Church. The Council was part of the Counter-Reformation and a response to the 1527 Sack of Rome by the German Lutheran Army led by Charles V, the Holy Roman Emperor. One of the methods devised by the Council of Trent was the regulation and governance of marriage, outlawing irregular marriages and requiring the presence of a priest to solemnize the marriage.

Exclusive jurisdiction over marriage was vested in the ecclesiastical courts at common law and consequently, no common law exists with respect marriage. Canon Law prohibited divorce and the religious courts could either annul marriages because of some defect or impose partial divorces from "bed and board", that were actually legal separations. The latter evolved as a remedy to protect innocent parties from their guilty spouses rather than to terminate marriages.

The right to regulate marriage is retained by individual states in the United States as part of their police power. Statutes regulating marriage vary considerably from state to state, and no state regulation relating to marriage was held unconstitutional until 1967. The Full Faith and Credit

Clause of the United States Constitution does not require recognition of marriages contracted in other states because they are not judgments or decrees within the meaning of the Clause. However, marriages that are valid where contracted are generally accepted as valid in other states as a matter of comity, unless the particular marriage is contrary to state public policy.

Irregular or common law marriage continued to be recognized in Europe until abolished in the mid-eighteenth century. Common law marriage in the United States flourished as a response to the circumstances of pioneer life when an official was often unavailable to perform a marriage ceremony in sparsely populated areas. Common law marriage has gradually been statutorily eliminated in the United States and today, only a handful of states recognize common law marriage in any form. In recent years, common law marriage has served a remedial function by according legal status to innocent parties to defective or void marriages. This function is also served by the civil law tradition of putative marriage in some states. Such statutes provide for the protection of innocent parties who believed they were validly married only to discover too late to remedy the problem, usually after the death of one of the parties, that the marriage was in fact invalid.

The term "common law husband" or "common law wife" is frequently and inaccurately used as a euphemism for "paramour". Although it is popularly believed that parties who live together for the requisite period of time, often said to be seven years, automatically become married by common law. In fact, parties who live together do not become husband and wife regardless of how long the relationship continues or how they hold themselves out in the community unless the other requirements for a common law marriage have been met. Parties who are free to marry and over the age of consent can enter into a valid common law marriage only by expressing their agreement to be married in words of the present tense. An intent to marry as some future date does not give rise to a valid marriage. It is easy to see why the availability of such marriages resulted in considerable litigation and evidentiary problems. In the usual case, no one was present to witness the words in the present tense except the parties and when one of them denies that the words were ever uttered, or is deceased or otherwise unavailable, the easy availability of regulatory mechanisms like marriage licenses had great appeal. Precisely because common law marriages are so difficult to prove and to regulate, they were generally disfavored. The preference for formal, licensed marriages eventually led to the abolition of common law marriages in most states.

The recognition of marriage as an important social, economic, and political institution inspired legislatures to seek ways to regulate marriage in order to promote the public good. Statutes reinforcing traditional taboos including incest and polygamy were passed to emphasize the government's approval of the taboos on certain types of marriages.
Anti-miscegenation laws prohibiting the marriage of Caucasians with those of other races were intended to protect the purity of the white race by prohibiting racial "mixing". These laws remained on the books in a number of states until they were struck down as unconstitutional by the United States Supreme Court. Loving v. Virginia, 388 U.S. 1 (1967).

In the 1920's, the eugenics movement swept the nation and laws were passed in the wake of the movement prohibiting marriages of "feeble minded" persons and even providing for involuntary sterilization of such persons.

Requiring a license to marry has afforded a perfect opportunity to address other issues of governmental concern, including public health considerations. Tests for venereal disease, tuberculosis, and other communicable diseases were required by many states and, in some instances, these provisions remain on the books.

Marriage laws have traditionally been intended to protect marriage, with varying degrees of success. For example, a number of states prohibited the remarriage of a defendant divorced on grounds of adultery with the correspondent. The deterrent effect of a punitive statute directed at

adulterers was elevated over the obviously perverse result of requiring the guilty parties to continue to "live in sin" rather than legalizing their relationship by marriage.

Limits on governmental intrusion into the decision to marry and the marriage relationship have developed over the years. The right to marry and procreate is viewed in the United States as a right of fundamental importance and, consequently the public interest is subordinated to the right of privacy that was first articulated in Griswold v. Connecticut, 381 U.S. 479 (1965) in which a state statute prohibiting the use of contraceptives was struck down as an unconstitutional incursion into the marriage relationship.

