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On why the institution of marriage refuses to fade and die and

what humanists should do about it

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Frank Sinatra once crooned that love and marriage went together like a horse and carriage. The spike in female initiated divorces that followed the liberalized Canadian Divorce Act of 1968 seemed to support an alternate view that marriage was a legal contract cementing female subjugation and many women wanted out. Those of us who marched with Women's Liberation expected the institution of marriage to decline and die with the advent of gender equality. Fifty-odd years later the surprising vitality of the institution hints at something that transcends legally binding contracts, and if that is the case then humanists outside of Ontario may wish to consider that we have missed something by relying on provincially mandated marriage officiants.

Ontario humanists have the authority to perform marriages that are legal as well as meaningful and inspiring while in the rest of the country those wanting a civil ceremony rely on provincial legislation governing civil marriage. I am a Saskatchewan marriage commissioner, and stripped to its essentials marriage commissioning is soulless. There are only three requisites for every marriage officiant ceremony: the couple has to declare that neither is currently bound by a pre-existent contract, they have to declare that they take the other as their legal spouse, and they have to listen to the commissioner declare them to be married by the power of the relevant provincial legislation. This has to be done in front of two witnesses who are at least 18 years of age and sober. In essence the marriage commissioner is a clerk who, in Saskatchewan, is paid $75.00 (we were given a 50% increase two years ago) to file the appropriate signed documentation with the Department of Justice. Anything the marriage commissioner does beyond this optional.

I do humanist weddings in the boreal forest of Northern Saskatchewan. Retracing the route of the old courier de bois (by air) in 2003, I landed in the valley of the mighty Ottawa to learn the ceremonial secrets of the humanists of Upper Canada. By luck and shrewd negotiation with a then sympathetic bureaucracy, Ontario humanists had obtained a kind of quasi-religious standing that allowed them to perform secular marriages under the marriage act of their province. These officiants are not mere clerks who scrape away the religious symbolism to expose its bare contractual elements! Humanist officiants meet with prospective couples beforehand to co-construct individualized weddings with a vision of a secular spirituality encompassing love, commitment, vision and community. They performed over 600 such weddings in 2014 while in the rest of the country, I performed 12. Before examining why I think this is unfortunate for humanism and what we might do about it, let's examine marriage trends since the liberalization of divorce laws and why the 1960s materialist analysis of the institution proved to be mistaken.

New Wine in Old Bottles: The Changing Face of Canadian Marriage

Despite presumptions of patriarchy, most brides in my youth seemed more enthusiastic about the process than their husbands to be. The Victorian ideal of marriage was shrouded in Christian tradition. The two were to "become as one" hence their properties and even their wills were to be joined. Since "the man is the head of the house as Christ is the head of the church" this will was to be expressed by the male in the relationship. Men were to provide for their wives and families while women typically had responsibility for hearth and home. Men who failed in their role were frequently shunned and ridiculed (George, 2007).

Modifications to this Christian ideal had been occurring for centuries. In an attempt to rectify the discrimination of allowing single women property rights while denying these rights to married women, Massachusetts, U.S.A. passed a Married Women Property law in 1814 and

during the 19th century the right of married women to hold property was affirmed in most English speaking countries.

The yearly divorce rate increased from about 2% to 5.5% in the decade following the 1968 liberalization with the result that by1977 one could expect half of marriages to end within ten years. Three quarters of these divorces were initiated by women. With the presumption that much of this gender difference represented women in abusive relationships, legal protections for women were increased and educational efforts were made to eradicate male violence. Research during the 1990s revealed that at least half of domestic violence was, by this time, female initiated (George, 2007; Kelly, 2002; Kwong, Bartholomew, & Dutton, 1999). With a presumption that married women not in the workforce were contributing equally to the increase of family income, laws were passed ensuring that divorced women receive half of matrimonial property. The Victorian assumption of female primacy in child rearing was maintained and applied to custody and access laws. The assumption of male financial responsibility was also maintained and strengthened in increased court enforced support payments. Despite these changes, or perhaps because of them, the rate of divorce as a percentage of marriages has slowly declined, but it continues to be double the rate in the 1960s. Since 75% of divorces continue to be initiated by the wives involved irrespective of the efforts to ensure that the institution is less oppressive to them, it can be concluded that the majority are seeking divorces for other reasons.

