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MARRIAGE AND DIVORCE: HOPES AND SHATTERED DREAMS

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Thesis submitted in partial fulfillment of
the requirements for the Degree of Master
of Arts in Hebrew Letters and Ordination

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To my parents and all those along the way
who made a difference

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DIGEST

We Jews have always placed a high priority upon the family and its stability: "To be fruitful and multiply" was achieved in marriage, and through it were the values of one generation handed down to the next. But, as the song says, "The times, they are a'changin'."

Chapter I: The first chapter presents the Biblical and Rabbinic views of Jewish marriage, from the act of betrothal to the marriage ceremony itself. It seeks to delve beyond the rituals in order to gain an understanding and appreciation of the considerations for the enjoyment and fulfillment of the couple within marriage.

Chapter II: A paradox is encountered: if marriage is indeed "sanctified," then how can divorce be countenanced? Again, Biblical and Rabbinic references are cited in order to appreciate the rights of and the conditions under which a husband may divorce his wife, or a wife may divorce her husband.

Chapter III: Statistics are shown and trends analyzed of the marriage, divorce, and remarriage rate in the United States with specific emphasis upon changes in the last two decades.

Chapter IV: This chapter deals with the dilemma of human relationships: how we search for ourselves and others, and how this quest often leads to the creation of communities or of marriages.

Chapter V: What is marriage? How large a role do "rising expectations" and stereotyping play? The needs of people as individuals are explored toward understanding why marriages fail and how they may be strengthened.

Chapter VI: People who are divorced often pay an awesome price in terms of personal ramifications: physical, psychological, emotional. Yet divorce need not be an end; it can be a beginning toward greater self-awareness, maturity, and appreciation of future relationships. The possibilities are explored in this chapter.

Chapter VII: This chapter looks at the future and what it may bring in terms of human relationships and living patterns. It also offers suggestions for rabbis and Jewish educators in dealing with present problems which affect marriages and divorces. Finally, it contrasts what are likely to be the differing personal and organizational positions to future possibilities within the three major branches of Judaism.

Jewish Marriage

The concept of "sanctity" is central to the Jewish marriage ritual: "Behold, you are sanctified unto me. . . ." In its literal sense it is an act of "setting apart," and when something is set apart for a holy purpose we consider it to be "sanctified": to be utilized or joined in a sacred manner. The beauty of the utterance "Behold you are sanctified unto me" is that it makes no presumption in and of itself as to role identity within the marriage bond. This is in direct contrast to marriage vows containing the formula "I now pronounce you man and wife" as if the male somehow retains his gender while the female suddenly becomes "wife" (with attendant cultural implications) and, by semantic implication, less "female." "From the standpoint of Torah there is no difference in level between husband and wife. It is not a question of superiority or inferiority; there is a difference only in the duties and the responsibilities of each, not in their value as human beings."²

A superficial reading of passages found in the Talmud or Tosefta would seem to suggest that a wife is acquired, *נ'יך בעל* much in the same way that a man acquired property. The first chapter of Tractate Kiddushin describes the acquisition of a wife in conjunction with the

acquisition of slaves, animals, and of movable and immovable property. The marked distinction between these latter categories and that of "wife" is that whereas the notion of "ownership" is applicable to them, it is not applicable to her. In the words of Tosefta: "A woman is purchased three ways: with money and with a document and by intercourse."³ With the exception of *ḏik'el* what is the difference between acquiring property and "acquiring" a wife?

In property, whether immovables or movables, a sale or a contract transfers rights and only rights, whether contractual or proprietary. For this, consent is indeed needed, but the law is that a forced consent is legally effective. In the case of marriage, more than a transfer of rights is involved, namely, a creation of status, and therefore for this a creative consent is required. For marriage, the law requires a woman's willing consent; whilst for other transactions *Haskama* is sufficient, for marriage *Daath* is necessary. Though the woman's part in marriage is not an active one, and it is the husband who is the maker of the marriage, yet her consent or rather her desire for the marriage is an essential part in the contract of marriage, and it is not a mere condition in the institution.⁴

A woman may not be coerced or led by misrepresentation of facts to consent to betrothal:

"On the condition that I am a poor man, and he was a rich man. On the condition that I am a rich man and he was a poor man and became a rich man . . . it is not betrothal. This is the general principle. Every condition which exists at the time of betrothal, even if it is invalidated (abolished) afterwards, behold this is betrothal. And a condition which is not in existence (though it is said to be) at the time of betrothal, even if it comes to exist afterwards, this is not betrothal."⁵ That which is a fact at the time of betrothal renders the betrothal valid. That which is not a fact at the time of betrothal, and nevertheless becomes a fact after the betrothal, renders the betrothal invalid. A sense

of honesty and integrity was intrinsic to the betrothal. Since the man was the "active" party, initiating the actions which would ostensibly lead to Kiddushin, and the woman in this sense "passive," it was vital that she be protected from false claims. One could not very well claim to be "sanctified" if deception was involved.

If the woman was not deceived at the time of betrothal and gave her consent, then why do we read that "a woman is acquired with money?"⁶ Certainly one can understand such acquisition by document or through intercourse, but might not the exchange of currency be viewed as degrading? After all, movable or immovable property or livestock were acquired precisely in this manner. If Kesef was common to all, then what differentiated the human element?⁷ Obviously the payment for the value of Kiddushin in the amount of a peruta is unrealistic; at the same time, we know that for Kiddushin it was necessary that she receive money or its equivalent for the express purpose of betrothal:

"Behold, take this sela which I am obligated to give to you as a gift. He says to her, 'Behold, you are sanctified unto me.' If she wants to (accept it as betrothal) she is betrothed."⁸ Before the object was given to the woman, she had to be told that such was being done explicitly for the purpose of betrothal. The money was not intended as a value payment nor was it viewed as merely a symbolic act: "The idea of Kesef in Kiddushin is to provide the element of enjoyment."⁹ It seems to me that in addition to the concept of sanctity as a general framework within marriage; of honesty and integrity as typified by attestations during the betrothal; and of the willing consent of the woman, that it is this notion--that of enjoyment--that is central to the philosophy of Jewish marriage.

In commercial transactions the exchange of money was for value received or as a loan toward acquisition. The concept of enjoyment as such is not considered. But in Kiddushin what matters is that the woman be able to enjoy the value of the Kesef. Symbolic barter is not valid and the concept of "value" is not involved: "Its underlying function is that the woman has to enjoy the value of a Prutah at the time of betrothal; that enjoyment of at least the value of a Prutah is considered "Kesef" for Kiddushin. It is an exceptional type of currency peculiar to the institution of marriage."¹⁰ That Kesef Kiddushin is intrinsic to betrothal is seen in the following: "One who sanctifies with illegitimate gain, such as a deposit or he grabbed a sela from her and betrothed her, behold this is betrothal."¹¹ This reference is a legal fiction which also indicates how much the rabbis wanted people to get married!