Attempts to use the marriage laws for unrelated public purposes such as immigration control have been invalidated on constitutional grounds. For example, a local marriage license bureau requirement that applicants for marriage licenses prove either United States citizenship or that both parties are legally present within the country was held to be unconstitutional as an improper barrier to the right to marry.

THE DEVELOPMENT OF DIVORCE LAW

Divorce is a strictly secular remedy that developed as a means to terminate a marriage so that the parties were free to marry others. Divorce was relatively unimportant to society in the Middle Ages when the average expected to live to perhaps thirty years of age and when survival consumed most of a family's resources. As modern society developed, the quality of life became more important, and a demand for divorce began to arise. In Europe divorce actually began as a legislative remedy and only later became available in the courts. In England, for example, Parliament functioned in the dual capacity of legislature as well as a court. The American colonists naturally looked to their governors or legislative bodies to terminate marriages and legislative enactments divorcing couples are part of the legal history of the American colonies.

The legislative process involved the enactment of an individual law declaring the parties divorced. This was obviously a cumbersome procedure that was practical for only a very limited number of people. The acts were passed on a case-by-case basis, and there were no specified grounds of divorce or even guidelines- Such divorces were problematic because they were expensive and lacking in due process because there was no requirement of notice to the respondent spouse or an opportunity to be heard.

Eventually, the states enacted statutes conferring jurisdiction on courts to terminate marriages. From the late 18th through the early part of the 19th centuries, courts and legislatures had concurrent jurisdiction to terminate marriages by divorce. By the end of the 19th century, courts in the United States had exclusive jurisdiction over divorce.

Although styled as civil actions, divorces were traditionally in the nature of criminal proceedings. The grounds for divorce actually amounted to criminal charges in some cases, such as adultery, that carried with the crime various punishments, and early cases referred to a "sentence" of divorce. Divorce laws were initially punitive in nature rather than remedial. Because a decree of divorce was perceived to be not only a judgment against a defendant but also a punishment, divorces were not awarded to guilty parties and a party seeking a divorce had to prove that the other spouse was guilty of some specific marital fault, like desertion, cruelty, indignities, or adultery in addition to proving that the plaintiff was free of fault. Because of the state's interest in maintaining marital stability, marriages could be terminated for only the gravest of reasons, and parties who were equally at fault or merely unhappy together were left where the law found them: married to each other.

In the mid-20th century, divorce in the United States evolved from a fault-based quasi-criminal system to a remedial legislative scheme designed to focus on the realities of marriage and divorce and the recognition that marriages seldom ended because one party was at fault and the other completely blameless. The notion of "no-fault" divorce in which fault was irrelevant to the determination that a marriage was irretrievably broken gained traction. Although no-fault divorce is popularly believed to have begun in California in 1970, such legislation has actually existed for over a hundred years in the United States. A majority of the states have enacted no-fault divorce provisions, some while retaining traditional fault grounds. The first unilateral divorce provision was enacted in the state of Kentucky in 1850. That statue provided that one party could obtain a divorce without the consent of the other where the parties have lived separate and apart for more than five years. Many states adopted this basic scheme and, over the years, have reduced the mandatory period of separation. The focus in no-fault divorce is on economic issues, the intention being to address the reality of marital experience rather than to try to identify and punish wrongdoing.

Experience has shown that punitive and restrictive marriage and divorce laws do not necessarily prevent divorces or protect families and children, but because of the overarching importance of marriage in the context of modern society, lawmakers continue to look for ways to promote public policy.

North American Marriage in Today's World The

Move to Gender Equality — Same Sex Marriage

Anne L. Berger

Presently in the Eastern United States, four states have recognized forms of same-sex unions but only one, Massachusetts, has declared same-sex_marriage to be legal. In the rest of the United States only California has just this month recognized same sex-marriage. Vermont was the first state in the East to enact laws permitting civil unions between same-sex partners. While Vermont's civil union laws gave those partners "all of the rights, responsibilities and protections" of the marriage laws of that state those couples would not be married. The state of Connecticut passed legislation making it the second state to establish same-sex civil unions, but at the same time the bill carried with it a definition of marriage as being between one man and one woman. New Hampshire became the most recent Eastern state to recognize same-sex civil unions.

