

THE FUTURE OF MARRIAGE

Many people today are dissatisfied with the institution of marriage as they find it and therefore wonder how they might give it a "new", more agreeable form. Thus, we can now read numerous books and articles which discuss the "crisis of marriage" and which try to offer solutions. For example, some writers propose a "contractual marriage" (i.e., marriage based on an easily terminated private contract), a "permissive marriage" (i.e., marriage permitting extramarital relationships), a "communal marriage" (i.e., group marriage in a commune), or a "quaternary marriage" (i.e., two married couples and their children living together). These and similar arrangements are often felt to be more realistic and durable than our traditional marriage, which is assumed to have "broken down".

However, radical as some of these proposals may seem to some people, they do not really contain anything new. In fact, virtually all "future" forms of marriage that are being advocated today have already existed somewhere at some time in the past. Yet, they have not prevailed. A relatively exclusive monogamy has either long since replaced them or seems in the process of doing so. This means that our present form of marriage is probably based on more solid ground than simple unquestioned tradition. There seems to be something uniquely attractive and appropriate in just two spouses building a life together and, if they are fertile, caring for their own children. Moreover, this seems to be the only marital arrangement in which the partners can be truly equal.

It must be granted, of course, that for thousands of years monogamy has existed without equality, and that women have long been oppressed even where they had only one husband. Nevertheless, as women became more emancipated they have not demanded a return to polygyny. Nor are many emancipated men likely to clamor for polyandry. Group marriage, on the other hand, demands so much discipline that it has never been widely popular. In short, if the future should finally bring full sexual equality, it will also further strengthen the foundations of monogamous marriage.

This is not to say that changes cannot be made. Indeed, our present official ideal of marriage is perhaps justly perceived as too rigid and restrictive. After all, in practice it has never provided complete fulfillment for everyone. Some unofficial "safety valve", "side door", or "escape hatch" always had to be left open. In short, there has always been a need for some marital flexibility. In this respect, the future could bring much progress. Marriage and divorce laws could be made more practical and equitable. Laws against nonmarital sexual relationships could be repealed. The discrimination against unmarried persons could end. Marital status and marital arrangements could become strictly private affairs. There could be more room for individual choices. Some of the possibilities are briefly described below.

Flexible Monogamy

It is easy to imagine a more flexible form of monogamy than that which officially prevails today. Indeed, unofficially there are already many marriages in our society that do not fit the traditional

1 | Excerpt taken from *The Sex Atlas* by Erwin J. Haeberle (1981).
| http://www2.hu-berlin.de/sexology/ATLAS_EN/html/the_future_of_marriage.html

pattern. The following examples may indicate possible future developments.

Open Marriage

The term "open marriage" is now often used for a nonexclusive monogamous relationship. In such a marriage both partners love and cherish each other and do want to live together, but they also permit each other to have other sexual encounters. In fact, they may occasionally even admit a third and fourth partner to their marital bed. This latter practice is today also popularly described as "swinging". Such arrangements are nothing new, of course. They have existed throughout history among many peoples. For example, among certain American Indians and Eskimos it was customary for husbands to offer their wives to their male guests. Many Polynesian men also followed this practice and, in addition, granted their own brothers the same privilege. They themselves, in turn, had sexual access to their sisters-in-law. (In Hawaii such a relationship was known as punalua.) But even apart from these socially approved forms of "open marriage", extramarital sex has been silently condoned in many other societies, especially for males. Females were usually more restricted, although in 18th-century Europe upper-class husbands often allowed their wives an "official lover". In one form or another these old customs may well survive into the future.

Temporary Marriage

As mentioned earlier, temporary marriages have, at times, existed in Islamic countries (mut'ah marriages). We also know that in old Japan it was possible to contract a marriage for five years or less. In the early 19th century, the great German writer Goethe also entertained a proposal for five-year marriages in his novel *Elective Affinities* (Part 1, Chapter 10). The voluntary continuation of such a marriage could and would follow, if both partners proved compatible. Actually, as divorces have become easier to obtain in most Western countries, marriage has, in fact if not in law, turned into a temporary arrangement for many couples. Today it is no longer unusual for either men or women to marry and divorce two, three, or more partners within a few years. In view of these developments, it has been suggested that the law should officially set a predetermined date for the end of each marriage. At this date the marriage could, of course, be renewed for another agreed-upon period, but without such a renewal, it would automatically be dissolved. Thus, divorce would become unnecessary. However, critics of this proposal point out that fixed time limits of any kind can cast a disturbing pall over a marriage, and that more reasonable "no-fault" divorce laws would serve the same purpose better.