Marriage was viewed as more than simply fulfilling the commandment of וַיִּשְׂא וַיֵּבְרָא; it was a natural and desirable state of being.

Matrimony was invested with an aura of such sanctity that it was employed as a metaphor to describe the relationship between God and Israel--God the bridegroom, and Israel the bride. Hosea looked forward to the day when God would say to His people, 'Thou shalt call me my husband . . . and 'I will betroth thee unto me forever.'¹²

Hence it is said that "God creates new worlds constantly. In what way? By causing marriages to take place."¹³ "The Shekinah can rest only upon a married man, because an unmarried man is but half a man, and the Shekinah does not rest upon that which is imperfect."¹⁴ "The unmarried person lives without joy, without blessing, and without good."¹⁵ The blessings of a married man and the onus upon an unmarried man are forthrightly stated: "Every man is obligated to wed a wife in order to be fruitful and multiply. And everyone who does not occupy himself (with the commandment) 'be fruitful and multiply' it is as if he spills blood

and diminishes the Divine Image and causes the Shekinah to depart from Israel." Note: everyone who does not have a wife lives without blessing, without Torah and is not called a man. And when he weds, his sins are driven out, as it is said, "He who finds a wife finds goodness, and brings out favor from the Lord."¹⁶ A wife is a man's complement and helps to create a home for both of them: "A man's home is his wife"¹⁷ and R. Yosi said, "Never have I called my wife by that word, but always 'my home!'"¹⁸

It is said that "Up to the age of twenty the Holy One, Blessed be He, watches for a man to marry, and curses him if he fails to do so by then"¹⁹ and the verse "Profane not thy daughter to make her a harlot" (Lev. 19:29) was applied to a man ". . . who delays arranging a marriage for his daughter while she is of suitable age."²⁰ But, as explained earlier in this chapter, marriage was not to be entered into frivolously. Marriage for the sake of marriage was not what the rabbis intended.

A husband was obliged to provide his wife clothing, food and intercourse: "Food, clothing and intercourse--behold, this is betrothal and its condition is established."²¹ Jewish law stipulates the legal minimum of food, clothing, household furniture, cosmetics, adornments and medical treatment which a husband must provide his wife. It is said that "A man should eat and drink less than his means allow him; should dress according to his means; and should honor by proper clothing and dwelling place his wife and children with even more than what he can afford."²² He must also provide the money and perform any act required to redeem his wife from captivity; he must bear the costs of her burial; and see to the support of his widow and minor offspring in the event of his death.

It is his wife's obligation to do all household work as normally done by women in a respective standard of living. She bestows upon him the usufruct of some of her property, save the principal of her ketubah portion or of gifts given specifically to her by her husband or from others. She too must consent to cohabitation and if she persists in her reluctance to do so for a period of twelve months she may be liable to divorce without the benefit of her ketubah.

The legal form called "Tanaim" (Conditions) given prior to kiddushin and listing the obligations of each individual is as follows:

May He who predestinates, bestow a good name and fortune to the provisions embodied in this agreement, which were agreed upon by the two parties hereto, that is, as party of the first part, Mr....., who represents the groom Mr....., and as party of the second part, Mr....., who represents the bride Miss.....

Firstly: That the above named groom agrees to take himself as wife the above named bride, through huppah and betrothal, in accordance with the Law of Moses and Israel; That they will neither abstract nor conceal from one another any property whatsoever, but they shall equally have power over their property, pursuant to the established custom.

The above named groom obligates himself to present the bride with gifts according to custom.

The above named bride obligates herself to give as her dowry the sum of ... in cash, and clothes, pillows and linens, as is the custom.

The wedding will take place, if the Almighty so wills it, on the ... day of ... in the year of ... sooner than such date or later if both parties agree thereto.

A fine is to be paid, by the party breaking this agreement, to the other party, in the fixed sum of ... and also in accordance with the law of the land.

All of the foregoing was done with perfect understanding and true deliberation, and by means of most effective method, in accordance with the ordinance of the sages, of blessed memory, and in accordance with the law of the land; by means of striking hands, by solemn promises, by true

affirmation, by handing over an object (from one contracting party to the other), to take effect immediately; and this is not to be regarded as a mere forfeiture without consideration, or as a mere formula of a document. We have followed the legal formality of a symbolic delivery (kinyan), by handing over an object, between the groom and the bride and their representatives, by using a garment legally fit for the purpose, to validate all that is stated above.

For the further purpose of making this agreement binding and obligatory, the groom and the bride themselves have attached their signatures hereunto this ... day of ... in the year ... at

Attested to (Groom)

Attested to (Bride)

In our presence, the undersigned witnesses, did the above named groom and bride attach their signatures, to affirm all that is stated above, and in our presence did they go through the legal formality of symbolic delivery, by handing over an object from one party to the other (kinyan), that this agreement take effect immediately; and we have verified and affirmed it as required by law.

In witness whereof, we have hereunto set our hands this ... day of ... in the year ... at

Attested to (Witness)

Attested to (Witness)²³

The Ketubah is the marriage contract, stipulating the husband's obligations to his wife:

On the ... day of the week, the ... day of the month ... in the year five thousand, six hundred and ... since the creation of the world, the era according to which we are accustomed to reckon here in the city of (name of city, state, and country), how (name of bridegroom), son of (name of father) surnamed (family name), said to this virgin (name of bride), daughter of (name of father), surnamed (family name): 'Be thou my wife according to the law of Moses and Israel, and I will cherish, honor and support and maintain thee in accordance with the custom of Jewish husbands who cherish, honor, support and maintain their wives in truth. And I herewith make for thee the settlements of virgins, two hundred silver uzim, which belongs to thee, according to the law of Moses and Israel; and (I will also give thee) food, clothing and necessities, and live with thee as husband and wife according to the universal custom.' And Miss (name of bride), this virgin, consented and became his wife. The wedding outfit that she brought unto him from her father's house, in silver,

gold, valuables, wearing apparel, house furniture, and bedclothes, all this (name of bridegroom), the said bridegroom, accepted in the sum of one hundred silver pieces, and (name of bridegroom) the bridegroom, consented to increase this amount from his own property with the sum of one hundred silver pieces, making in all two hundred silver pieces. And thus said (name of bridegroom) the bridegroom: 'The responsibility of this marriage contract, of this wedding outfit, and of this additional sum, I take upon myself and my heirs after me, so that they shall be paid from the best part of my property and possession that I have beneath the whole heaven, that which I now possess or may hereafter acquire. All my property, real and personal, even the mantle on my shoulders, shall be mortgaged to secure the payment of this marriage contract, of the wedding outfit, and of the addition made thereto, during my lifetime and after my death, from the present day and forever.' (Name of bridegroom) the bridegroom, has taken upon himself the responsibility of this marriage contract, of the wedding outfit and the addition made thereto, according to the restrictive usages of all marriage contracts and the additions made thereto for the daughters of Israel, in accordance with the institution of our sages of blessed memory. It is not to be regarded as a mere forfeiture without consideration or as a mere formula of a document. We have followed the legal formality of symbolic delivery (kinyan) between (name of bridegroom), the son of the bridegroom, and (name of bride), the daughter of this virgin, and we have used a garment legally fit for the purpose, to strengthen all that is stated above, and everything is valid and confirmed.