As can be seen from Figure 1, the marriage rate per 1,000 population spiked in Canada during the early years of World War II and in the year immediately after. This can be explained by the mobilization of a huge percentage of the male population for the war effort with many couples wanting to be married before the men were shipped overseas, and by single soldiers wishing to establish families immediately on their return. The spike in the marriage rate in the

mid-1970s matches exactly the spike in the divorce rate that occurred after the 1968 divorce

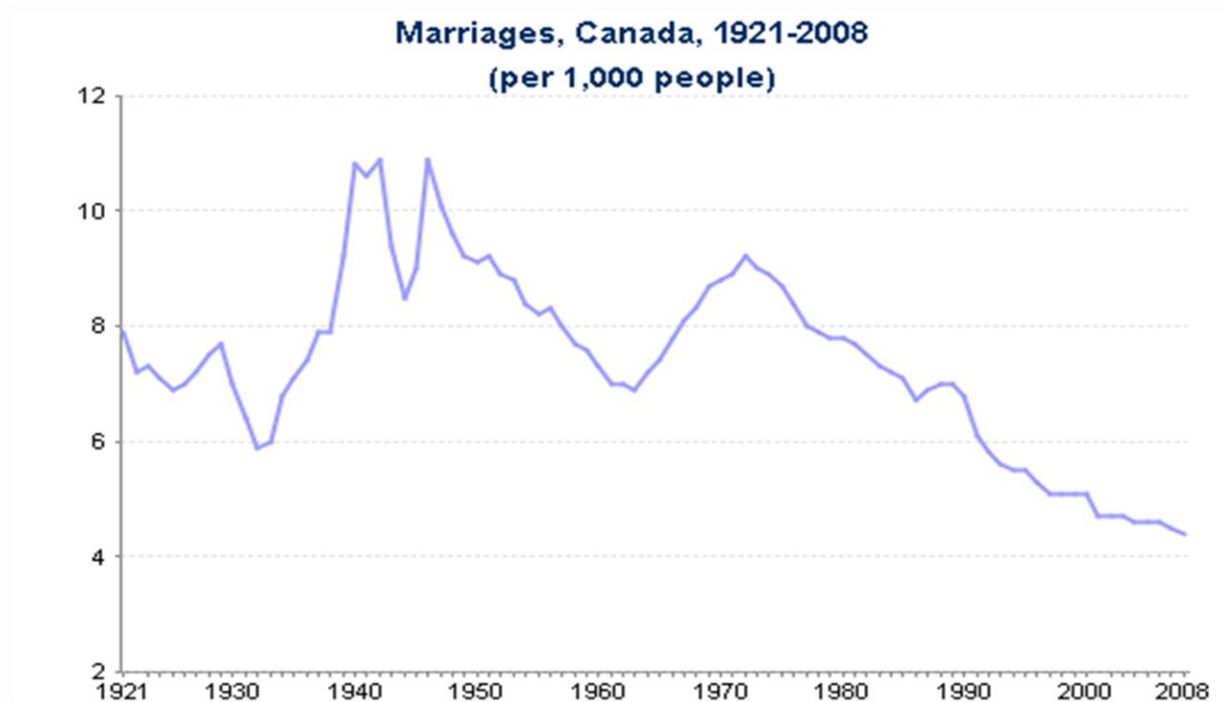laws. People divorced so that they could re-marry others.

