



Ten key moments in the history of marriage

By Lauren Everitt – March 13, 2012

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At the very heart of the debate about same-sex marriage is the definition of the word "marriage". To some people, it changes to meet social and economic needs, to others it remains firmly fixed. So what has the institution meant down the years?

Much of the recent debate has focused on the notion of who "owns" marriage - the Church or the State. Both, however, have played key roles at different times in the history of the institution.

1. Strategic alliances

For the Anglo-Saxons and Britain's early tribal groups, marriage was all about relationships - just not in the modern sense. The Anglo-Saxons saw marriage as a strategic tool to establish diplomatic and trade ties, says Stephanie Coontz, author of *Marriage, A History: How Love Conquered Marriage*. "You established peaceful relationships, trading relationships, mutual obligations with others by marrying them," Coontz says.

This all changed with the differentiation of wealth. Parents were no longer content to marry their children off to just "anyone in a neighboring group". They wanted to marry them to somebody as least as wealthy and powerful as themselves, Coontz says. "That's the period when marriage shifts and becomes a centre for intrigue and betrayal."

2. Consent

"In conjugal debt the woman has equal rights to the man and the man to the woman so that neither a wife may make a vow of abstinence without the consent of her husband, nor the husband without the consent of his wife." -Decretum Gratiani

During the 11th Century, marriage was about securing an economic or political advantage. The wishes of the married couple - much less their consent - were of little importance. The bride, particularly, was assumed to bow to her father's wishes and the marriage arrangements made on her behalf.

However, for the Benedictine monk Gratian the consent of the couple mattered more than their family's approval. Gratian brought consent into the fold of formalized marriage in 1140 with his canon law textbook, *Decretum Gratiani*.

The Decretum required couples to give their verbal consent and consummate the marriage to forge a marital bond. No longer was a bride or groom's presence at a ceremony enough to signify their assent.

The book formed the foundation for the Church's marriage policies in the 12th Century and "set out the rules for marriage and sexuality in a changing social environment", says historian Joanne Bailey of Oxford Brookes University.

3. The sacrament of marriage

As early as the 12th Century, Roman Catholic theologians and writers referred to marriage as a sacrament, a sacred ceremony tied to experiencing God's presence. However, it wasn't until the Council of Trent in 1563 that marriage was officially deemed one of the seven sacraments, says Elizabeth Davies, of the Catholic Bishops' Conference of England and Wales.

Following the development of Protestant theology, which did not recognize marriage as a sacrament, the Council felt a need to "clarify" marriage's place. "There was an underlying assumption that marriage was a sacrament, but it was clearly defined in 1563 because of the need to challenge teaching that suggested it wasn't," Davies says.

4. Wedding vows

Marriage vows, as couples recite them today, date back to Thomas Cranmer, the architect of English Protestantism. Cranmer laid out the purpose for marriage and scripted modern wedding vows nearly 500 years ago in his Book of Common Prayer, says the Reverend Duncan Dormor of St John's College at the University of Cambridge.

Although the book was revised in 1552 and 1662, "the guts of the marriage service are there in 1549," he says. "All the things that you think of, 'to have and to hold, from this day forward, for better, for worse, for richer, for poorer', all of that stuff comes from that point." The marriage service has had "remarkable continuity" compared with most other services, he says.

But much of it was "pilfered from Catholic medieval rites", such as the Sarum marriage liturgy, which was all in Latin except the actual vows. "What makes the 1549 service significant is that it is the introduction of a Protestant service in English, and it's basically the words that we all know with a couple of small tweaks," Dormor says.

5. Divorce

Before 1858, divorce was rare. In 1670, Parliament passed an act allowing John Manners, Lord Roos, to divorce his wife, Lady Anne Pierpon. This created a precedent for parliamentary divorces on the grounds of the wife's adultery, according to the National Archives.

This marked "the start of modern 'divorce'," says Rebecca Probert of the University of Warwick School of Law.

