

MARRIAGE AS A MORAL DISORDER

Why monogamy, as a universal system, must fail

Since some marriages seemingly succeed, why is it that others fail? Is this just a matter of individual and all-too-human shortcomings? Or is it possible that marriage, when held up as a universal moral order, has failings of its own? Would it actually be possible, if only we were all mature enough (what an odd idea!), for everyone to be a partner to a happy, exclusive and lifelong relationship of sexual and emotional intimacy? Or could it be that, both within and without marriage, the players who lose out are merely the victims of the rules of the game, that some, at any rate, are really just well-rounded persons who fail to fit into the square hole of marriage?

Changed circumstances

Before examining the concept of marriage as such and the values it assumes, let us look at some assumptions and clear the ground of related issues which are only sometimes relevant. Our times have seen sweeping changes in the material circumstances governing our sexual and affective lives. These are:

- * Control over fertility. Connected with this is the desirability (in the light of high population levels and high per capita consumption of natural resources) of a low birth rate, and the fact that individuals no longer need provide for their old age by having children themselves.
- * Acceptance of the principle and partial realization of substantial equality between the sexes. Connected with this is the material feasibility of single-person households.

These changes (i.e. the attenuation of certain constraints) mean that age-old structures and assumptions no longer hold. While a traditionalist might see in the system of marriage the wisdom of the ages, we have meantime entered veritably a new era.

Definition of marriage

By „Marriage“ I mean monogamous marriage and marriage-like arrangements, e.g. common-law marriages; i.e. much of the analysis also applies to „relationships“. The

principal elements involved in marriage — its defining characteristics — are:

- * An exclusive relationship of a sexual nature.
- * A single focal relationship, overriding other claims of friendship. The marriage partner is the most important person in the life of the other, both day-to-day and long-term.
- * Co-habitation. Married people share a household.
- * The intention of permanence.
- * Solidarity — notably in times of hardship, sickness and in old age.

The important non-essential element is joint upbringing of children issuing from the marriage. First some comments on this last aspect.

Marriage and parenthood

In appropriate material circumstances, there is no compelling reason why the responsibilities of parenthood must be exercised within marriage, i.e. in a joint household and with a continuing, sexually and emotionally intimate relationship between the parents. All that is required, in practical terms, is that the two households be located conveniently close to each other and that the parents have a friendly working relationship. (The key material circumstances involved here are flexible working

hours or else material independence and, crucially, the availability of suitable housing. It is incidentally apparent that, as a society, we have come to place more emphasis on providing a variety of other goods and services, including many that are doubtless trivial, rather than designing our living and working environments to fit in with the lives of the affections.)

It is important to stress that other considerations apply when material circumstances fall short of what is required. Children need stable relationships with adults of both sexes, and the primary obligation to provide those relationships rests with the child's mother and father, often overriding their other duties. (This does not mean that the two child-parent relationships are enough; children need a multiplicity of relationships with adults of both sexes, both in order to correct for the idiosyncrasies of their parents and to provide substitutes in the event of tragic separation.)

Even if the above principle is not accepted (i.e. that parenthood can be adequately exercised by parents in separate households), there is the further point that, in an average life span of some seventy years, of which over fifty are spent in adulthood, care for children should not normally be taking up more than, say, twenty years. There is no reason why the life style for the other half of adult

life should be dictated by considerations appropriate, if at all, only to this special twenty-year period. (Following the population explosion and in the light of the high per capita demands currently made on natural resources, it cannot be sustainable for more than a handful of people to have more than two children. How you space them is, granted, another matter.)

Practical arguments for sexual fidelity

Traditionally the social and economic need for fathers to take their share of responsibility for any children produced by a sexual relationship has justified a rule of sexual fidelity. But note that this justification was even then only watertight as long as the nature of the sexual intimacy was liable to actually produce children. Today we have considerable control of fertility, with the result that this argument, while retaining some force, is much diminished.

AIDS: In the meantime we have, again, as in some previous centuries, a fatal, sexually transmitted disease. This is a powerful argument for hygiene. It is only a weak argument for fidelity. In this connection, there is a general question of how risks associated with infectious diseases should be handled. Always avoided at all costs?

This would seem to be too extreme. There are sometimes good reasons for taking small risks.

If sexual intimacy really can be the insistent expression of love, and is sometimes at least not indulgence, then it can equally sometimes have an imperative place within a relationship. In a specific case, the risk to be avoided may really be negligible, and, on occasion, a premium might rightly be placed on the wholesomeness of the intimacy. When there is talk of risk, most people in most circumstances will think first of that of an unwanted pregnancy. There is a matter of values at stake here, and the choice need not always fall in favor of restraint. Living a life, like giving life, involves taking risks. This does not mean that risks should be taken often or blindly.

