

MARRIAGE IN HISTORY

John Boswell, The Marriage of Likeness: Same-Sex Unions in Pre-Modern Europe, 1495 (from the introduction).

Not was the *longue durée* of Judeo-Christian matrimonial tradition anywhere near consistent.⁴ In the twentieth century, many Christians who would rabidly insist on this or that aspect of "moral matrimony" (e.g., procreative purpose in the view of the Roman Catholic hierarchy—but probably not the average Catholic layperson; sexual fidelity for most Protestants) casually accept the fact that Solomon was "married" to seven hundred women while he also maintained three hundred concubines.⁵ Although they would doubtless not approve if one of their contemporaries engaged in such behavior, they have little trouble applying the term "marriage" to such relationships. Aside from the moral questions this episode raises,⁶ it throws the deeper meaning of "marriage" in a historical context into lively uncertainty. What did it mean to be one of seven hundred women "married" to Solomon, who also had three hundred concubines? How much of a commitment could there have been on either side? Indeed, how often could the one thousand women who belonged? to the king through marriage or concubinage even have had casual intercourse (social or sexual) with him?

For most of its history Roman Catholicism has insisted through the writings of its theologians that procreative purpose is the sole legitimation of sexual union between husband and wife, even though many prominent figures in Judeo-Christian history were regarded by their contemporaries (and the church) as married when their marriage was obviously not procreative: e.g., Elkanah and Hannah, Zacharias and Elizabeth—both of which were (and are) regarded as legitimately married couples even when they had no children at all⁸—as well as Joseph and Mary, whose marriage the same theologians have insisted was never consummated at all.⁹ Ordinary marriages in imitation of this, in which the couple did not engage in sexual relations but were still regarded as a married couple, were widely known in Roman Catholic Europe. (This topic is discussed further in Chapter 4.)

In premodern Europe marriage usually began as a property arrangement, was in its middle mostly about raising children, and ended about love. Few couples in fact married "for love," but many grew to love each other in time as they jointly managed their household, reared their offspring, and shared life's experiences. Nearly all surviv-

ing epitaphs to spouses evince profound affection.¹⁰ By contrast, in most of the modern West, marriage begins about love, in its middle is still mostly about raising children (if there are children), and ends—often¹¹—about property, by which point love is absent or a distant memory.

Even in modern cultures with vast and standardized legal establishments, the technical definition of "marriage" is difficult to formulate, and at the time of this writing there are hundreds of legal battles under adjudication about whether given heterosexual couples are actually "married" or not.¹² Laws of the fifty states comprising a single country with a single federal tax system vary widely about such matters as common-law marriage (i.e., recognized but not formally established relationships),¹³ grounds for divorce, parental rights over children, and the nature and disposition of community property. This results from the fact that although "marriage" seems to the unreflective to be a tightly defined and specific phenomenon, its actual parameters and ramifications become surprisingly vague under close scrutiny. Moreover, what a society recognizes as "marriage" depends only partly on a precise definition. Roman Catholics, Protestants, Jews, and nonreligious lawyers all have quite specific and different definitions of what constitutes a "marriage," but in most large American cities each of these groups is generally willing, de facto, to recognize the validity of the others' marriages. This is also true of unions that do not match any group's definition, if the parties regard themselves as "married," even though all the groupings have very different ideas about the aims, rationale, definition, requirements, theoretical effects, and appropriate ceremonies for marriage.

Even aside from technical requirements or exact definitions, precision is impossible about so common a matter as the marriage ceremony itself, about which most people—aside from those who professionally officiate—have relatively little knowledge. "Walking down the aisle together" is a common figure for marriage in literature, song, and everyday speech, although in the vast majority of wedding ceremonies, the bride and groom do not actually walk down the aisle together, but meet at the altar.¹⁴

⁴ On matrimony and its variations in the Bible, see Claire Gortlieb, "Varieties of Marriage in the Bible: [sic] and their Analogues in the Ancient World" (Ph.D. diss., New York University, 1989).
⁵ For the meaning of "concubine," see Chapter 2, p. 30. On Solomon's marital arrangements, see 1 Kings 11:3, where these numbers are given explicitly. The text itself seems to disapprove, since the chapter begins "But king Solomon loved many strange women . . ."
⁶ These are attenuated perhaps by the fact that the prohibition of polygamy presumably postdated this; but the prohibition was never divinely revealed either to Jews or Christians, which also might raise a variety of questions, but never seems to.
⁷ Although this usage appears somewhat sexist, it seems to me to reflect accurately the historical reality, which was also sexist.
⁸ For the first, see 1 Sam. 1. Elkanah also had two wives: this aspect of the general problem of matrimony is addressed above, and in Chapters 3 and 4. For the second pair, see Luke 1.
⁹ Although controversial in the early church, once the formula "ever-virgin Mary" had been incorporated in the Greek and Roman liturgies in the early Middle Ages, this doctrine enjoyed wide support. It is not accepted by Protestants.