Attested to (Witness)
 Attested to (Witness)²⁴

A Midrash tells about a certain woman who asked R. Jose ben Halafta what God has been doing since Creation. He has been matching couples in marriage, was the reply: the daughter of so-and-so to so-and-so, the wife of so-and-so to so-and-so. Hearing this, she replied that even she could do this! She would simply mate so many male slaves with so many female slaves. The Rabbi responded that for God to make a tenable marriage was as difficult as cleaving the Red Sea. But the woman was adamant and on a given evening she lined up one thousand male slaves and one thousand female slaves and proceeded to mate them. On the morrow they appeared be-

fore her: one with a broken head, another with gouged-out eyes, another with a broken leg, one saying "I don't want her" and another saying "I don't want him." The woman was thus forced to agree with the Rabbi that what appeared to be easy in the human realm was hardly so in the Divine realm.²⁵

The Ketubah was instituted to enhance the dignity of the wife and also to prevent husbands from thinking that divorce could be entered upon lightly. That the pairing of couples was no easy task was realized by the rabbis: "Mating is as hard as the cleaving of the waters of the Red Sea."²⁶ That marriage was a desired state between man and woman is reflected through rabbinic literature; so important is it to take a wife that "One may sell a Scroll of Torah for the purpose of marriage."²⁷ But not all marriages would endure, and even while extolling the sanctity of marriage, the rabbis made provisions for those which would not.

CHAPTER II

Jewish Divorce

"To assimilate the right of the woman to the right of the man, it is ordained that even as the man does not put away his wife except of his own free will, so shall the woman not be put away except by her own consent."¹

The reality of divorce as a potential emotional and psychological negative experience was recognized by the rabbis in the following statement: "Over him who divorces the wife of his youth, even the Altar of God sheds tears."² We have previously noted how desirable and blessed was the union of a man and a woman as husband and wife; yet Jewish sages never ascribed to the belief that marriage is a sacrament dissoluble only by death. The concept of "sacrament" includes the notion that marriage is a divine institution, basically sinful but redeemed through the grace of God; hence, if a man and a woman have erred in their choice of mates, then they must suffer as a "duty" owed to God. Nor was Jewish divorce contingent upon the concept of matrimonial offense in which one party would consciously commit a crime or indecent act as grounds for divorce action: "In Jewish law the essential feature and basis for divorce is the consent of both parties, that is to say husband and wife are entitled to come before a court and ask for a divorce simply on the footing that they both seriously desire their marriage to be dissolved."³

In the preceding chapter we read rabbinic references in regard to a marriage blessed with a good wife. It cannot be denied that the converse

was also true! The Book of Proverbs is eloquent on this theme: "It is better to dwell in a corner of the housetop, than in a house in common with a contentious woman" (21:9) and "It is better to dwell in a desert land, than with a contentious and fretful woman" (21:19). To live with such a person is to endure the ceaseless and frustrating dripping of water: "A continual dropping in a very rainy day, and a contentious woman are alike" (27:15). The implication is clear: one is better off alone than in a relationship such as the one described above. But if such a situation existed for either the husband or the wife, were there equitable means to remedy it? Generalizations aside--"contentious woman" involves semantics, and semantics do not stand up well in a court of law: specifics do--under what circumstances was divorce granted? "Indiscriminate exercise of the right to divorce was condemned, and moral grounds had to be given before the rabbis gave their sanction to the proceeding."⁴ The formalities attendant to the preparation and delivery of the Bill of Divorce were such that one could not enter the proceedings with claims based upon generalizations or personal whims: "The numerous rules and regulations incident to the procedure in divorce compelled the husband to seek the help of one learned in the law to assist him in divorcing his wife, and thus the act became a quasi-judicial one."⁵

Just as the woman is not regarded as chattel for the purpose of marriage--she had legal protection during the course of betrothal and must give her willing consent to it--neither may she be treated as such while married. Both her legal rights and personal pleasure are of paramount importance. The Jewish legal corpus as regards divorce consists of a series of intricate checks and balances: the "checks" are those legal measures through which claims by either the husband or the wife can be

analyzed for accuracy based upon realistic situations and not simply individual perceptions, while the "balances" are those measures which redress either false charges or actual wrongs committed by either party. The law was designed to protect both husband and wife and, as such, may be divided into four areas: 1) divorce by mutual consent (remarkably similar in concept to the "No Fault Divorce Law" enacted in 1970 by the State of California and later by other states) whereby the wife receives her full dowry in the Ketubah; 2) by petition of the husband whereby, if the wife is the guilty party, she loses her rights in the Ketubah; 3) divorce by petition of the wife, whereby he is obligated to pay her Ketubah; and 4) divorce enforced by the court without petition of either of the parties.

In the Book of Deuteronomy we find two laws curtailing the husband's right of divorce. In Deut. 22:13-19 we learn that the husband is punished for falsely accusing his wife of what is termed "antenuptial incontinence" by being deprived of his right to divorce her and being compelled to keep her as a wife forever:

If any man take a wife, and go in unto her, and hate her, and lay wanton charges against her, and bring up an evil name upon her, and say: 'I took this woman, and when I came nigh to her, I found not in her the tokens of virginity'; then shall the father of the damsel, and her mother, take and bring forth the tokens of the damsel's virginity unto the elders of the city in the gate. And the damsel's father shall say unto the elders: 'I gave my daughter unto this man to wife, and he hateth her; and, lo, he hath laid wanton charges, saying: "I found not in thy daughter the tokens of virginity"; and yet these are the tokens of my daughter's virginity.' And they shall spread the garment before the elders of the city. And the elders of that city shall take the man and fine him a hundred shekels of silver, and give them unto the father of the damsel, because he hath brought up an evil name upon a virgin of Israel; and she shall be his wife; he may not put her away all his days.

(Deut. 22:13-19)

In the same chapter a similar punishment is proscribed for the ravisher:

If a man find a damsel that is a virgin, that is not betrothed, and lay hold on her, and lie with her, and they be found; then the man that lay with her shall give unto the damsel's father fifty shekels of silver, and she shall be his wife, because he hath humbled her; he may not put her away all his days.