Massachusetts has a long tradition of recognizing the rights of same-sex partners and those rights have significantly expanded over the last fifteen years. Because of a number of key decisions by the Massachusetts Supreme Judicial Court, same sex couples have the right to adopt children, have visitation rights with the child as a de facto parent, have the right to marry, and have the right to have civil unions solemnized out of state dissolved within the state of Massachusetts.

In Adoption of Tammy, 619 N.E.2d 315 (1993), two unmarried women, Susan and Helen, filed a joint petition in the Probate and Family Court to adopt their child, who was Susan's biological daughter. The Court concluded that the "adoption statute does not preclude same-sex cohabitants from jointly adopting a child." The adoption law provides "that a person of full age may petition the probate court in the county where he resides for leave to adopt as his child another person younger than himself, unless such other person is his or her wife or husband, or brother, sister, uncle or aunt, of the whole or half blood. The Court ruled that there is nothing on the face of the statute which precludes the joint adoption of a child by two unmarried cohabitants such as the petitioners." (318)

The real advantage for the children of same sex couples is, in the event the couple separates or one of them dies, the child will be able to maintain his or her ties with the surviving parent even if she is not a biological child of the surviving partner. The best interest of the child is to visit or remain with the parents she has grown up with. Many of these couples plan to have children and create a loving, nurturing environment for them to grow up in. As a result of the decision in this case, not only is the partner protected but more importantly the child is protected.

Six years later, in the case of ENO v. LMM, 711 N.E.2d 886 (1999), two women, who were in a relationship for 13 years, wanted to have a child. The defendant was artificially inseminated and became pregnant. Before the birth of the child and again afterward, the parties executed a co-parenting agreement in which they expressly stated their intent to co-parent a child. After the child was born the plaintiff assumed most of the financial responsibility and primary care of the child. Before the plaintiff could adopt the child, the relationship began to deteriorate. The plaintiff then filed a complaint seeking enforcement of the parties' agreement to allow the plaintiff to

adopt the child and assume joint custody as well as visitation. The Judge ordered temporary visitation. The Judge in granting visitation relied on the decision that the same sex partners made as parents, the plaintiff's daily contact with the child and the expert's report which said the plaintiff was an active parent and both mothers were clearly involved in the child's upbringing.

THE CONCEPT OF THE DE-FACTO PARENT

The child was a member of a nontraditional family where there was one biological parent and one de facto parent. "A de facto parent is one who has no biological relation to the child, but has participated in the child's life as a member of the child's family. The de facto parent resides with the child and with the consent and encouragement of the legal parent performs a share of caretaking functions at least as great as the legal parent. The de facto parent shapes the child's daily routine, addresses his developmental needs, disciplines the child, provides for his education and medical care, and serves as a moral guide." (891)

In this case, the plaintiff participated as a parent would, was listed on the birth announcements, the child's last name consists partly of the plaintiffs last name. It was clear that the couple decided to have a child and to form a family, they manifested their level of commitment to each other and the child and their new family by signing and then re-signing the co-parenting agreement. In the agreement, the parties revealed their beliefs regarding the child's best interests, stating their wish that the child continue his relationship with the plaintiff in the event that the parties' relationship ended.

FULL GENDER EQUALITY — EQUAL STATUS

Finally, in 2004 the marriage statute itself was put to the test. In the case of Goodridge v. Department of Public Health, 798 N.E.2d 941 (2003), fourteen individuals applied for marriage licenses but were denied. Massachusetts had a policy and practice of denying marriage licenses to same sex couples. The couples filed a complaint. The Court dismissed the complaint and judgment entered for the defendants(who were the officials responsible for issuing licenses to marry). The plaintiffs appealed. The Supreme Judicial Court of Massachusetts stated that "limiting the protections, benefits, and obligations of civil marriage to opposite-sex couples violates the basic premises of individual liberty and equality underlaw protected by the Massachusetts Constitution." Same sex couples should be afforded the legal protections and benefits married couples and their children enjoy.

"We declare that barring an individual from the protections, benefits, and obligations of civil marriage solely because that person would marry a person of the same sex violates the Massachusetts Constitution." The protections and benefits include joint income tax filing, tenancy by the entirety, automatic rights to inherit property, alimony rights, and preferential options under the pension system. Up until this decision, same sex couples were at a distinct disadvantage and were not protected even if they were in long term, committed relationships.