It also set the precedent for more than 300 cases between the late 17th and mid-19th Centuries - each requiring an act of Parliament. It was only in 1858 that divorce could be carried out via legal process. Even then divorce was too expensive for most people, and there was the added

challenge for wives of proving "aggravated" adultery - that their husbands had been guilty of cruelty, desertion, bigamy, incest, sodomy or bestiality, Probert says.

The gates for divorce opened with the Divorce Reform Act of 1969. Instead of pointing the finger, couples could cite marital breakdown as the reason for the split.

"Prior to 1969, the script was that marriage was for life" says Bren Neale, a University of Leeds sociologist. "The divorce law meant that people trapped in bad marriages need not stay in them forever." The emphasis on marriage shifted from a long-term commitment at all costs to a personal relationship where individual fulfillment is important, she says.

6. State control

The Clandestine Marriage Act of 1753, popularly known as Lord Hardwicke's Act, marked the beginning of state involvement in marriage, says sociologist Carol Smart of the University of Manchester. "You've got these parallel strands going on of the secular and the religious sides, and that clearly hasn't gone away," Smart adds.

The act required couples to get married in a church or chapel by a minister, otherwise the union was void. Couples also had to issue a formal marriage announcement, called banns, or obtain a license.

Most prospective newlyweds were already following these directives, which were enshrined in canon law. But with the act, "the penalty for not complying became much, much harsher," Probert says.

"You can see it as the state increasing its control - this is almost too important just to leave to canon law, this needs a statute scheme and specific penalties if you don't comply," she says. "[It] put the formalities required for a valid marriage on a statutory footing for the first time."

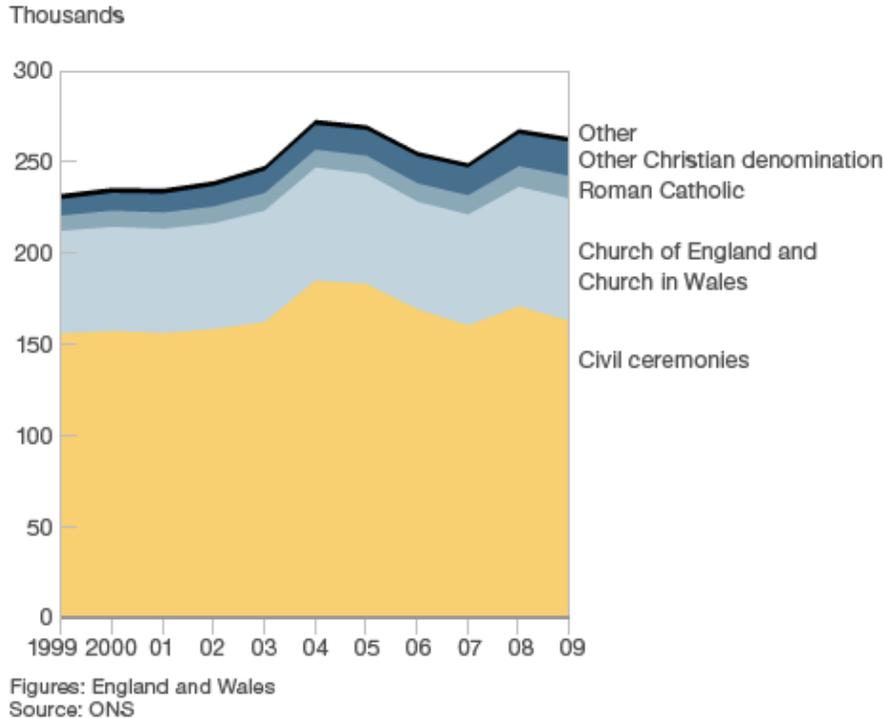
7. Civil marriages

The Marriage Act of 1836 allowed for non-religious civil marriages to be held in register offices. These were set up in towns and cities across England and Wales. The act also meant nonconformists and Catholic couples could marry in their own places of worship, according to their own rites. Apart from a brief period during the 17th Century, marriages had been overseen by the Church of England - even if the couples weren't members.