One thesis of this essay is that it is natural and right for people to want some sexual variety, ideally in order to reflect and express something of the scope of their affections. Because the fidelity mandated by monogamy is so absolute, people give way to „temptation“, and when they do so they may well enter risks which are indeed ill-advised. The scenario I am advocating, on the other hand, involves licensing some sexual variety, namely within a very few long-term parallel relationships, with the result that the desire to indulge in ill-advised adventures is much abated. Having two or three or four long-term friendships with a(n occasional) sexual component (i.e. among other components) is not promiscuity; on the contrary, it is monogamy that gives rise to promiscuity because much of the time and for many individuals the monogamic system inevitably generates serious frustrations (and not merely sexual frustrations). Similarly, the system of monogamy is, I contend, the root cause of prostitution; (it is futile to try and explain such a universal phenomenon in terms of human moral frailty).

Furthermore, we might bear in mind the way we, as individuals and as a (world) society, handle other risks. It needs also to be said that, although the risk may now be nearly everywhere, it is not remotely everywhere equal.

Personal expectations and demands

There have been major changes in what is expected of a relationship. Since marriage is no longer an economic necessity, the focus has shifted from material considerations to personal qualities. A good husband, a good wife, are no longer defined in terms of the fulfillment of specific roles such as being a reliable provider or an efficient housekeeper. What most of us now expect from a prospective partner is defined largely in terms of emotions and personalities, and is hence highly individualistic. Often it is even in terms of shared leisure interests. Typically, enormously complex demands are now made of a prospective marriage partner. It would be too easy simply to censure people for making these demands. If one takes the notion of marriage as a life-long (and sexually exclusive!) union at all seriously, then it would seem to be rather important to set higher criteria than those for a simple friendship.

The rationale of fidelity

If monogamy is claimed as the only justifiable setting for sexual intimacy, there must be a rationale for this. At a general level, it can be agreed that humans and human societies have a continuing need (i.e. independent of considerations related to fertility) to integrate sexual behavior into the life of the emotions. That is, we try to make sexual intimacy expressive of the mutual emotions felt by those involved. More precisely, we say that those emotions should be ones of affection, fondness, liking or love. So far, so good.

The problem arises from the exclusive nature of the claims, and most notably the sexual claims, inherent in marriage. Presumably the justification for this exclusivity is that the marriage relationship is (ideally) the central relationship in a person's life, with a much more intense helping of affection and love than is to be found in any other (sexually appealing and socially tolerated) relationships. Sexual intimacy is then seen as expressive of the uniqueness of the relationship; extra-marital sexual relationships are ruled as undesirable because they belie or undermine the centrality of the marriage relationship (legitimate sexual intimacy being interpreted as always expressive of central emotions).

One assumption here is that a person needs (and therefore should ideally live within) a single central relationship. But it is difficult to see what an argument for this claim would look like. It might be an empirical claim about what people naturally prefer when they are free to choose, but this is a highly theoretical circumstance. Apart from the commonplace that people never grow up within a vacuum, there is the consideration that individuals do not usually have anything like a practical choice in the matter, any more than they have a choice about whether or not to enter a contract of employment of some kind.

Perhaps the argument for monogamy draws its strength from a claim about what kind of arrangement generates the most potential for happiness, fulfillment and the like. Here it would be easy to provide apparent counter-examples. But the claim is too vast for anecdotal matter to decide the issue. Each of us may form a conviction one way or the other; in the final analysis, it seems more like a matter of faith than one for demonstration.

Assuming that sexual intimacy is, ideally, expressive of love, it needs to be demonstrated that it is only possible to love a single person at any one time.

We seem, to an extent at least, to have entered on a norm of sequential, rather than lifelong marriage. Is there anything wrong with this? And is it more or less desirable than the proposal I am making, which might be described as concurrent marriage? One problem is that marriage is still intended to be permanent, and associated with this is the question of what happens when the relationship ends. Usually we cope reasonably well with the idea that we may drift apart from our friends, and there need be no rancor in this process; it is accepted as being just part of life. A loose acquaintance may well continue. The situation is somewhat different when lovers part, and radically different when notice is given to a long-term intimate relationship. Now there is a rupture which inevitably weighs on us more than any mere drifting apart.

One argument for concurrent marriage is that it actually allows breaks to be relatively gentle while at the same time making them less necessary. Sequential marriage does not normally allow for such gentleness. One reason is that a significant dependency has been generated in the name of a projected permanence, and abandonment under such circumstances is a serious matter, easily giving rise to bitterness. Another is that marriage involves possession, hence possessiveness and then the jealousy generated by the suspicion or sense of being dispossessed. Not infrequently, the result is that the people we have been closest to go away for ever, we are left wholly ignorant of what has become of them, and there is no prospect of renewing the friendship even at a less intense level. This is hardly the stuff of a wholesome ethic.