In a concurring opinion, one judge states that he does "not doubt the sincerity of deeply held moral or religious beliefs. But as a matter of constitutional law neither the mantra of tradition, nor individual conviction, can justify the perpetuation of a hierarchy in which couples of the same sex and their families are deemed less worthy of social and legal recognition than couples of the opposite sex and their families." This case is a landmark case. This decision has created a large number of supporters as well as a large number of dissenters and there is presently a

movement in Massachusetts to amend the State Constitution to ban such marriages. Due to the process involved, the amendment will not be voted upon for a number of years, if at all.

UNDOING A MARRIAGE/CIVIL UNION
In Salucco v. Alldredge, 2004 WL 864459 (2004), two men requested that a Massachusetts court dissolve a civil union entered into in the State of Vermont. They could not get a dissolution in Vermont because they did not reside there and they had no other ties to Vermont other than the civil union. The Court decided that same sex couples who enter into a legal relationship should be allowed to dissolve their legal relationship through general equitable principles in any court. Massachusetts dissolved their civil union and found their separation agreement was fair and reasonable. It is valid and binding (similar to divorcing parties). Goodridge provided that same sex couples should be afforded the same rights and responsibilities as those of opposite sex married couples, therefore same sex couples who enter into legal relationships should also be allowed to dissolve their legal relationships.

The decisions in these cases have helped to redefine the meaning of marriage. The traditional family, 2 opposite sex parents and a child or children, is not the immutable norm in society today. There are a number of different types of families that are loving, nurturing, and stable that do not fit the traditional mold. These families are slowly being afforded all of the rights, responsibilities and obligations of a traditional family unit. More importantly, they should be afforded these rights legally for the protection of the children, if not for other reasons. The Commonwealth of Massachusetts is leading the way in changing the perceptions of what is a family by legitimizing the choices of couples who have committed themselves to one another and to their family. Even if the perception of same sex couples has not changed socially, it is being changed legally.

Sexuality in couple relationships

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Introduction

In the Western world, the monogamist model for sexual life has until recently dominated people's sexual attitudes and behaviour. Traditional monogamy was legitimated by religion and customs, with women often being the objects of exchange in the marriage market. Within this traditional sexual discourse, sexuality was presented more as a matrimonial duty than as an individual or a mutual pleasure. According to this tradition, marriage was upheld even when the relationship was unsatisfying, and, moreover, even if a person was in love with someone else. Some married people, especially in older generations, acted altruistically and abstained from the physical sex with their extramarital beloved, since they consciously wanted to avoid destroying the lives of the other people involved (Haavio-Mannila, Kontula & Rotkirch, 2002.)

During the past decades the values related to sexuality and partnerships have become secularised, with the significance of religion as a controller of sexual behaviour diminishing. Society has changed radically, particularly as a consequence of growing economic welfare and individualization. Increasingly, sexuality is perceived as an individual right and a personal choice detached from religious and other ideological values. In the West, individual rights are valued higher than responsibilities towards the society. Greater social and economic independence for women has opened up opportunities for diverse life styles.

Thus sexual tolerance has increased in Western societies and sexuality is of greater consequence both individually and within relationships. Sexuality has become more hedonistic, pleasure-oriented and recreational, as the role of reproduction in sexual life has diminished (Haavio-Mannila, Kontula & Rotkirch, 2002). Schmidt (1998) even argues that the motivations of sex are no longer 'drive' or 'instinct' but a search for sensations and thrills; the aim is not the relaxation or tranquillity that comes with sexual satisfaction but a never-ending supply of excitement and stimulation.

As a consequence of public discussion of sexuality, there is now a higher standard demanded for sexual happiness in the society. Evidence of this was found in Finland where people at the end of 1990s were less satisfied with their sex life and with the frequency of intercourse with their steady partner than they were in the early 1990s. According to the results of a follow-up study, the quality of their sex life had not deteriorated; rather their expectations had risen. This indicates that people are putting increasing pressure on their partners in order to gain sexual happiness from him or her (Haavio-Mannila & Kontula, 2001.) This is in line with social exchange theory that argues that people seek and enter into dyadic relationships to gain rewards. Relationships tend to be maintained as long as the reward/cost ratio remain favourable (Hurlbert, 1992.) People are looking increasingly for individualistic rewards, for high quality relationships and for happiness.