Trial Marriage

Throughout most of European history, farmers have allowed their children premarital sexual experiences in order to insure a compatible match and to test the fecundity of any prospective bride. Thus, well into modern times they practiced a custom variously called bundling, tarrying, sitting up (England), nightrunning (Norway), questing (Holland), and night-courting, trial nights, Kiltgang, fensterln, etc. (Germany). According to this custom, a girl could receive a young man in her bed at night, if her parents regarded him as a serious prospect. At first, these nightly visits

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might not involve any physical intimacy, but if they became more frequent, sexual intercourse was permitted. (Many such relationships lasted for a long time.) However, marriage was always the ultimate goal, especially if the girl became pregnant, and both partners remained well aware of their mutual obligations. Indeed, in some areas the practice became even more formalized as "handfasting", i.e., a regular probationary marriage preceding the "official" marriage by months or even years. All of these customs served the rural populace well for many centuries, until they died out under the influx of strangers who took advantage of them while disregarding their true implications. Still, in our century sexual reformers have repeatedly demanded the reintroduction of similar customs for all citizens. Thus, they proposed a "companionate marriage" (United States), "Ehe auf Zeit" (Germany), or "Probeehe" (Austria). All of these proposals, while differing in details, aimed at avoiding the complications of divorce by replacing it with a simple separation by mutual agreement.

As will be noticed, a trial marriage is very similar to the temporary marriage discussed above. They differ only in that the latter is meant to be transitory, while the former implies a couple's hope for a subsequent permanent union. However, it would seem that none of these reforms are really necessary if our divorce laws are simplified. At any rate, today many young couples already practice some form of trial marriage by simply living together for some time before they get married. Such private, informal agreements are likely to continue and may also become more frequent in the future.

Marriage in Two Steps

A unique variation of the trial marriage has been proposed by the American anthropologist Margaret Mead. According to this proposal, there would be two kinds of marriage: one without and the other with children. Or, to put it another way, marriage would be contracted in two steps, although the second step need never be taken. The first step would bring a young couple together for a so-called "individual marriage". In this marriage the partners would be committed to each other for as long as they wish, but they would not have the right to have children. The next step toward a "parental marriage" could be taken only after both husband and wife have demonstrated their ability to raise and support children. This second-stage marriage would therefore require a special license and ceremony.

Such a reform does not seem practical, because "individual marriages" would always be in danger of producing "illegitimate" children in spite of the ban, and thus the whole two-tiered marriage system would constantly be undermined. Nevertheless, on a theoretical level, Mead's proposal has the great merit of impressing upon young people the responsibilities of parenthood.

Non-Monogamous Marriage

While monogamy in one form or another seems likely to remain predominant in the future, it is not impossible that there may also be a revival of non-monogamous marriages. However, if indeed they should reappear at all, they would now have to be based on complete sexual

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equality. The following examples may serve as an illustration,

Polygamy

Polygamy in both of its variations (polygyny and polyandry) has, of course, a long and venerable history. Polygyny is condoned in both the Old Testament and the Koran. However, under the influence of Christianity and as a result of growing demands for sexual equality, this form of marriage has long since disappeared in Western civilization and is under attack in other parts of the world. In 19th-century America, the Mormons reintroduced it, but were soon forced to abandon it, at least officially. Nevertheless, polygamy has retained its appeal for some people, it has also repeatedly been pointed out that many Westerners now have begun to practice something like "serial" polygamy by marrying and divorcing several partners in the course of their lives. Thus, it is not inconceivable that in the future some men would again take several wives and some wives would take several husbands if they were legally entitled to do so. Even today a number of people are convicted of bigamy every year, and others, who escape prosecution, live in a so-called ménage à trois with one official and one unofficial spouse. Some day such arrangements might well be officially recognized. Needless to say, every partner in such a marriage would have to be given the same legal rights.