(Deut. 22:28-29)

The only mitigating circumstance exists if the woman has religious disqualifications which cannot be removed; in this event the ravisher need not marry her but is obligated to pay her father both the fifty shekels required by Biblical law (Deut. 22:29) as well as punitive damages determined by her personal status and condition in life for the injury, shame and suffering done to her. However, if the woman is willing to marry him, the ravisher cannot refuse to do so. In the words of the Mishnah, "He must drink from his refuse pot--even if she were lame, even if she were blind, and even if she were afflicted with leprosy."⁶ The contrast between the Mosaic law and the Mishnaic is interesting in that while "On the one hand, the Mishnah has somewhat modified the unyielding severity of the Mosaic law, in permitting the slanderer or the ravisher to divorce the woman whom he has been obliged to marry, it has also, on the other hand, extended the number of cases in which there is an absolute prohibition of divorce."⁷

The Oral Law added yet more safeguards to protect the wife. It provided that where the wife had become insane she could not be divorced, for were this not the case she might become the prey of evil men. In this case she could be considered רַבִּי רַבִּי--"ownerless property"--at a distinct disadvantage: one unable to take care of herself. The Mishnah states, "If she became insane he must not divorce her,"⁸ although he may marry another, as explained in Tosefta:

He must place a get in the hand of a (Court) messenger and it must remain in his hand until she becomes sane; and he (the husband) must set aside a house for her and must protect her (from other people who would consider her) ownerless property; and he must give her sustenance. And after she becomes sane, he must divorce her immediately in order that he not have two wives.⁹

Nor could she be divorced while in captivity: "If she were taken captive, he must ransom her; and if he said, 'Here is her bill of divorce and her marriage settlement, let her redeem herself,' he has no such power."¹⁰ Finally, one could not divorce the minor wife, too young to either understand or take care of a Get.

There were, obviously, specific causes which entitled the husband to divorce his wife:

1. His wife's adultery:

And the man that committeth adultery with another man's wife . . . both the adulterer and the adulteress shall surely be put to death; but thou hast played the harlot with many lovers, and wouldest thou yet return to me?¹²

2. Public violation of a societal moral decency:

And these are they that are divorced without their marriage settlement: she who transgresses the Law of Moses and Jewish custom. And what is here meant by the Law of Moses? If she give him food that had not been tithed, or if she have sexual intercourse with him when she is menstruant, or if she do not separate the priest's share of the dough, or if she make a vow and does not fulfill it. And what is here meant by Jewish custom? If she go forth with her hair loose, or if she spin in the street, or if she hold converse with all men. Abba Saul says, Also if she curses his parents to his face. R. Tarfon says, Also if she be a loud-mouthed woman. What is here meant by a loud-mouthed woman? Such a one who speaks in her house so that her neighbors hear her voice.¹³

3. Laxity in religious observance which causes her husband to transgress against his will.

4. Denial of conjugal union for twelve months, and

If a woman rebels [refuses to (copulate with) her husband] he may reduce her marriage settlement by seven dinars

every week . . . until it reaches the full amount of her marriage settlement.¹⁴ If her misconduct persists, it is publicly proclaimed in the synagogues and colleges on four weekly occasions!

5. Refusal to follow him to another domicile.
6. Incurable diseases which make intercourse dangerous or impossible:

If a man is stricken with boils, they force him to divorce her and give her the (money due her from the) ketubah. Even if she wants to remain with him or if she made a condition with him before she married him (she knew of his physical condition) they do not listen to her, but force them (to divorce) against their will because she will cause him to rot (she will inflame the diseased area).¹⁵

7. Misrepresentation before marriage of certain physical defects:

The father must produce proof that these defects came upon her after she had been betrothed. . . . If she have already entered into the control of the husband, the husband must bring proof that the defects were in her before she had been betrothed and that his acquisition was an acquisition made in error.¹⁶

8. Insulting behavior to the husband or to her father-in-law in the husband's presence.
9. And for failure to perform household duties commensurate with her status:

These are the tasks that a wife must carry out for her husband: she must grind corn, and bake and do washing, cooking, and suckle her child, make his bed, and work in wool.¹⁷

In all cases the phrase "Conditions of the Baet Din" was applied; this meant that in deliberations in which an amount of the Ketubah was awarded --whether partial or complete--the decision was determined by examining the circumstances of the specific woman with other women, if need be.

Just as the husband was entitled to divorce his wife for specific causes, so too did the opposite hold true. The wife was entitled to a divorce under the following conditions:

1. For a false charge of antenuptial incontinence, as discussed in Deuteronomy 22.

2. Refusal of conjugal rights:

Her food, her raiment, and her conjugal rights¹⁸ and
If one rebel refuses to copulate against his wife, they
may add to her marriage settlement three dinars a week.¹⁹

3. Impotence of the husband, a charge which initially did not have to be proven; yet as this led to abuse,

. . . That a wife should not set her eyes upon another man and behave immorally toward her husband,²⁰ it became obligatory for the court to attempt to reconcile the parties before the husband was compelled to divorce her. It is in such an instance that the tension between the desirability of marriage and the painful necessity of divorce is most apparent. If counter-charges of impotence were filed, the burden of proof rested upon the husband: It was a presumption upon which the Rabbis constantly acted, that in matters affecting husband and wife, the latter would not venture to assert a fact in the presence of her husband unless it were true.²¹

4. When a priest's wife has become unclean she could, upon her own initiative, establish the cause which would compel her husband to divorce her; namely, that on account of his holiness she was no longer fit to live with him. To prevent abuse of this privilege, she was obligated to prove her case:

If she say, 'I am unclean to thee!' she must bring proof for her words.²²

5. Physical blemishes or odious occupation:

One afflicted with a skin-disease, or one who has a polypus, or one that collects [dog dung], or a tanner.²³ The Tosefta mitigates this by writing: But if she wants to remain with her husband, and if she knew of them (these situations) before she married, they do not force her to divorce him, for she agreed and accepted (the betrothal) . . . and if she said, 'I will remain with him in the presence of witnesses, in order that he will not have intercourse with me,' they listen to her.²⁴

6. For refusal to support her in accordance with his wealth and status:

All should be in accordance with his respectability.²⁵
If he had food for but one day, he must give her as much as was necessary for her support; others said that he must hire out as a day laborer in order to support her. Upon the husband's refusal of a court order to support his wife, she is forthwith granted a divorce.