¹⁰ Of course, this is to some extent a self-selected sample, since someone who felt little affection for a spouse would not be likely to erect any sort of monument.
¹¹ More than 50 percent of heterosexual marriages in America end in divorce at the time of this writing (December 1992).
¹² Mostly legal battles over what is currently designated "palimony"—i.e., the expectation on the part of one party that a relationship would have legal or financial consequences comparable to matrimony. Faithful Roman Catholics, although technically ineligible for divorce, can seek an annulment—a declaration that there never was a marriage—from the church.
¹³ Twelve of fifty states (and the District of Columbia) recognize common-law marriage, according to Graham Douthwaite, *Unmarried Couples and the Law* (Indianapolis, 1979), 11 (with listings by name beginning p. 274), although the "states are not uniformly agreed as to the nature of the conduct and the formalities which can result in the status of common-law spouses." Cf. Weyrauch, "Informal and Formal Marriage," *University of Chicago Law Review* 88, 91 (1960), p. 28: "A valid definition of common law marriage without infinite qualifications can hardly be found." A much higher percent of states recognized such marriages in 1922, when Otto Koegel published his *Common Law Marriage and Its Development in the United States* (Washington, D.C., 1922), 164–66.

¹⁴ It is possible that the expression refers to their walking down the aisle together after the ceremony, but most references in popular culture do not seem to suggest this.

St Augustine

The Good of Marriage

Trans. David G. Hunter, reproduced in Eugene F. Rogers, *Theology and Sexuality: Classic and Contemporary Readings* (Oxford: Blackwell, 2002), p. 79-80.

This leads me to conclude that in the earliest times of the human race the saints were required to make use of the good of marriage, not as something to be sought for its own sake, but as a good necessary for something else, namely the propagation of the people of God, through which the Prince and Savior of all peoples was both prophesied and born. But in the present, since there is abundant opportunity for spiritual kinsmen to enter into holy and genuine associations everywhere and among all nations, even those people who wish to marry solely for the sake of procreation are urged to practice the better good of continence.

(X.10) But I know what they will murmur: "What if all people wish to abstain completely from sexual intercourse? How would the human race survive?" If only all people had this desire, as long as it proceeds from a pure heart and a good conscience and a sincere faith [1 Tim. 1:5]! The City of God would be filled up much more quickly, and the end of time would be hastened. What else does the apostle seem to encourage when he says; *I would like everyone to be as I am* [1 Cor. 7:7]? Or, in another place: *What I mean, my friends, is that the time is short. From now on even those who have wives should live as if they had none; those who mourn, as if they were not mourning; those who rejoice, as if they were not rejoicing; those who buy, as if they were not buying; and those who use this world, as if they were not using it. For the form of this world is passing away. I want you to be without care.* Then he adds: *The man without a wife is concerned about the Lord's affairs, how to please the Lord. But the married man is concerned about the affairs of the world, how to please his wife, and he is divided. And the unmarried woman and virgin, she is concerned about the Lord's affairs, that she may be holy in body and spirit. But the married woman is concerned about the affairs of the world, how to please her husband* [1 Cor. 7:29-34]. For this reason, it seems to me that in the present time only those who do not restrain themselves should marry, in accord with that saying of the same apostle: *But if they cannot control themselves, they should marry, for it is better to marry than to burn* [1 Cor. 7:9].

(11) Not even in this case, however, is marriage a sin. For if marriage were preferable only by comparison with fornication, it would be a lesser sin than fornication, but still it would be a sin. But, as it is now, what shall we say in response to the very clear message that the apostle declares: *He may do whatever he wishes; he does not sin; let him marry* [1 Cor. 7:36]? And: *If you have taken a wife, you have not sinned; and if a virgin marries, she does not sin* [1 Cor. 7:28]? This is now clear evidence that it is wrong to have any doubts about the sinlessness of marriage.

Therefore, it was not marriage that the apostle granted as a concession – for would it not be quite absurd to say that a concession is granted to those who did not sin? Rather, he granted as a concession that sexual union which takes place because of incontinence, not solely for the sake of procreation and sometimes not even for the sake of procreation at all. Marriage does not force this sort of intercourse to occur, but it does obtain for it a pardon, as long as it is not so excessive that it impedes the times that ought to be set aside for prayer, and as long as it does not lead to that use which is contrary to nature.

The apostle was unable to remain silent about this when he spoke about the extreme depravities that impure and wicked people practice. The intercourse that is necessary for the sake of procreation is without fault, and only this belongs properly to marriage. Intercourse that goes beyond the need of procreation follows the dictates of lust (*libido*), not of reason. Nevertheless, to render this to a spouse (though not to demand it), so that the spouse may avoid the damnable sin of fornication, is a duty of the married person. But if both partners are subject to such a desire (*concupiscentia*), they are doing something that clearly does not belong to marriage.