Relationships are thus less and less often based on formal, external obligations and more and more on mutual love and trust, dependent more on feelings and sexuality than was the case in previous historical periods (Schmidt, 1989). Both sexes are assumed to express love in sexuality. Women tend to emotionalise their sexuality, transforming sexual feelings into verbal communication. Men are supposed to sexualise their emotions. Thus sexuality becomes men's channel for communicating a wide range of emotions, such as feelings of stress, excitement, anger, frustration, and love (Traeen & Stigum, 1998). The young authors of sexual autobiographies, collected via a writing competition in Finland in 1992, were quite romantic and most of them explicitly longed for a happy and steady relationship. (Haavio-Mannila, Kontula & Rotkirch, 2002.)

Several surveys have shown that, in Western countries, extramarital sexual relationships are now less approved of than they were in earlier decades. In the U. S. after the late 1960s, a growing acceptance of extramarital sexuality was observed, but since the mid-1980s, a counter-trend toward increasing disapproval has become apparent (Robinson et al., 1991). In Holland, a substantial shift toward more liberal morals about extramarital sex was observed between 1965 and 1975. After 1975, a counter-trend occurred (Kraaykamp, 2002). Some of this reversal in attitudes may be due to the hazards of sexually transmitted diseases and knowledge of the negative consequences of increased divorce rates.

This new trend may be related to a renaissance of romanticism in the present era of increasing individualism. There are various reasons for the growing emphasis on romanticism and love. Bulcroft et al. (2000) argue that in an increasingly rationalized and depersonalised public world without direct institutional regulation, the human need for social bonding has become more salient while being juxtaposed to rational principles. As a result, modern society is increasingly preoccupied with non-rationalized love relationships and valorises romantic love ideals of spontaneity, emotional intensity and relationship permanence. In this private world of relationships and intimate ties, people can express and experience those elements of subjective identity that have no place in the public sphere.

The romantic script is one of the few surviving incentives for the institution of marriage, particularly since economic and childbearing incentives have diminished over time. Romance has become to represent the epitome of individualism and self-fulfilment. Who we are as individuals is increasingly defined along the lines of intimate ties and emotional linkages. In a social system in which most other aspects of social life are rational and bureaucratised, the maintenance of emotional life has taken on new importance. (Bulcroft et al., 2000.)

In earlier historical eras, individuals could rely on extended family relationships and same-sex friendships as a hedge against loneliness. In late modern society, such alternatives are more limited. The implication of not having a long-term romantic relationship is – supposedly – loneliness. The lack of alternative outlets for emotional expression and affective attachments has increased the personal stakes of not only finding a partner but also choosing one who will provide a continuing source of emotional fulfilment. The formation and maintenance of a high quality relationship has been elevated to a primary life goal with significant identity implications (Bulcroft et al., 2000). In this sense, romanticism is a counter to contemporary individualism. Beck & Beck-Gernsheim (1995, 182, 184) argue that there is 'a move against individualism: believing in love. … Love as an encounter of egos, as a re-creation of

reality in terms of you-me, as a trivialized Romanticism without any prohibitions attached, is becoming a mass phenomenon: a secular religion of love'.

The renaissance of romanticism implies that there is an increasing need to look for a faithful partner. According to Walsh (1996, 236) 'the desire for sexual exclusivity is a quite normal and natural feeling when we are enveloped in the throes of passionate romantic love'. Jallinoja (2000, 27) points out that the Western independence of lovers has made the barriers of love internal to a relationship. One can never be sure of the love of an independent person. That is why the couple relationship is continuously under internal scrutiny.

Romantic attitudes have been found to be highly correlated with the quality of the relationship - love, satisfaction, and commitment - for both men and women (Sprecher & Metts, 1999). Respondents in this study, who were more romantic about relationships, loved their current partner and were more satisfied with and committed to the relationship than respondents who were less romantic.

Building up a new relationship, or maintaining the previous one, is an investment based on the hope of gaining more happiness. The investment theory on the stability of a relationship (Levinger, 1965, 1976; Becker et al., 1977; Rusbult, 1983), states that the greater the number of investments in the relationship (e.g., children, shared possessions, years together), the greater its stability. For women, partner specific investments have been argued to be very important because female reproductive success is supposed to maximize the offspring's chances of survival (Buss & Schmitt, 1993).