7. Restrictions on her liberty, such as being forbidden to eat

certain kinds of fruit or adorn herself with certain ornaments; or not to enter her father's house or a house of festivity or of mourning. If the husband demanded that his wife refrain from personally meaningful work, this was a ground for divorce,

. . . As idleness leads to mental derangement.²⁶ It is obvious that the person's liberties and mental stability were both prized and guarded: She was even privileged to refuse to allow her mother-in-law or other persons to come to live in the same house with her if she feared that they would annoy her, on the broad principle that this was an infringement on her right of personal liberty.²⁷

8. Wife-beating, beyond a moderate amount for chastisement for misconduct. The Tosefta is explicit about this:

If a man beats his wife, the transgression is accounted to him . . . and if he is accustomed to do this, the Baet Din chastens him and is stringent with him . . . that he should no longer do it. And if he does not obey the words of the Baet Din, there are those who say that they should force him to divorce her, and there are those who say that they should be lenient with him if it is the first offense or the second offense, for this is not the custom (wife-beating) of the people of Israel to beat their wives, but is the way of idolaters.²⁸

9. For desertion, in special cases, in which the wife had to receive a Get from her husband before he left the court's jurisdiction. Contemporary law grants divorce for desertion in the absence of the husband and without his consent. Nor, in Jewish law, is there a presumption of death from his extended absence and in those cases in which the wife could not conclusively be considered a widow, she was reduced to the status of an Azunah. Cases in Jewish law which may technically be termed "desertion" are:

Where she, living in a foreign country, desired to remove to Palestine, or, living in Palestine, desired to remove to the city of Jerusalem, and her husband refused to allow her to remove, or to accompany her, he was, at her instance compelled by the court to give her a Get; or if she was living in Jerusalem and he desired her to remove to some other city in Palestine, or, if living elsewhere in Palestine, he desired to remove to some foreign country, and she refused to accompany him, she could, if she feared that he would desert her, appeal to the court, who would compel him to give her a bill of divorce before leaving.²⁹

The centrality of Palestine and the city of Jerusalem stem from deep spiritual attachment to those locales. If a husband was leaving the jurisdiction of the court to go to another country, he had to take an oath not to desert his wife; refusing to do this, he was compelled to divorce her.

10. For apostasy.

11. And for the husband's licentiousness. After concubinage and polygamy had been interdicted by custom (adultery, technically, could only be committed by the wife) and later by the decree of R. Gershom:

R. Gershom put in herem anyone who marries another in addition to his wife, but one who does so (to fulfill) the Levirate marriage is not put in herem, and so too with one who becomes engaged.³⁰

Such conduct included association with harlots and depraved persons.

Once granted a divorce, a restriction was placed upon the woman:

she was not permitted to be betrothed or married within ninety days after her divorce, that no doubt might be raised about the paternity of a child:

In order that it might be known whether or not she is pregnant, and to discern whether it is the child of so-and-so or of so-and-so.³¹

The form of the Bill of Divorce follows that prescribed in Mishnah

Gittin:

On the.....day of the week and.....day of the month ofin the year.....since the creation of the world (or of the era of the Seleucidae), the era according to which we are accustomed to reckon in this place, to wit, the town of.....do I.....the son of.....of the town of..... (and by whatever other name or surname I or my father may be known, and my town and his town) thus determine, being of sound mind and under no constraint; and I do release and send away and put aside thee.....daughter of.....of the town of.....(and by whatever other name or surname thou and thy father are known, and thy town and his town), who hast been my wife from time past hitherto; and hereby I do release thee and send thee away and put thee aside that thou mayest have permission and control over thyself to go to be married to any man whom thou desirest, and no man shall hinder thee (in my name) from this day forever. And thou art permitted (to be married) to any man. And these presents shall be unto thee from me a bill of dismissal, a document of release and a letter of freedom, according to the law of Moses and Israel.

.....the son of.....a witness.

.....the son of.....a witness.³²

For virtually every individual or group action in Jewish life there is a corresponding ritual: from washing one's hands to the blessing over food; from brit mila to the burial of relatives or friends; for greeting the Shabbat and for wishing it a fond farewell. There are blessings for marriage and . . . no, there is no blessing for a divorce even though it is a ritual. That in itself is a significant thought. In a world of imperfections, there were and are marriages which would not endure. To "will" them to last or to simply "make" them last was nonsensical to the rabbis. Yet, in the severance of a marriage there was pain for one of the parties, if not both; and that is precisely why our divorce laws are so exacting. The ritual surrounding the writing and giving of a Get is emotionally and psychologically awesome; it is almost as if the rabbis wished the marriage to be saved even at this point, if possible.

Jewish marriage and Jewish divorce: rituals which are worlds apart in terms of the gayety and spontaneity of the former and the somberness and formality of the latter. Yet both held some very important thoughts in common: the happiness and fulfillment of husband and wife, together and as individuals.

CHAPTER III

I Do--Eye Dew

Marriages, Divorces, and Remarriages in the United States

Marriages

"In an era in which the institution of marriage is being criticized as never before, more and more people are, paradoxically, getting married."¹ The United States Department of Health, Education and Welfare computes marital statistics on the basis of "rate per one thousand population." The figures are compiled from thirty-eight states and the District of Columbia, which form the Marriage Registration Area (MRA):² "The MRA States are States with central files of marriage certificates and sufficiently complete and accurate reporting of demographic items on their records to warrant collection, processing, and publication in the official U.S. annual reports. We are dependent upon these States for our knowledge about marriages in various age, race, sex, and marital status groups in this country."³

Marriage rates (taken as per one thousand population) fluctuate on the basis of population trends, depletion of the unmarried population, and sociological-historical factors. "The annual number of marriages in the United States has increased significantly since the end of the Civil War. The number doubled between 1867 and 1900 and more than doubled between 1900 and 1940. From 1940 to 1968 it increased about 30 per cent. The general upward progression through the years has been largely the result of a growing population."⁴ From 1867 to 1900, the era of indus-

trialization, the marriage rate was within the range of 8.6-9.6 per one thousand population. From 1900 through World War I and the stock market crash in 1929, the rate ranged from 9.6-12.0. By 1932, the depth of the depression, the rate plunged to a low of 7.9 which may be unprecedented save for a paucity of marriages during the Civil War. One decade later (1942) the rate had soared to 13.0 and continued to peak through the post-war years of World War II: in 1946 the rate reached 16.4. "By 1949 the rate had returned to the pre-World War II level, dropping as rapidly as it had climbed. This marked the end of 20 years of the most frequent and pronounced fluctuations in the recorded history of the United States marriage rate."⁵

The marriage rates of the 1950's and 1960's were quite distinct from those encompassing the years 1867 through 1946: the decades of the fifties and sixties showed none of the rapid fluctuation in marriage rates of preceding years, but rather varied in increments. Marriage rates decreased in the 1950's and increased in the 1960's, as the following table indicates:

<u>Year</u>	<u>U.S. Marriages</u>	<u>MRA Marriages</u>	<u>U.S. Rate</u>	<u>MRA Rate</u>
1967	1,927,000	1,448,384	9.7	8.9
1966	1,857,000	1,398,754	9.5	8.7
1965	1,800,000	1,362,466	9.3	8.5
1964	1,725,000	1,221,513	9.0	8.3
1963	1,654,000	1,035,596	8.8	8.0
1962	1,577,000	948,787	8.5	7.7
1961	1,548,000	967,996	8.5	7.7
1960	1,523,000	873,224	8.5	7.7
1959	1,494,000	841,709	8.5	7.6
1958	1,451,000	802,165	8.4	7.6 ⁶
1957	1,518,000	829,454	8.9	8.0

"The major influences during these two decades were the depletion of the young unmarried population of the 1950's by the high marriage rates of

the 1940's and the low birth rates of the 1930's; the Korean conflict (1950-1953); and the rapid buildup in the population of young men and women reaching marriageable ages in the 1960's as a result of the high birth rates following World War II."⁷ The marriage rate for 1971 dipped to 8.1 per one thousand population, but in 1972 reached 10.9--the highest rate since 1950.⁸