Figure 1: *Marriage Rate in Canada 1921 - 2008*

  Figure 2 illustrates the age of first marriage by sexual gender. The fact that people are

now waiting approximately six years longer to become married means that at any given time the

number of unmarried people in the population will be elevated. In addition, an increased divorce

rate will mean that at any given time a number of single divorced people will be in the

population. These two factors combine to skew the marriage rate downward.
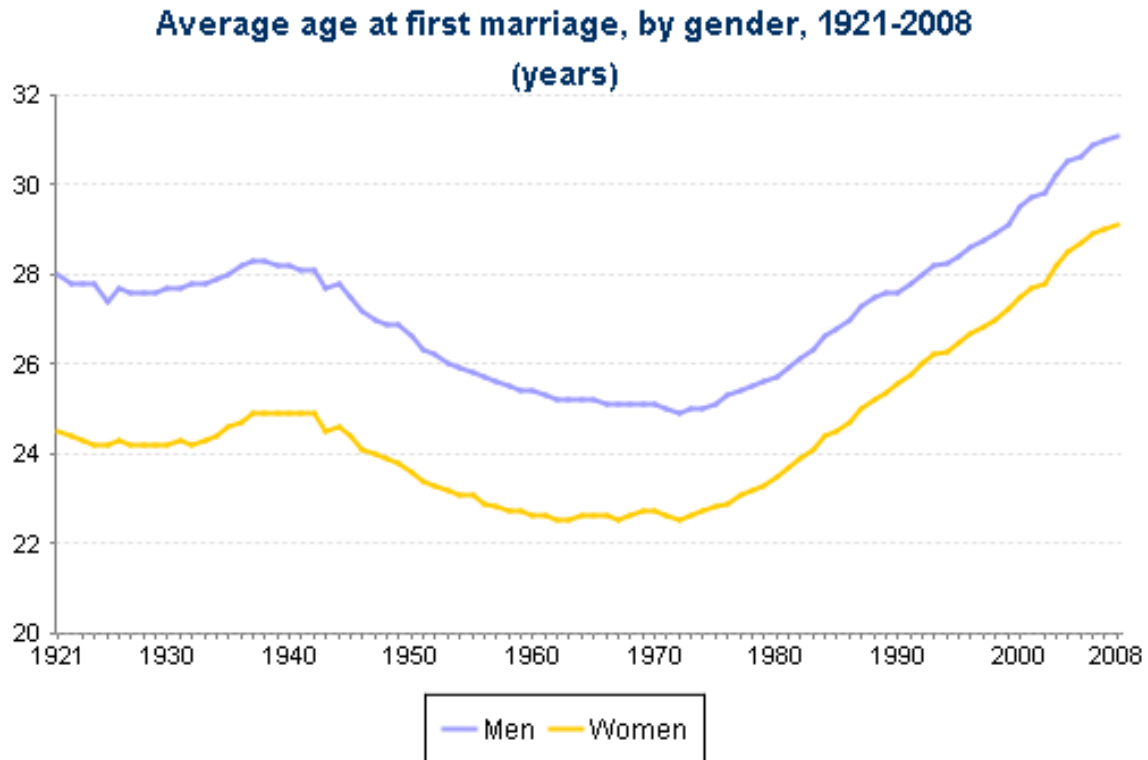
Average age at first marriage, by gender, 1921-2008 (years)

Figure 2*: Average age of first marriage by sexual gender*

Figure 3 illustrates the demographic effect of delayed marriage for both sexes. The majority of those under thirty choose to remain legally unmarried with the proportion of men in that demographic who were never married increasing from 15.0% in 1981 to 54.0% in 2011. For women, the increase was from 10.5% in 1981 to 43.4%. But by age 64 men and women are as likely to have been married, at least once, as their age peers thirty years ago. While it is possible that a portion of the large group of 30 and 40 year-old group of the current never-married group will choose to remain in that status, such a decision would be contrary to recent demographic trends. We must conclude that marriage is as prevalent as in previous decades but that it has