"If you were Baptist, you might not want to get married in the Church of England but that was what you had to do," Probert says. "There's no point in going through a ceremony that didn't give you the status of a married couple."

The state also started keeping national statistics for marriage around this time. Non-Anglican couples were required to have a civil official present to document their marriages. "They're not actually trusted, in a sense, to record marriages themselves," Probert says.

Marriages by ceremony and denomination



8. Love enshrined

Roaming bards sang of love during medieval times and Shakespeare's Romeo and Juliet acted it out on stage, but it wasn't until the Victorian era that it became accepted as a foundation for marriage. "The Victorians were really, really invested in the idea of love - that marriage should actually be based on love or companionship," says Jennifer Phegley, author of *Courtship and Marriage in Victorian England*.

The growing importance of the middle class and new money blurred the traditional social boundaries for marriage. With more social mobility, there was a growing "distaste" among the middle classes for thinking of marriage as "a family-arranged event for exchanging a daughter into a family for gain", Phegley says.

Aspiring lovebirds needed only look to Queen Victoria and Prince Albert for inspiration - the couple was upheld as the icon of the loving marriage. Their union may have been based on bloodlines, but Victoria frequently referred to it as a "love match". "If you read her letters and her diaries, she's very effusive about how in love with him she was, and this sort of filtered down into society," Phegley says.

9. More than baby-making

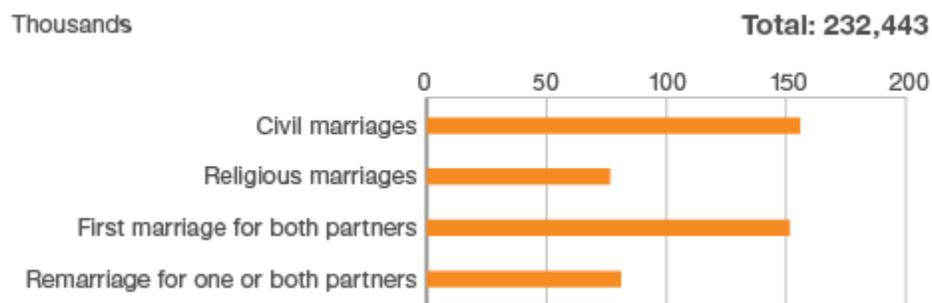
Catholic and Anglican doctrine have historically elevated procreation as one of the primary reasons for marriage. But in the late 19th Century, a "silent revolution" began taking place, Dormor says. With more children surviving and family sizes ballooning, couples started using rudimentary methods of birth control to limit pregnancies. "It begins the process of decoupling procreation from marriage, at some level," Dormor says.

"Before, if you're married, you have a sexual relationship, and you have kids. The idea that you would do something to stop yourself from having kids within a marriage doesn't seem to be part of the mental landscape, but in the last few decades [of the 19th Century] it's quite clear that things are changing."

The Anglican Church cautiously accepted artificial contraception in the 1930s at a conference of bishops, but only where there was a "clearly felt moral obligation to limit or avoid parenthood". Today, the Church of England does not regard contraception as a sin or going against God's purpose.

For the Catholic Church "the procreation of children" remains "one of the essential things that marriage is about", says Father Ashley Beck at St Mary's University College, London. When a couple is preparing to marry, the subject of children is often discussed with a priest. "If they were going to rule out having children, then we wouldn't marry them," he says.

Number of marriages in England and Wales, 2009



Source: ONS

10. Civil partnerships

The first ceremonies under the Civil Partnerships Act took place in Northern Ireland, Scotland, England and Wales in December 2005. At the time, campaigners said the law ended inequalities for same-sex couples. Meg Munn, minister for equality, said: "It accords people in same-sex relationships the same sort of rights and responsibilities that are available to married couples."

Smart calls the event a "milestone" that "is marriage by any other name, essentially".

She adds: "Legally speaking, there's only a tiny difference.