Group Marriage

In a group marriage several husbands are married to several wives or, in other words, all men are married to all women in the group. Such marriages have never been common anywhere, although a few examples have been found among some "primitive" peoples. Still, a famous and rather successful experiment in group marriage was made in 19th-century America by John Humphrey Noyes and his Oneida community. In this community every woman was theoretically married to every man in a system called "complex marriage". Sexual intercourse could take place freely, but procreation was avoided except in special "scientifically" determined couplings. This form of deliberate breeding (a separate issue from the form of marriage) was known as "stirpiculture". After the retirement and death of its charismatic leader, the experiment came to an end. However, in recent years some such experiments have been repeated on a less ambitious scale. In certain contemporary "communes" group marriage has existed and still exists, although in many cases the emotional strain on the partners proved too great and more traditional marriage patterns reasserted themselves. Nevertheless, in the future some attempts at group marriage may continue, and occasionally they may even succeed. Whether they will or should be legally recognized is another question.

Homosexual Marriage

One formerly unmentionable issue which has recently provoked some serious discussion is homosexual marriage. It has, of course, always been possible for two homosexuals to marry each other, if one of them was male and the other female. Indeed, we know that, in the past, some such marriages have turned out rather well. A famous example is the marriage between the British diplomat Harold Nicolson and the novelist Victoria Sackville-West. Both of them

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sought their sexual fulfillment outside the marital bed, but a deep love and mutual respect kept them together nevertheless.

However, until now our Western civilization has never permitted marriage between partners of the same sex. (The only exceptions were found in ancient Rome.) A few other civilizations have been more broadminded. Thus, in some American Indian tribes it was possible for a man to assume the role of a woman and to marry another man. Among the Siwans in Northern Africa many men married male adolescents and even paid a higher "bride price" for them than for girls. Still, generally speaking, such customs have always been rare, because marriage was usually associated with procreation. Therefore, even where homosexual relationships were encouraged, they remained pre- or extramarital.

The traditional meanings of marriage have begun to change only recently in some industrial societies. Because of new, reliable contraceptives, procreation has become a matter of choice, and today many men and women marry even though they do not want (or cannot have) any children. Instead, they seek other values in marriage, such as love, companionship, financial security, or professional cooperation, and, as we all know, the law has no objection, but readily obliges. However, it is quite obvious that the same reasons for marriage could also be cited by couples of the same sex. Therefore, if infertile heterosexual couples can get married, it seems unfair to deny this right to homosexual couples.

Many homosexuals, of course, have no desire to be married, but there are also many others who live in stable, sometimes even lifelong relationships, and who suffer disadvantages because these relationships cannot be legalized as marriages. Tax, inheritance, and immigration laws (to name but a few) discriminate against them, and thus they do not find themselves rewarded for their responsible behavior. Indeed, one may say that today our society is still conspiring to keep homosexuals unstable and promiscuous.

However, there are now several Christian churches (especially the Metropolitan Community Church) which perform wedding (or "holy union") ceremonies for homosexual couples. Such a ceremony does not constitute a legal marriage, but at least it gives some recognition to couples who want to make a firm commitment to each other. In some European parliaments (Denmark, the Netherlands) legal proposals have been introduced that would officially allow homosexual marriages. So far, none of these proposals has become law, however. In the United States the chance for the passage of similar laws also appears to be very slim at this time.

As of August 2010, same-sex marriage is legal in Canada, Sweden, Norway, Netherlands, Belgium, Spain, Portugal, Iceland, South Africa, Argentina and Mexico City. Civil unions are recognized in some form in the Czech Republic, Austria, Croatia, France, Luxembourg, Germany, Switzerland, Hungary, Ireland, Slovenia, United Kingdom, Andorra, Finland, Denmark, Greenland, Colombia, Ecuador, Uruguay, parts of Australia and New Zealand.

In the United States, the District of Columbia, Massachusetts, Connecticut, Vermont, Iowa and New Hampshire recognize same-sex marriage.