changed. People are marrying , not as a rite of passage in their early twenties, but as a ritual that has personal meaning to them.
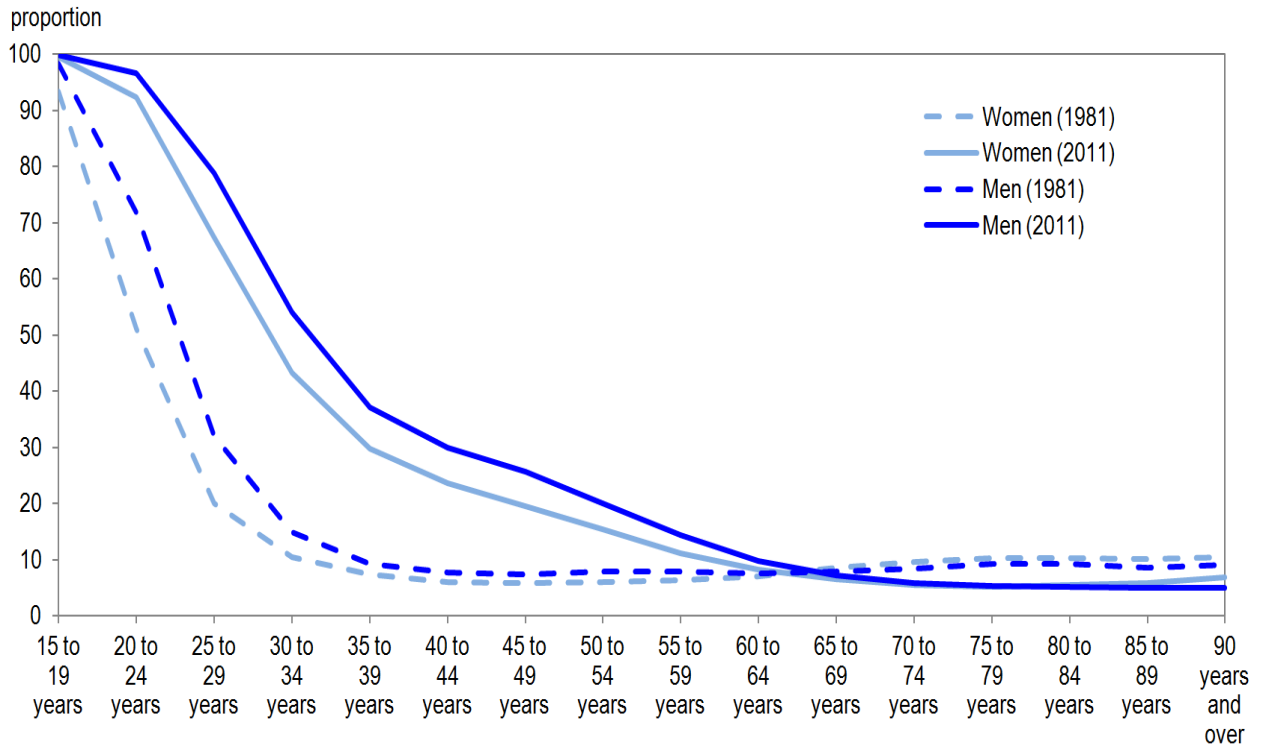

Figure 3: *Proportion of population aged 15 and over that was never legally married by age group and sex, Canada, 1981 and 2011*

Reflections on Marriage from Northern Saskatchewan

Sparsely settled and overwhelmingly aboriginal, northern Saskatchewan may seem to be an unlikely place to answer questions about the evolution of modern marriage, but its continuance in this cold climate is testimony to its endurance. The first church in Saskatchewan was build in the northern community of Stanley Mission in 1851, so effectively, the institution of a legally recognized marriage in this territory dates back to that time. Common law marriage more exactly approximates older aboriginal traditions. The background of the people I marry often reflects a colonial status dating back to the era of the fur trade.