Just as marriage rates during the 1950's and 1960's and early 1970's showed increases--though increases with minute fluctuations--so too did the median age of bride and groom vary. The following table indicates the median age at first marriage by sex:

Year	U.S. Male	U.S. Female	MRA Male	MRA Female
1890	26.1	22.0		
1940	24.3	21.5		
1940-50	22.8	20.3		
1950-56	22.5	20.1		
1963	22.8	20.5	22.5	20.3
1964	23.1	20.5	22.4	20.4
1965	22.8	20.6	22.5	20.4
1966	22.8	20.5	22.6	20.3
1967	23.1	20.6	22.6	20.5 ⁹

"In other words, in 1967 men were marrying at ages about 3 years younger and women 1.4 years younger than in 1890 but six-tenths of a year and one-half of a year later, respectively, than in 1956. Also, in 1967, the age difference between bride and groom was much less than in 1890 but slightly more than in 1956."¹⁰

States participating in the MRA indicate statistical variations in and among themselves and in geographic sectors. In 1967, the West had the highest rate (11.5) followed closely by the South (11.1), then the North Central (9.0) and the Northeast (7.7).¹¹ Variables in marriage statistics by geographic sector are directly correlated to: leniency of

marriage laws; requirements regarding parental consent; waiting period between license application and issuance, or license issuance and the ceremony; and whether a medical examination is required. The ten States with the highest marriage rates in 1967 were:

Nevada	(West)	198.2
Idaho	(West)	20.1
S. Carolina	(South)	19.8
Oklahoma	(South)	13.9
S. Dakota	(South)	13.5
N. Hampshire	(NEast)	13.4
Maryland	(NEast)	13.3
Georgia	(South)	12.7
Washington	(West)	12.0
Alabama	(South)	12.0 12

Nevada's rate was inordinately high (far out of proportion to all other States in the MRA Western region) due to its relative leniency: it was the only State (of all thirty-eight) that required neither a medical examination nor a waiting period. South Carolina permitted men and women to marry at the age of eighteen without parental consent; women could do so at the age of fourteen with such consent and men at the age of sixteen if their parents agreed. In Oklahoma, women could marry at the age of fifteen with parental consent, and in Alabama the respective ages for men and women to marry were seventeen and fourteen with parental consent.

In 1967, more marriages took place in the age range of 20-24 than in any other group. The following table also indicates that men marry later in life than women: there are more brides than grooms at the younger ages and the reverse at older ages. Marriage rates were highest at ages 20-24 years for women and 25-29 years for men.

<u>Age Group</u>	<u>1967 Rate for Women</u>	<u>1967 Rate for Men</u>
15-19	85.7	33.0
20-24	279.2	210.7

25-34	193.8	249.2
35-44	83.9	122.8
45-54	36.9	76.5
55-64	12.3	42.0
65 and over	2.5	15.7 13

Such an overall statistical scan informs us of several important facts: (a) that marriage rates since the 1950's have progressed steadily upward, but with a growth pattern noticeably less impressive than that of previous decades. In this sense, methods of statistical reportage, sociological and historical trends, and population growth must be borne in mind; (b) the median age at which people married for the first time has decreased in the last thirty years (in 1940 the median age was 24.3 and 21.5 for males and females respectively, while in 1967 it was 23.1 and 20.6 years of age respectively), as has the difference in age between partners (2.8 years age difference in 1940 and 2.5 years age difference in 1967); (c) more marriages took place in the age range of 20-24, and were highest in that same range for women, while for men the marriage rates were highest at the range of 25-29 years of age--as indicated in the latest published statistics (1967); and (d) the MRA statistics, though comprising only thirty-eight States, many of whom utilize different criteria for granting marriage licenses, nevertheless present "characteristics . . . of national significance"¹⁴ since approximately seventy-five per cent of the marriages in the United States were performed in MRA regions.

Divorces

The divorce rate in the United States is steadily increasing. Most researchers agree that one in three marriages fail and the rate is rising.¹⁵ In addition to a divorce rate of thirty-three per cent or more as statistically significant, one researcher feels that "the divorce rate under-

states the real catastrophe, for many deeply unsatisfactory marriages remain unresolved . . . fully three-fourths of intact marriages are a failure in this sense"¹⁶ while another states that these statistics would be "overwhelmingly larger if countless pairings were not held together by children, religion, feelings of obligation, guilt, fear of being alone, or lack of money."¹⁷ The Jewish divorce rate must be seen and understood in this light: "The staggering rise in the divorce rate in general is reflected in the shocking 30-35% rate prevailing in the Jewish community."¹⁸

The United States Department of Health, Education and Welfare reports that as of 1972 "the number and rate of divorces and annulments granted in the United States increased for the 10th consecutive year."¹⁹ A nineteen-year scan of the number of divorces and rates per one thousand population is indicative of the growing trend:

<u>Year</u>	<u>Number of Divorces</u>	<u>Rate per 1,000</u>
1972	839,000	4.0
1971	768,000	3.7
1970	715,000	3.5
1969	639,000	3.2
1968	584,000	2.9
1967	523,000	2.6
1966	499,000	2.5
1965	479,000	2.5
1964	450,000	2.4
1963	428,000	2.3
1962	413,000	2.2
1961	414,000	2.3
1960	393,000	2.2
1959	395,000	2.2
1958	368,000	2.1
1957	381,000	2.2
1956	382,000	2.3
1955	377,000	2.3
1954	379,000	2.4 20
1953	390,000	2.5

During the two-year period of 1967-1969, the divorce rate increased

22 per cent, the same percentage increase as reported during the preceding four-year period (1963-1967)! Divorce by 1969 had increased 74 per cent over the 1958 figure.

Just as there exists a Marriage Registration Area (MRA), so too is there a Divorce Registration Area (DRA). The DRA includes twenty-eight States²¹ and in the last few years divorces increased in all regions and in practically all States. "From 1967 to 1969, divorces tripled in New York, where the divorce laws were liberalized, and increased 74 per cent in Delaware, 61, percent in Hawaii, 52 per cent in South Carolina, 51 per cent in Massachusetts, 44 per cent in New Jersey, 31 per cent in Washington, and 30 per cent in Indiana. Most of these States had divorce rates well below the national level. Greatest increases of the divorce totals were found in the Middle Atlantic (61 per cent), New England (34 per cent), and East North Central Divisions (24 per cent)."²² The increase in New York is attributed to new legal grounds for decree as of 1966, making it easier to obtain a divorce and declaring invalid divorces of New York State residents thereafter granted in Mexico. When this law became effective in September of 1967, divorce and annulments doubled from 7,136 in 1967 to 14,861 in 1968 and then tripled to 21,184 in 1969!²³

For years the State of California has led the nation in divorces granted:

Year	California	Florida	Illinois	New York	Ohio	Texas
1967	69,846	28,650	28,814	7,136	29,611	45,339
1968	75,416	31,620	32,119	14,861	31,619	48,852
1969	81,546	34,899	35,974	21,184	35,558	46,018

In California, in 1969, forty-nine couples were parting for every one hundred couples that married, though many more may have been waiting for

the "No Fault Divorce Law" to come into effect. In 1970, the proportion had risen to sixty-six couples divorcing for every one hundred getting married! In Los Angeles County, in 1969, divorces equaled 61 per cent of the number of marriages; in 1970, that statistic had risen to 74 per cent; and by 1971, divorce corresponded to seventy-nine per cent of the number of marriages!²⁵ Simply put, three couples were getting their marriages dissolved while four couples were getting married!