Nevertheless, if in their union they love what is honorable more than what is dishonorable (that is, if they love what belongs to marriage more than they love what does not belong to marriage), this is granted to them as a concession by the authority of the apostle. Their marriage does not encourage this fault; rather, it intercedes for it, if they do not turn away from the mercy of God, either by failing to abstain on certain days in order to be free for prayer (since abstinence, like fasting, lends support to one's prayers) or by exchanging a natural use for one that is contrary to nature, for this is more damnable in a spouse.

St John Chrysostom

Against the Opponents of the Monastic Life

Trans. David G. Hunter, reproduced in Eugene F. Rogers, *Theology and Sexuality: Classic and Contemporary Readings*, Oxford: Blackwell, p. 93-94.

16. But perhaps you long to see your children's children? How is this, when you are not yet parents yourselves? For the act of begetting does not a parent make. And this is agreed upon by those parents who, when they see their sons reach the height of wickedness, reject and disown them as if they were not their own, and neither nature, nor birth, nor any such bond can restrain them. Therefore, those who are far inferior to their children with respect to philosophy should no longer be considered parents; only when they also have given birth to them in this way should they desire grandchildren; only then will they be able to see them. For the monks also have children; they are born *not of flesh and blood nor of the will of man*, but they have been begotten *of God* [John 1:13]. Such children as these have no need to torment their parents over money, or marriage, or any such thing; on the contrary, they allow them to be free of all care and provide them with a greater pleasure than their natural parents enjoy. They are not born and raised for the same purposes as natural children, but for a much greater and more splendid destiny. Thus they delight their parents even more.

Besides these considerations, I also will add one more: it is not unreasonable that those who disbelieve in the resurrection should grieve about having descendants, since this is the only consolation left to them. But we, who think that death is a sleep, who have been taught to despise all things in this life, what pardon would we merit if we mourned about such matters and desired to see children and to leave them behind in this place, from which we are hastening to depart and in which we groan when we are present? This is what we would say to those who are more spiritual. But if there are some who are lovers of the body, who are quite attached to the present life, I would say this to them: first, it is not certain that a marriage will produce children at all; second, if children do come, there will be even greater discouragement. For the happiness which children bring us is far outweighed by the grief which comes from the daily care, anxiety, and fear which they cause.

"And to whom," you say, "will we leave our fields, houses, servants, and gold?" For I also hear you lamenting about these things. The child who previously was to inherit these goods will now be a much safer guardian and master of the property than before. Previously many things threatened to ruin his property: moths, the length of time, robbers, sycophants, jealous persons, the uncertainty of the future, the unstable character of human affairs, and ultimately death would have robbed your son of both his money and these possessions. But now he has stored his wealth beyond all this; he has found a safe place where none of the obstacles we have mentioned can intrude. This place is heaven, which is free of all treachery, more fertile than any land, a place where those who have deposited their wealth are allowed to reap the fruit of this deposit. Since this is the case, there is no need for you to make these complaints; but if your child wanted to live in the world, then you should lament and complain: "To whom shall we leave our fields, our gold and the rest of our goods?" Now our dominion over these goods is so extensive that not even after death will we lose control over them, but we will enjoy their fruit most when we have gone to the next life.

THE BOOK OF COMMON PRAYER, 1662
The Preface to the Form of Solemnization of Matrimony

At the day and time appointed for solemnization of Matrimony, the persons to be married shall come into the body of the Church with their friends and neighbours: and there standing together, the Man on the right hand, and the Woman on the left, the Priest shall say,

DEARLY beloved, we are gathered together here in the sight of God, and in the face of this congregation, to join together this Man and this Woman in holy Matrimony; which is an honourable estate, instituted of God in the time of man's innocency, signifying unto us the mystical union that is betwixt Christ and his Church; which holy estate Christ adorned and beautified with his presence, and first miracle that he wrought, in Cana of Galilee; and is commended of Saint Paul to be honourable among all men: and therefore is not by any to be enterprised, nor taken in hand, unadvisedly, lightly, or wantonly, to satisfy men's carnal lusts and appetites, like brute beasts that have no understanding; but reverently, discreetly, advisedly, soberly, and in the fear of God; duly considering the causes for which Matrimony was ordained.

First, It was ordained for the procreation of children, to be brought up in the fear and nurture of the Lord, and to the praise of his holy Name.

Secondly, It was ordained for a remedy against sin, and to avoid fornication; that such persons as have not the gift of continency might marry, and keep themselves undefiled members of Christ's body.

Thirdly, It was ordained for the mutual society, help, and comfort, that the one ought to have of the other, both in prosperity and adversity. Into which holy estate these two persons present come now to be joined.