I marry Catholics. While Stanley Mission and the Lac La Ronge Indian Band were designated Anglican by the first Department of Indian Affairs, most of the rest of northern Saskatchewan was designated Roman Catholic. The priests effectively controlled these communities until the 1970s when a "heathen" NDP government established competing northern municipal councils. While southern Canadians and U.S. Americans may have their marriages annulled, this effective doctrinal modification essentially applies to only 4% of the world's Catholics (Ray, 2009). It does not apply to the north and most third world countries. But why would divorced Catholics want a wedding that their church will not recognize?

A group for whom I commonly perform weddings might be described as Native Spiritualist. A form of native spirituality can be seen as a newly evolving religion in competition with Christianity (Robertson, 2014b). By referencing an older native spirituality that takes cultural artifacts, not as dogma but as symbols of love and commitment, it is possible to incorporate aspects of native spirituality into a humanist wedding. Dress, the medicine wheel, even the burning of sweet grass can be viewed as such cultural manifestations. Yet native spirituality in neither religious nor secular forms has an injunction to marry, so why bother?

 I perform weddings for people of mixed religious backgrounds who see a secular humanist wedding as a compromise between competing faiths. I am sure the ministers and priests who often rail against atheists and humanists would have difficulty understanding how we represent a compromise; however, many of their congregations see within our ceremonies something fundamental that transcends religious belief.

I perform weddings in some of the most poverty stricken communities in Canada. For these people a big wedding with a banquet which, even when supplemented by fish and wild game, is a substantial investment. Some of these people have spent decades "partying"

whenever finances permitted. They tell me they want to change, to form partnerships to successfully raise their children. I have watched couples from this subculture give up the partying lifestyle, work at low paying jobs outside of their communities because often there are none in their communities, arrange for child care with extended family members because daycare is not affordable, and succeed in giving their children opportunities they never had. I believe the marriage ceremony is a factor in their success, a signal that they have decided to change themselves, that the change is real, and that their families and friends need to respect that change. This dynamic involves legitimizing an internal change to the self.

The Importance of Self

The self is a culturally mediated definition about who we are. Harre (1989) described it as a theory upon which we base our decisions. Hofstadter (2007) said it was simultaneously an illusion and the most precious thing we own. We are taught to have selves through the process of language acquisition by learning to master indexical pronouns and through the attribution of motivation as in, "Aww, does baby want his diaper changed?" The importance of language in the learning of cultural memes that can be used in the construction of self cannot be overestimated. As Helen Keller (1905) reported, she was not fully conscious until she had learned a language.

The self allows us to situate in time and place. By having a definition of who we are, we can begin to understand others with what psychologists call "theory of mind." This leads to an understanding of one's own subjectivity – a necessary step in achieving the concept of objectivity. There are costs associated with self-awareness. People without selves cannot suffer from self-consciousness, embarrassment, anxiety or depression.

The development of the self does not typically stabilize until late adolescence or early adulthood (Harter, 2012) after which people generally "know" who they are even if that

knowledge is felt as opposed to consciously articulated. We tend to act behaviorally as the kind of person we intuit our selves to be, and this reinforces the correctness of our original assumptions. Fully functional selves contain elements of volition, uniqueness, constancy, productivity, intimacy, social interest and emotional intelligence (Robertson, 2010). It is the element of constancy that is the bane of psychotherapists because new self-affirming cognitions may feel contrived or "phony" to a person whose identity is already formed. The self changes slowly, in evolutionary fashion, with new associations built on existent self-identifying memes. Radical change is possible in what psychologists call "transitions," but psychological mechanisms must be invoked so that the transition feels real. Ceremony is one mechanism. Marriages, especially those that involve public declarations, help to affirm changes in the selves of the participants.