As of 1969, the median age range at the time of divorce was 25-29 years of age for husbands and 20-24 years of age for wives. The overall percentage increases in divorce between 1963-1969 were as follows:

<u>Age at Time of Decree</u>	<u>% Increase: Husband</u>	<u>% Increase: Wife</u>
Total.....	45.8	45.8
20-24 years	67.1	66.5
25-29 years	71.6	76.3
30-34 years	54.0	39.0
35-39 years	28.7	25.0
40-44 years	29.8	29.0
45-49 years	37.1	35.3
50-54 years	27.1	20.0 26
55 years and over	16.7	34.4

The United States Department of Health, Education and Welfare concluded that "the likelihood of divorce is above average for those who marry very young, is below average for those who marry in their middle forties or later, and does not differ significantly from the average for the very broad group, those married at ages 20 through 44, who represent about 75 per cent of all men who divorced in 1969. For women the situation is less clear cut: . . . the likelihood of divorce seems to be above average when the bride is very young, but below average when she is in her early twenties or 35 years old and older"²⁷ and that "persons who marry when they are relatively young are about twice as likely to obtain a divorce as persons who marry when they are older."²⁸

So we see that: (a) the divorce rate is steadily increasing, and the Jewish divorce rate may well be keeping pace with the overall rate; (b) the DRA statistics, though comprising only twenty-eight States (compared to thirty-eight States in the MRA), may also be presumed to present "characteristics of national significance"; (c) and the median age range at the time of divorce was 25-29 years of age for men and 20-24 years of age for women, ironically the exact ranges for each group as that when most marriages take place.

Remarriage

"In an era in which the institution of marriage is being criticized as never before, more and more people are, paradoxically, getting married. More of them are getting divorced, too, but the majority of these remarry.²⁹ Some researchers state that 75-80 per cent of divorced persons eventually remarry.³⁰ The Department of Health, Education and Welfare states that "in 1967 about one-half of the divorced population at ages 14-24 married again. At ages 25-44 and later remarriage rates declined and about twice as fast for women as for men."³¹ Remarriage rates for men are one and a half times that of women; widowed men were approximately four times as likely to remarry than women.

These figures raise some fascinating and important questions. If we compare the percentage change of marriage with the percentage change of divorce in the last decade, we notice that the number of divorces are increasing at a breathtaking pace which, while not threatening to overtake the marriage rate, are nevertheless startling:

Year	Number of Marriages	Percentage Change
1970	2,178,000	+1.6
1969	2,145,000	+3.7
1968	2,069,000	+7.4
1967	1,927,000	+3.8
1966	1,857,000	+3.2
1965	1,800,000	+4.3
1964	1,725,000	+4.3
1963	1,654,000	+4.9
1962	1,577,000	+1.9
1961	1,548,000	+1.6 32
1960	1,523,000	+1.9

Year	Number of Divorces	Percentage Change
1970	715,000	+11.9
1969	639,000	+9.4
1968	584,000	+11.7
1967	523,000	+4.8
1966	499,000	+4.2
1965	479,000	+6.4
1964	450,000	+5.1
1963	428,000	+3.6
1962	413,000	-0.2
1961	414,000	+5.3 33
1960	393,000	-0.5

The marriage rate is increasing; but so too is the divorce rate. And the divorce rate is increasing at a proportionately greater pace than is the marriage rate. Looking at the remarriage rate, a researcher has concluded that "once men have known marriage, they can hardly live without it. Most divorced and widowed men remarry. At every age, the marriage rate for both divorced and widowed men is higher than the rate for single men. Half of all divorced white men who remarry do so within three years after divorce."³⁴ We marry, and we divorce, and yet we marry again. What is it that draws so many people to marriage? What hopes or dreams does marriage hold? What needs and desires can it fulfill? What is in our system of education and acculturation that leads us to reach out again and again to marriage?

CHAPTER IV

Reaching Out--Turning In

The Dilemmas in Human Relationships

"We are all delivering a double message: love me and let me be."¹

Occasionally things occur which trip the memory banks of my mind. If these occurrences cause me to reflect upon painful episodes or embarrassing situations, I call this "getting blindsided." I'm not prepared for them, and they cause me discomfort. But if those memories are good and feel warm, then this is "getting stroked." Given the choice between the two types of "flashbacks," I much prefer the latter. Some memories I can conjure at will; others seemingly appear without my beckoning call. I'm also aware that there are countless daily activities in which I engage in unconscious yet precise manners which are direct outgrowths of my past conditionings and behaviors. And, conversely, there are activities of "self styles"--of dress, of speech, of relating--which I quite consciously assume precisely because they contradict what is expected of me or because, once having learned them, I no longer find valid. All of which explains my affinity for the maxim: "To thine own self be true."

Yet therein lies the dilemma. The "self" which each of us is (or possesses somewhere beyond a series of intricate façades and delusions), is a composite of multiple formation processes. There is, I think, a distinct difference between "being oneself" and being the creation of others: fathers, mothers, teachers, coaches, clergymen, and so forth.

And this is the very tension which exists for so many people in this day and age. At a time when people sense a "distancing process" between themselves and others, they are tempted to reach out in order to minimize the gap: to re-establish the lines of communication and to develop bonds of intimacy. Yet at the same time that so many of us reach out with our right hand, we are pulling back--withdrawing--with our left. It is a very real, and frightening, ambivalence: "Ambivalence plagues our search for community. We're desperate to come together, to really know each other, yet do so in ways which guarantee we'll stay apart."² It is also fear: "Fear of intimacy. Fear of rejection. Fear of getting too involved. Fear of ourselves, fear of what they might find if we let others peer too deeply inside. That is the basic fear, the fear of being known."³

Our concepts of "shoulds" and "oughts" are developed through two distinct educational systems: the schools we attend and the society or sub-cultures in which we live. These teach us normative values as to role expectations, individual behavior, control of emotions and so forth.