"The actual allowing of same-sex couples to enter into a state-recognized, basically marriage, with all the same obligations, the same safeguards and so on is really, really significant."

To many Christians, however, while a civil partnership confers all the legal rights of marriage, a church wedding is seen as a mystical event, the making of promises before God in a sacred setting, endowing the relationship with a special "blessed" quality.

THE WEEK

How marriage has changed over centuries

Critics of gay marriage see it as an affront to sacred, time-tested traditions. How has marriage been defined in the past?

By The Week Staff | June 1, 2012

<http://theweek.com/article/index/228541/how-marriage-has-changed-over-centuries>

Has marriage always had the same definition?

Actually, the institution has been in a process of constant evolution. Pair-bonding began in the Stone Age as a way of organizing and controlling sexual conduct and providing a stable structure for child-rearing and the tasks of daily life. But that basic concept has taken many forms across different cultures and eras.

"Whenever people talk about traditional marriage or traditional families, historians throw up their hands," said Steven Mintz, a history professor at Columbia University. "We say, 'When and where?'"

The ancient Hebrews, for instance, engaged in polygamy — according to the Bible, King Solomon had 700 wives and 300 concubines — and men have taken multiple wives in cultures throughout the world, including China, Africa, and among American Mormons in the 19th century. Polygamy is still common across much of the Muslim world and among specific ethnic groups, like the Zulu in South Africa.

The idea of marriage as a sexually exclusive, romantic union between one man and one woman is a relatively recent development. Until two centuries ago, said Harvard historian Nancy Cott, "monogamous households were a tiny, tiny portion" of the world population, found in "just Western Europe and little settlements in North America."

When did people start marrying?

The first recorded evidence of marriage contracts and ceremonies dates to 4,000 years ago, in Mesopotamia. In the ancient world, marriage served primarily as a means of preserving power, with kings and other members of the ruling class marrying off daughters to forge alliances, acquire land, and produce legitimate heirs. Even in the lower classes, women had little say over whom they married. The purpose of marriage was the production of heirs, as implied by the Latin word *matrimonium*, which is derived from *mater* (mother).

According to E.J. Graff, author of *What Is Marriage For?*, in terms of property and money, marriage was traditionally a business deal. This was back in an era when there were only two ways of making a living: land and labor. So if your family has property, they find another family with whom to exchange it, or if you were from the class of butchers, bakers, and candlestick makers, then you find someone else who will be your business partner. A farmer required a farm wife as he couldn't bring in the eggs otherwise, and a fisherman required a fish wife as you couldn't get the goods to market. Certain German guilds would not let a man become a master until he had a wife who would feed the apprentices and keep the books and run the shop. Feudal

marriage is traditional marriage, and the proverb was, “he who marries for love has good nights and bad days.” You don’t have any money, if you don’t marry a stable partner who knows how to take care of the vineyards, which is a very specialized skill, then you were going to starve. When people marry for money, in a traditional marriage, they are not doing it to get rich. They are doing it to not starve.

When did the church get involved?

For the first thousand years of Christianity, marriage was considered a secular institution. In ancient Rome, marriage was a civil affair governed by imperial law.

But when the empire collapsed, in the 5th century, church courts took over and elevated marriage to a holy union. As the church's power grew through the Middle Ages, so did its influence over marriage. Not until 1215 did the Catholic Church declare marriage one of the church’s seven sacraments, alongside rights like communion, penance, and baptism. But it was only in the 16th century that the church decreed that weddings be performed in public, by a priest, and before witnesses.

What role did love play?

For most of human history, love played almost no role at all. Marriage was considered too serious a matter to be based on such a fragile emotion. "If love could grow out of it, that was wonderful," said Stephanie Coontz, author of *Marriage, a History*. "But that was gravy."