Because love is expressed in sexuality, faithfulness of the partner indicates that he or she is still willing to continue to invest in the relationship and that there is no serious risk of a competing relationship. If the relationship were to be terminated, finding a new good partner would be time consuming and require new investments. In this case the investments specific to the former relationship would be lost, at least partially.

According to Giddens's (1992) analysis, the 'pure' relationship should ideally be based on pure emotion and satisfaction. Such a relationship may not last long because emotions change from time to time and passion may fade. This is not a great problem if the investments in the relationship have been low. But if the partners have shared possessions and children, and perhaps an exceptionally good love relationship, they usually wish for the continuation of the relationship. Faithfulness of the partner may give extra security for its maintenance.

Levinger (1976) and Jalovaara (2002a) have divided marital relationships into four types. First, there are 'attracted and mutually committed marriages' with partner specific investments (children, possessions, time together) which act as barriers against a break-up. Second, there are uncommitted lovers who are attracted to each other but who have no investments in the relationship. In the third type of unions, love has gone (if it ever even existed) but there are partner specific investments which bar separation. In these 'empty shell' marriages, the apathetic and dulled dyad stays together because of the investments or just for convenience. Fourth, when there are neither attractions nor barriers, the partners are likely to divorce, to become 'strangers'.

In contemporary life, emotions may determine the continuation of a relationship more than a fear of losing the related investments. Results of a U.S. survey show that college students do not perceive the long duration of marriage nor the presence of children to be barriers against leaving a marriage for a new partner (Sprecher et al., 1998). Attridge & Berscheid (1994) also argue that these factors are no longer as important deterrents to marriage termination as they used to be.

Young people nowadays seem to favour faithfulness in attitudes and behaviour, but their relationships are shorter than those of middle-aged and older people. Their notion of fidelity, however, is markedly different from the one their grandparents had, so one cannot say that they have become more traditional. In the case of a pure relationship, being faithful to each other is not bound up with an institution (marriage) or even a person, but with one's feelings for this person. The partners expect and pledge sexual exclusiveness only as long as they regard their relationship as intact and emotionally satisfying (Schmidt, 1998). Women's growing orientation toward the labour market seems to have increased the value of a unique bond between the spouses. Individualization has made divorces more accepted. This has lead to a strengthening of restrictive attitudes, especially toward extramarital sexuality (Kraaykamp, 2002).

Conclusions
In Western countries, parallel or extramarital relationships are, according to several studies cited above, currently disapproved of more than they were in earlier decades. This was also the case in Finland where infidelity was less frequently accepted in the 2000s and 1990s than in 1971. From the data, four relationship types were created: consistent faithfulness, faithful liberalism, hypocrisy and consistent unfaithfulness.

Fidelity in practice and attitudes were found to be strongly correlated with each other, but there were also inconsistencies. Consistent faithfulness was more characteristic of women than men and consistent unfaithfulness more characteristic of men than women. Men were more often hypocrites than women were: they had affairs even when they did not accept them in general. Women were more commonly faithful in practice but liberal in their attitudes. In Finland, the major change over time was that people moved from faithful liberalism to infidelity in practice.

Faithful liberalism was a product of the sexual revolution in the late 1960s and early 1970s. This had a deep effect on the attitudes of the more educated Finns in 1971. These people were faithful but they were ready to forgive their partners if they had an extramarital affair. They had adopted the sexual radicalism of that era, but had not yet started to act accordingly. Later many of them gave up faithfulness and became consistently unfaithful. The individualism of the 1990s made them act in a more pleasure-oriented way.

The increasing individualism in the 1990s fostered both 'consistent unfaithfulness' and 'hypocrisy'. We found that those who were consistently unfaithful had started intercourse early, had many sexual partners, and a high socio-economic status. They were not happy in their marriage, in many cases due to dissatisfaction with the frequency of intercourse with their steady partner. They were looking for new experiences and new partners even though their steady relationship had lasted for a long time and they were formally married. They could evade social control by travelling and using their economic resources. For them sex was a great individually rewarding experience.