Therefore if any man can shew any just cause, why they may not lawfully be joined together, let him now speak, or else hereafter for ever hold his peace.

The general Exhortation. 23

is in order to the performance of a very sacred, and very weighty affair, and our spirit must be composed into a temper suitable to this grand occasion. A wise man never undertakes any thing but for some good end, which being the mark he aims at, he directs the whole action so as may be agreeable to his prime intention; and so should we do now, according to that prudent advice in *Ecclesiasticus*, chap. vii. 35. "Remember the end, and thou shalt never do amiss. The Persons came to be joyned, and the rest come to express their love to them by praying for them and with them, and therefore let all act in proportion to these their proposed ends, and then we doubt not but all will be well done.

Ὁὐδὲν ἄν σοφίας ἔργον μάλιστα. Athenag. de resur.

§. 4. Which is an honourable estate, instituted of God in the time of Man's innocency, signifying unto us the mystical Union that is betwixt Christ and his Church, which holy estate Christ adorned and beautified with his presence and first Miracle that he wrought in Cana of Galilee, and is commended of S. Paul to be honourable among all Men.

The Congregation are to be Witnesses to this Marriage-Covenant, and the Bridegroom and Bride are to enter into it, and therefore both the one and the other ought to be instructed in the Nature of it; and first, they are taught in the general that it is an *Honourable Estate*; having been highly esteemed in all wise Nations, as the only lawful means of continuing the world, and therefore in all places many priviledges have been given to those who did Marry; and those who did defer, or neglect

§ See Dr. Hammonds Annot. on Hebr. 13. [4].

24 **The general Exhortation.**

it, have been usually punished by Fines, or by disgraces. And though some of the

Ap. Athenien. Jul. Pollux, lib 3. οὐδὲ γάμων. ap. Spart. & Roman. vid. Festum, verbo [uxorium] & Scalig. ibid.

calibe major & melior est, ὅς γάμος ἢ παιδοποιία, ἢ τῆ τῆ εἰρεσ, ἀνεστῆνας, ἢ ἀλυμπίως ἐγυμνάζεται. Clem. Alex. Strom. 7. & Ignat. Epist. ad Philadelph.

Antient Fathers were very high in their Encomiums of Virginity, yet upon mature deliberation they confess, a pious and prudent conversation in Marriage is more excellent than the state of single life. But there are divers reasons why Marriage should be more honourable among Christians than among any other sort of men, because we know several things concerning it; which others know not, viz.

1. That it was instituted by God in the time of Man's Innocency, as holy Scripture plainly teacheth us, Gen. ii. 18, 19. It was Almighty God who made for Adam a Wife in Paradise, and brought her to him; and our Saviour teacheth us it was God that joyned them together, and that did ordain "that a Man should leave his Father and his Mother, and cleave unto his Wife, Matth. xix. 5, 6. compared with Gen. ii. 24. So that if we have any reverence for our God, we are obliged to honour his Institutions, and highly to esteem that which bears the express stamp of his Divine Authority: If it were honourable among the Gentiles merely for its usefulness, as a Political constitution, doubtless it ought to be much more so among us who know it is of higher extraction, even an Ordinance of God's own appointment: And it adds much to the honour of Marriage that it was Instituted in the time of Man's innocency, which shews there is nothing but purity in it, and declares it was necessary for, and suitable unto the life of Paradise, and the state of Man's highest perfection; which may justly occasion our wonder

The general Exhortation. 25

der why the Roman Church should think Matrimony not to be holy enough for their Priests after Mankind is fallen, when Almighty God did think it Holy enough for Adam in his best estate of Innocency and Perfection: Whoever they be that forbid Marriage to any, as being not pure enough for their estate, they must pretend themselves to be wiser than God, and their Religious persons to be more innocent than ever God made Adam: But we proceed,

CLEMENT OF ALEXANDRIA

Stromata, Book 7 – quoted by Thomas Comber

Wherefore also [the gnostic – the one who has attained true knowledge] eats, and drinks, and marries, not as principal ends of existence, but as necessary. I name marriage even, if the Word prescribe, and as is suitable. For having become perfect, he has the apostles for examples; and one is not really shown to be a man in the choice of single life; but he surpasses men, who, **disciplined by marriage, procreation of children, and care for the house, without pleasure or pain**, in his solicitude for the house has been inseparable from God's love, and withstood all temptation arising through children, and wife, and domestics, and possessions.

(il est au dessus des autres hommes, celui qui, exercé par la discipline du mariage, de la procréation d'enfants et de la gestion de sa maisonnée ... s'est rendu inséparable de l'amour de Dieu et a résisté à toutes les tentations venues de ses enfants, de sa femme, de ses domestiques et de ses biens)