This is counter-intuitive. It might, however, be possible to redefine love in a strong sense such that intense love is always focused on only one person. We might genuinely wonder, for instance, whether it is possible to fall in love, or be in love, with more than one person at a time. But we might equally question whether such a peak of intensity of feeling can be maintained for long, let alone over a lifetime. If it is not maintained, then there is a justification for either later terminating the sexual intimacy involved in the relationship, or else extending sexual intimacy to a new love.

For the present defense of fidelity to hold, the love ideally present or sought in marriage has, we have seen, to be either exclusive by definition or else must be a love of such intensity that it practically rules out comparable depth of feeling towards anyone else. Now there is no reason to suppose that life will necessarily present us with a person whom we feel bound to quite this closely and who also, felicitously, returns the feeling in equal measure. It will happen in some lives, fail to materialize in others, and in yet others there will be an essentially one-way affection, at least of this intensity. The move now open to the defense of fidelity is to claim that the special love involved is something which has to be worked at, that it is not a love which just happens.

Arguably no love just happens; the new affection is tended with hopes and meetings until it is sometimes suddenly — happily or tragically — out of control. Neither can love, as commonly understood, be forced. Yet for his argument to hold, the advocate of fidelity has to redefine love as something that can substantially be controlled, i.e. subjected to the will of the individual. This redefinition is implausible. The common word love involves necessarily a strong affective element and hence a certain spontaneity; love is not invested like trust in a business partnership.

The advocate of fidelity must now move the focus to the marriage relationship as such. The relationship, rather than the sense of love, must be nurtured until, with the years, it has become something special or irreplaceable, i.e. until each partner has become the most important person in the life of the other. “For better or worse,” I should skeptically add, for familiarity is not the same as love.

This is the nub of the problem. The advocate of fidelity is eventually forced to discard the centrality of love, at least in any ordinary sense, and replace it with some such notion as long-term commitment. But this makes the connection of the relationship specifically with sexual intimacy ever more tenuous and artificial. The truth of the

contention becomes clearer and clearer: the relationship becomes special because it has been made the unique arena for sexual intimacy, while the justification for restricting sexual intimacy to this one relationship is that it is special. That is, a wholly vacuous specialness is manufactured. In other words, there is in principle also no moral reason (there may still be prudential ones) for restricting sexual intimacy to a single relationship.

Mismatches: the non-universalizability of the marriage ideal

In the long term, sexual desires can rarely be ignored with impunity. The following argument therefore assumes that the majority of people need sexual fulfillment of some kind and that it is desirable that they should find some sexual fulfillment. The corollary is that celibacy imposed by force of circumstance is an evil.

In the last section the point was made that not everyone is likely to meet the person whom they can relate to and love unreservedly and who also, felicitously, returns the sentiment. It was argued that this fact would force the advocate of fidelity to redefine love so radically as to lead eventually to the collapse of his argument.

Now in forming and developing relationships a great deal always turns on just how much compatibility and closeness is demanded. This said, the advocate of sexual exclusivity needs, for his argument to carry any conviction, rather a high level of compatibility and closeness. However, once expectations and demands begin to rise only a little, people encounter difficulty in finding the suitable partner or else they seem to find themselves with the wrong partner. Where does the fault lie, in the people who ask too much, or in the value system that calls for such a high investment in a single relationship?

If the justification for sexual exclusivity is sought in the specialness of the relationship (or else in the specialness of the other person), then we must ask whether everyone can realistically have such a relationship if they so choose. Is this statistically feasible? It would certainly be conceivable for nearly everyone to be a partner in an exclusive relationship of sorts. And equally conceivable for this relationship to be a sexually intimate one excluding third parties. But such partnerships cannot reasonably be expected also to be ones of a meeting of minds, of wide-ranging compatibility, of depth of companionship. Yet once these qualities are absent, again, the moral rationale for fidelity collapses.

The point is crucial, and I will restate it — twice. Assuming affections may be coaxed but not manufactured, and since affections are not automatically mutual or automatically associated with sexual attraction, it is statistically probable that many people will be unmatched or ill-matched. If they are ill-matched, a mockery is made of the whole rationale of sexual intimacy being expressive of the special closeness of the marriage partners. There is no longer anything inherently unique or especially valuable about the relationship, only the uniqueness imposed externally by the norm of exclusivity in sexual matters. The justification for keeping the sexual relationship exclusive has to be that the relationship is on other grounds and in other respects unique and special such that sexual intimacy and exclusion can reflect this unique and special character. But now, in practice, the only thing special and unique about many of the relationships is that they involve sexual intimacy.