Why in an era of increasing romanticism are so many people still unfaithful to their partners? The analyses by Treas and Giesen (2000) showed that values, opportunities, and the quality of the marital relationship were associated with sexual infidelity, even when demographic risk variables and several other factors were controlled. Treas and Giessen found that people who were interested in sex were likely to engage in sexual infidelity. People with non-permissive values were less likely to be unfaithful. The authors also found that prior sexual experiences were associated with infidelity. Finally, they give evidence of a reduced likelihood of infidelity when there were behavioural constraints posed by an overlap between one's own and one's mate's social networks.

The increasing individualism has been related to growing economic welfare and economic independence. This independence has created interesting social consequences. Looking at the results of the study especially young women in the 1990s have been able to look for emotionally and sexually higher standards in their relationships. They have looked for relationships that are satisfying and pleasure-oriented. In other words, they have requested relationships in which they can gain rewards. Ideally, these relationships are based on mutual love and trust.

The building-up process for such a relationship has been called 'a morality of negotiations' (Schmidt, 1998). This morality code is based on a belief in consensual, ratified behaviour, and on explicit verbal agreement. This code has also been named as 'consensual morality'. The old romantic dream of untamed passions, fraught, at least inwardly, with high risks, is being replaced by an assertion that 'sex is communication'. A morality of negotiations makes extra demands on individual qualities. To guarantee their mutual well-being, at least for a while, both partners have to develop certain skills, in particular an ability to negotiate and bargain with one another (Schmidt, 1998). Partners are not willing to enter into one-sided sexual relationships; they expect a balance of giving and taking.

Economic independence has created new options for spending satisfying life, but it has also implications that are threatening to personal security. You can never be sure of the love of an independent person. This puts pressures to stay beauty and young and look for an exciting life style that will please your partner. Especially threatening is if you partner will have affair with some other woman/man. You will never know how fabulous this person might be to your partner, especially in bed. If you have seriously invested to your relationship and it has been satisfying you don't want to loose it. Faithfulness of your partner is crucially important in order to keep the vision that your relationship is something special and worth of all the investments that you have put on to it.

There were more high quality relationships – love, happiness and communication – in faithful than in unfaithful unions. The influence of partner specific investments was less clear. Formal marriage, long duration of the relationship, and children did not guarantee fidelity in the same way as they predict staying together without divorcing (Jalovaara, 2001). 'Uncommitted lovers' in high quality relationships without partner specific investments were seldom unfaithful. This supports the conclusion that emotional ties are more important than investments for building a faithful relationship.

The trend toward increasing expectations of marital faithfulness represents a renaissance of romanticism in a time of increasing individualism. Sex belongs currently to a romantic script in which sexuality is highly valued. According to this approach, individual pleasures are integrated into romantic relationships.

Romanticism does not mean an orientation toward partner at the expense of oneself. The romantic ideas highly valued in traditional female culture have become transformed into valuing the relationship between the partners. This has happened especially in the youngest generation. One can make an analogy between these ideas and the concept and characteristics of feminine sexual culture as defined by Hofstede (1998).

Faithfulness is an important element in romanticism. It is more valued than before at the same time as people are more liberal than ever before about many other sexual issues. Making love has become an expression and a measure of love. Unfaithfulness would spoil a relationship by showing that the partner is ready to invest his or her love and pleasure in someone else. Faithfulness is a signal that the partner is willing to invest seriously in the relationship and that the bond between the partners is unique.

The renaissance of romanticism can be either traditional or pleasure-oriented. Traditional romanticism is close to the familism that was popular among Western women half a century ago. At that time, women established a family at an early age, had several children and were economically dependent on their husbands. These women invested their resources in their family. Nowadays, women representing this kind of traditional romanticism have a lower education and often belong to the working class. They are afraid of losing their investments in the relationship. They look for security in their relationship and invest in it in order to gain happiness. Interestingly, this was more true among the men in our data. Lower status men may have less possibility of finding a new partner if their current relationship ends as a result of infidelity.

In pleasure-oriented romanticism, family formation occurs at an older age and partner selection takes a longer time. Pleasure-oriented romantics are often people with higher education and income. They expect that the partner is a good lover who is capable of providing them with sexual enjoyment. And a good lover desires seriously only the beloved one. The pleasure-oriented romantics look for a high quality relationship that would give them intimacy and enjoyment. For these persons, sex is a symbol of connecting partners.

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