Figure 4 represents the mapped self of a young Metis mother of four (Robertson, 2014a). The term within each oval is the title of a self-defining meme. The meaning of each term follows her own definition and each presents with a series of individualized connotations, emotions and behaviors. The numbers within ovals represent the number of segments that reference that meme in an initial interview in which the subject was asked to explain who she was. Memes without numbers emerged in a subsequent two interviews. Lines between memes represent connotative, emotive and or behavioral connections that may be thought of as circuits guiding thinking and behavior. Heavy directed arrows emanate from triggering emotions that bring focus on various aspect of her self.

The meme "wife" was the second most referenced meme in this woman's self narrative. "Wife" for her means being married to a specific man, but in a highly individualized way. Monogamy was not mentioned in their vows because she did not view that to be realistic, but he

is to tell her when he is interested in another woman. In return he has to accept that she is bi-sexual. The affect associated with being a wife is love. Her behavior associated with being a wife included cleaning and budgeting. Were he to die, she would grieve as though she had lost part of herself because, memetically, that is exactly what would have happened.
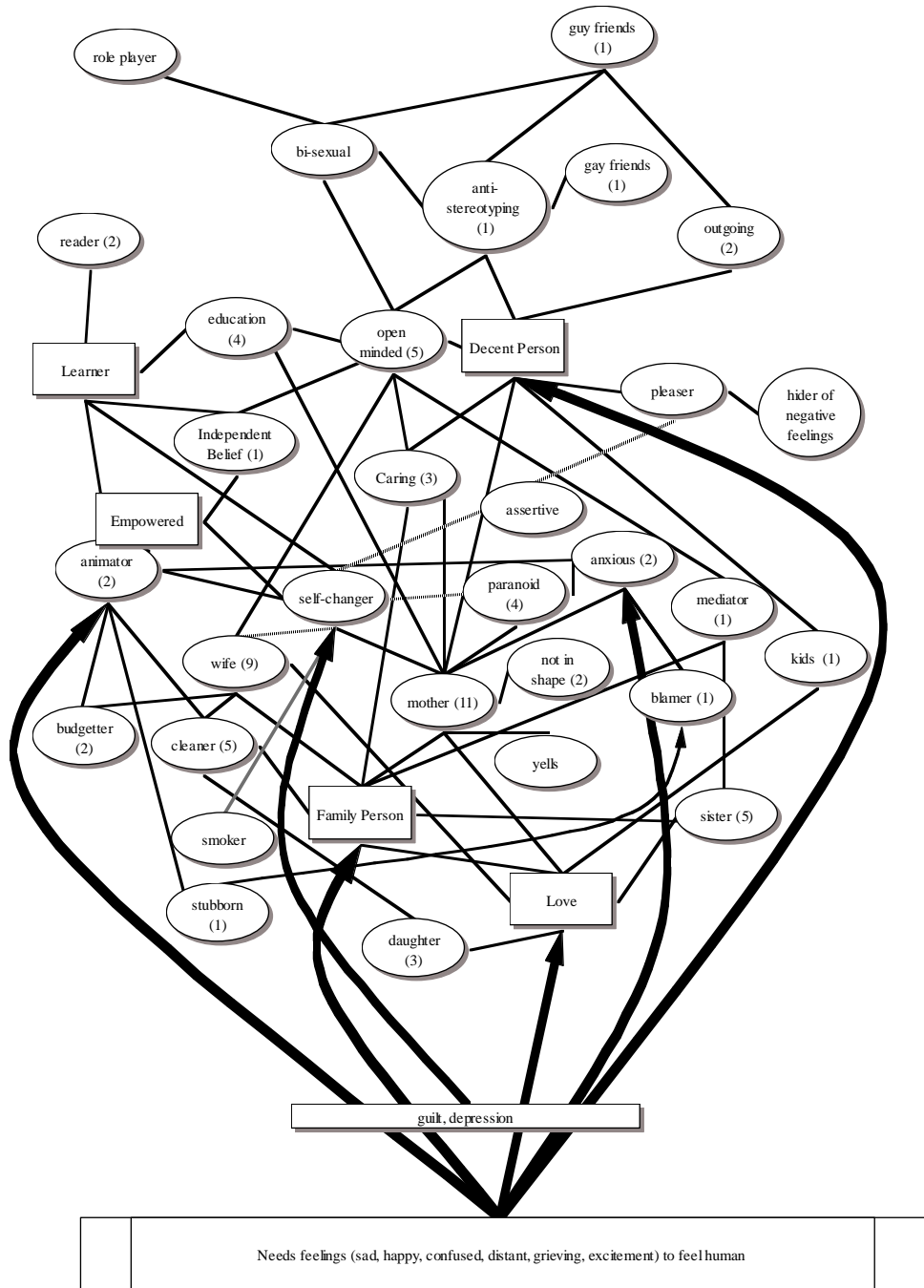