This problem only arises as long as the rule of sexual fidelity, as a moral (rather than hygienic or progenitory) rule, is propagated as binding on all. The ideal of exclusive love (in an ordinary and substantial sense of the word love) as the only proper setting for sexual intimacy cannot realistically be universalized. This does not mean that it cannot be realized some of the time. (It could theoretically be universal in a world which was governed by

divine providence and guardian angels, but it cannot be universal in a world subject to the disorderliness of non-mutual and conflicting attractions.)

Here the second restatement of this crucial point, this time in statistical terms. Imagine a model of people forming couples. Let us suppose that the average woman in the realm is three inches shorter than the average man. Let the Tyrant decree that each woman is to marry a man who is three inches taller. We intuitively see that havoc would result, at least in the absence of centralized matching by computer. Our intuitive insight could doubtless be demonstrated by mathematical modeling using probability theory.

Let us now add just one more variable. Suppose the average woman is three years older than the average man and that the Tyrant issues a further decree that each woman must marry a man three years her junior. With just two variables, the headache is complete. Yet in the area of personal relationships we are dealing with a veritable multitude of variables.

The ideal and the good

Let us suppose for a moment that a close, lifetime relationship, which is the ideal of marriage, really is a most desirable destiny for all. (This is a big supposition. The institution of marriage lends legitimacy to the staking of exclusive claims, and hence to possessiveness and jealousy. The latter can scarcely count as virtues.)

Let us suppose furthermore that, notwithstanding the foregoing argument, it could reasonably be achieved by everyone, i.e. that there were no systemic problems about its universalizability. This ethic still runs foul of another difficulty, namely that setting something up as an ideal to be pursued by all is likely to encourage falseness in one shape or another. For example, assuming that sexuality constitutes a powerful drive, if it is only acceptable to exercise that drive in the presence of certain rather high-flown emotions and attitudes, people will consciously or unconsciously fabricate the appropriate feelings. Those feelings, even if they are not wholly counterfeit, will consequently lack staying power.

In other words, once an ideal is firmly in place, people will feel constrained to comply, and be it at the cost of suppressing (either publicly or psychologically) what they really feel and want. In the present case, if it is put about

that people (and notably adolescents) can only have sex when what they feel for each other is love (rather than, say, simply affection), then they will either pretend to such feelings or else — and I suspect this is far worse and widespread than straightforward deceit — they will manufacture the said feelings. In consequence, they are likely to confuse sexual desire with love.

Now it might seem that this blending of the two (desire and love) is the ideal state, indeed just what we have been striving for, and in a sense it is. But do we achieve the real thing by suppressing the distinction? Or do we not rather introduce confusion into the hearts of the best, while fostering hypocrisy in the rest? The word love is easily spoken, and it is only a little more difficult to imagine that it has been achieved. Especially if you have the incentive of socially sanctioned sex to reward you.

The general fallacy at work here might be described as the confusion of the ideal with the good. There is a crucial difference between on the one hand a statement of the form that sexual intimacy can be expressive of love (and when it is so expressive this fortuitous event is to be welcomed), and on the other hand the setting up of an ideal unity between desire and love, which all should strive for. There is a presumption here even that we have the power to choose to achieve this harmony. This presumption

is, I contend, a form of hubris. Or, in a more modern, a Wittgensteinian idiom, it is what happens when thought is idling. Too often, indeed, ideals are but the product of idle minds. What we should instead require, of ourselves and of others, is behavior that is good enough.

Summary

First the argument from common experience tells us how difficult it is to find and win someone with whom we can forge more than a limited partnership. Should we then lower our sights? But if it does not much matter whom you marry as long as a rough and ready compatibility is ensured, then equally it ceases to matter that you should be faithful. Unless the argument for sexual exclusiveness is to be one of fidelity for its own sake.

The empirical premise of this argument, namely the practical difficulty people face when seeking a suitable partner, was then shown to be a nearly necessary truth. That is, the statistical probability of no or few placement difficulties arising is negligible. Hence, the failure of marriage as a social system is pre-programmed, and does not generally reflect personal failings. (This argument from non-universalizability does not presuppose acceptance of a Kantian standpoint, although a Kantian would have to accept it.)

Finally, a separate argument distinguished between a set of circumstances being good in the sense of felicitous and these circumstances being an appropriate target for acts of will. We should not seek to control and determine everything, because the attempt is likely to fail and, indeed, create more havoc than letting things be. In matters connected with sexuality, it is arguably wholly inappropriate, for spontaneity is of the essence here, the nature of the erotic experience being a letting go, an abandon, and so a relinquishment of control.