In fact, love and marriage were once widely regarded as incompatible with one another. A Roman politician was expelled from the Senate in the 2nd century B.C. for kissing his wife in public — behavior the essayist Plutarch condemned as "disgraceful." In the 12th and 13th centuries, the European aristocracy viewed extramarital affairs as the highest form of romance, untainted by the gritty realities of daily life. And as late as the 18th century, the French philosopher Montesquieu wrote that any man who was in love with his wife was probably too dull to be loved by another woman.

When did romance enter the picture?

In the 17th and 18th centuries, Enlightenment thinkers pioneered the idea that life was about the pursuit of happiness. They advocated marrying for love rather than wealth or status. This trend was augmented by the Industrial Revolution and the growth of the middle class in the 19th century, which enabled young men to select a spouse and pay for a wedding, regardless of parental approval.

When men go off to work in factories or as owners of factories or as entrepreneurs, then marriage is suddenly shaken free of its meaning. Suddenly, all that is left is affection and love and sex. Then you start getting these hymns to love and these hymns to motherhood, and “love and marriage, love and marriage, go together like a horse and carriage,” according to E.J. Graff. This is the new radical marriage model. As people begin to make a living independently, without a wife, without a husband, just based on their talents and effort, marriage also changes. Once you can make your own living, then you can also choose your own partner. Now you talk about love first, and money last, according to Graff.

Also, as people took more control of their love lives, they began to demand the right to end unhappy unions. Divorce became much more commonplace.

Did marriage change in the 20th century?

Dramatically. For thousands of years, law and custom enforced the subordination of wives to husbands. But as the women's-rights movement gained strength in the late 19th and 20th centuries, wives slowly began to insist on being regarded as their husbands' equals, rather than their property.

"By 1970," said Marilyn Yalom, author of *A History of the Wife*, "marriage law had become gender-neutral in Western democracy." At the same time, the rise of effective contraception fundamentally transformed marriage: Couples could choose how many children to have, and even to have no children at all. If they were unhappy with each other, they could divorce — and nearly half of all couples did. Marriage had become primarily a personal contract between two equals seeking love, stability, and happiness.

This new definition opened the door to gays and lesbians claiming a right to be married, too. "We now fit under the Western philosophy of marriage," said E.J. Graff, a lesbian and the author of *What Is Marriage For?* Coontz says, "for better and for worse, traditional marriage has already been destroyed, and the process began long before anyone even dreamed of legalizing same-sex marriage."

Gay 'marriage' in medieval Europe

Same-sex unions aren't a recent invention. Until the 13th century, male-bonding ceremonies were common in churches across the Mediterranean. Apart from the couples' gender, these events were almost indistinguishable from other marriages of the era. Twelfth-century liturgies for same-sex unions — also known as "spiritual brotherhoods" — included the recital of marriage prayers, the joining of hands at the altar, and a ceremonial kiss. Some historians believe these unions were merely a way to seal alliances and business deals. But Eric Berkowitz, author of *Sex and Punishment*, says it is "difficult to believe that these rituals did not contemplate erotic contact. In fact, it was the sex between the men involved that later caused same-sex unions to be banned." That happened in 1306, when the Byzantine Emperor Andronicus II declared such ceremonies, along with sorcery and incest, to be unchristian.

Definition of Marriage

Please answer the following questions on a separate sheet of paper in complete sentences.

1. In your own view, has marriage changed or evolved over time (the last 3,000 years)? Explain why it has or hasn't.
2. In your opinion, what does marriage mean for our society? What does it provide it with?
3. Is there a global definition of marriage that people of all faiths and cultures use? Explain. If not, then at least is there a specific religious view of it for each faith (ex. all Christians view marriage similarly, all Hindus view marriage similarly, etc.)? Explain.
4. Please read The Week article, "How Marriage Has Changed over centuries." After reading it, in your own words, create two columns: ways that what we call marriage today differs from various points throughout history, and ways that it has stayed the same. Please list as many points from the article into these columns as you can.
5. After reading this article, does this change your view of marriage or not? Explain.
6. If, as some argue, marriage has evolved and changed over time, what impact does that have on the argument for allowing same-sex marriage?