Figure 4: *A self-map of a young Metis woman*

Love occurs when another person becomes part of your self. Her marriage ceremony affirmed a particular shared worldview that has worked for them and their four children. Had she defined her core self as career, family of origin, religious or political beliefs, then memes for wife and mother would have been more peripheral with implications for future possible choices.

The law is often slow to recognize and accommodate the plethora of selves potentially available in identity formation. In 2011 a directive consistent with earlier court rulings was issued to Saskatchewan marriage commissions informing them that they would be required to perform weddings for homosexual couples. If marriage commissioners are clerks then such a directive is simply an administrative paper processing matter. In protest, a marriage commissioner resigned on religious grounds. Another announced that he would wait to be fired for refusing to marry a gay or lesbian couple. An obvious question is why would people with such strong religious views be conducting secular marriages? A less obvious question is, on what basis do clerks perform ceremony?

Redressing the Failure of Statist Secular Marriage

The institution of marriage has not died because it speaks to a need for ceremony in our self-maintenance. We need to feel that we are the same person today that we were last month or will be a month from now. Public ceremony with vows that are deeply felt counts as psychological evidence verifying planned transitions to the self. While there are probably many marriage commissioners who, on their own, have found ways of integrating the individual values and worldviews of their clients into the secular weddings they perform, the minimalist approaches of provinces guarantee inconsistency. Marriage commissioners are left to their own devices. In contrast, we need to affirm our commitment to supporting the humanist self in all jurisdictions.

Secularists everywhere should have the opportunity to participate in meaningful ceremony, but under the provincial marriage acts they run a risk of being short-changed. Religionists who have traditionally run this country have defined secular marriage, and they have done so in the most barren way possible. In most of the country we have the alternative option of seeking to declare ourselves to be a religion by submitting an agreed upon dogma and the names of the requisite adherents to the civil authorities. The act of dogmatizing our beliefs risks restricting our ability to individualize ceremony to the values of the couples seeking our service. Further, the religification of our worldview would undermine our authenticity and with it our ability to perform meaningful weddings.

The officiant model as applied to Ontario avoided the pitfalls of dogmatization that could have impacted on our ability to respond to diversity in providing humanist ceremonies, but it was accomplished through a convergence of social and individual factors not immediately applicable elsewhere. I would recommend we use the Ontario model to lobby for similar provisions in other provinces, with the added provision that our officiants should not be referred to as clergy. We are not in the business of leading a "flock," but in the business of learning about unique worldviews and designing ceremonies to reflect those views. While this is done by humanist officiants in Ontario the terminology used should reflect that reality. Ideally, we need official recognition that secular organizations may provide ceremony in a category separate from religions.

While research needs to be done on the kinds of ceremonies currently available, we could also encourage those currently recognized to perform civil ceremonies to provide meaningful humanist weddings. This would include an educational campaign alerting people to the self-development needs of wedding partners and ways in which those needs may be met. It might also involve presentations to civil authorities and the provision of workshops for marriage

commissioners on how to structure meaningful ceremony recognizing diversity. This could be

coupled with identifying, training and publicizing those commissioners willing to perform

humanist weddings. Such measures are stopgap. In the end, we must demand the right for secular

organizations to perform secular marriages.

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