Schools preserve the status quo in two complementary ways: by molding the young and by screening them. Today almost all of the positions of relative power in the United States are reserved for those who have completed the full sixteen-year treatment, and perhaps a little more. Persons who are unwilling to have their minds and bodies pushed around incessantly are less likely to get through and therefore tend to be screened out of the power centers; the persons who do get through are more likely to accept things as they are and to make their own contributions in 'safe' areas. Thus corporations and government agencies insist that executive trainees have a bachelor's degree, often without specifying any particular major. The degree, therefore, doesn't represent any particular body of knowledge. What does it represent? A certain mentality.⁴

But the formal education process is not always successful in the ways in which it means to be effective:

In the first grade, questions start sparkling in my mind. I ask them and am told, 'You are disrupting the class.' At first, I don't understand the word 'disrupting' but by its being said over and over I get the hang of it. I love the questions which disrupt the class, so then I think of me, in second grade, 'I like to disrupt the class.' And then I do throw in questions to disrupt the class, when in the beginning all I wanted was to explore the questions.⁵

It is a sad realism that "an individual can get a college degree today without ever having learned anything about how to communicate, how to resolve conflict, what to do with anger and other negative feelings."⁶

What we are taught is the art of formal mannerisms: you must raise your hand to be "recognized" (!), a process which instinctively progresses through many graduate schools--and emotional control: the expression of non-threatening yet honest feelings often resulted in walks to the principal's office. Role identity on the basis of sex was both implicit and explicit; we somehow knew how girls and boys were supposed to behave and formal institutions saw that those expected behavior models were enacted. Not until the 1970's were girls allowed to enroll in "shop courses" or take part in organized sports, previously the bastion of male activity. This type of "imaging" resulted in many areas of conflict, not the least of which was, and is, a difference in the communication of feelings:

It is acceptable in this society for men to express negative affect, to insult, attack, or put down each other. It is much less acceptable for them to express positive feelings like warmth, admiration, or affection. It is especially unacceptable for two men to communicate affection non-verbally or physically, yet this is the stuff of which strong bonds are created. For women, on the other hand, expressiveness regarding feelings is part of the cultural stereotype, and embraces or even kisses between women are accepted and commonplace.⁷

In some societies, women are assumed to be stronger, and carry all the heavy burdens. In some societies, women are supposed to be impractical and intuitive, in others

men are. . . . Even within our own society there are odd contradictions: activity is seen as a masculine characteristic, passivity as feminine. Yet men are supposed to move and talk slowly, while women are expected to be birdlike in bodily movement--constantly moving their hands, using many more facial muscles, talking rapidly. Paradoxically, a man who is too active in the most physical sense of using many muscles from moment to moment is considered 'effeminate.' . . . One suddenly realizes that we have stumbled upon a powerful weapon for 'keeping women in their place.' . . . It begins with a stereotype.⁶

The long-range, negative effects of this type of "machismo" was made evident through weekend encounter sessions conducted by the Institute of Group Psychotherapy in Beverly Hills, California. Forty-eight individuals--twenty-four adult single males and twenty-four adult single females who had never before met--took part in a three-day session as described below:

In the beginning, the females were more involved. They were very conscientious and warmed up quickly to the communication exercises. The males tended to be reserved, even skeptical. They held back, casing the situation, before they would really join the girls. Both sexes were anxious, even fearful about what was to come in this unusual program. Yet the females, with as much or more inner fear than the males, showed courage (or trust) sooner than the males.

However, as the weekend progressed, the males more than caught up. As a group, they were in the end more deeply touched by the obvious development of genuine intimacy. The fact that Friday strangers had become Sunday afternoon close friends, seemed to impress them considerably more than it did the females, who felt more natural about the experience.

At the end, the females knew better how to part, how to say good-bye cheerfully. They had had fun, a meaningful encounter, and a good group-learning experience. They were satisfied and ready to return to their regular city life pattern. Many more males showed signs of separation-anxiety. They were in no hurry to leave. They definitely wanted more. Once their appetite for intimacy had been whetted, they felt acute hunger for it and regretted having held back in the beginning.

The Institute now conducts training retreats for singles three to four times a year and these sex differences have

shown up again and again. So we devised ways of helping males to speed up their warm-up process during the beginning sessions of the weekend retreats. They respond well to this, which shows that most psychologically significant sex differences are not inborn and therefore can be reshaped by social and therapeutic learning.⁹

These differences in modes of communication become readily apparent in marriages, as numerous researchers point out:

Women are far more prone to face and to name the realities than men, and more anxious to rectify them . . . men save their words for their professions, for the interpersonal relationships of their business; in their homes they are no match for articulate wives. Talk is their enemy, pounding at the gates of their virility, threatening their self-assumptions.¹⁰

More to the point:

Her ability to face marital problems head-on and the pain of marital introspection in general far exceeds that of her husband. . . . Few marriage counselors and psychiatrists would disagree that the wife is the first to know and the first to try to do something about marital discord.¹¹

When husband and wife talk, they "not only want to talk about different things, but they have distinctly different styles of communication which are related to the values which underlie their separate domains; thus men are embarrassed by the 'expressive' communication which women enjoy."¹² This situation might be alleviated if men and women and husbands and wives earnestly attempted to engage one another in meaningful dialogue: to crash through the verbal barriers of innane discussion and reach for more personal communication. There is, admittedly, a reluctance bred out of ambivalence or feelings of being "threatened" in so doing, but the opportunities for individual and dual growth are unlimited. Yet, when do people make the time to talk? "The sit-down family dinner . . . seldom takes place more than three nights a week in any family"¹³ and even when that occurs "in two homes out of three television remains on during the meal."¹⁴

Philip Slater suggests that there are "three human desires that are deeply and uniquely frustrated by American culture: (1) the desire for community . . . ; (2) the desire for engagement . . . ; (3) the desire for dependence. . . . In every case it is fair to say that we participate eagerly in producing the frustration we endure--it is not merely something done to us."¹⁵ Another researcher states that "even as we hate being unknown to each other, we crave anonymity. . . . There are three things we cherish in particular--mobility, privacy, and convenience--which are the very sources of our lack of community."¹⁶ Technology makes it possible for us to receive information or entertainment without having to respond: radio, television, film, ticker-tape, newspapers and magazines. The telephone, which might be a device to counteract this form of impersonal contact, all too often reinforces it. Through dial-a-prayer, call-in talk shows, and "hotlines" we still manage to minimize contact. The Jewish people, more than any other ethnic group, utilizes the phone as a means of contact with the extended family. This may be one of the few genuinely sincere attempts to stimulate relationships through use of this instrument.¹⁷ "Our systems do not touch upon the problems of loneliness, rejection, and unrequited love."¹⁸ As more and more buildings are constructed, as more dwelling units are completed, we rely upon our mobility to take us away periodically from such stark demographic confinement. The car becomes our "saviour." Yet:

The car did more than anything else to destroy community life in America. It segmented the various parts of the community and scattered them so that they became unfamiliar with one another. It isolated travelers and decoordinated the movement of people from one place to another. It isolated and shrank living units to the point where the skills involved in informal cooperation among large groups of people atrophied and were lost. As the community became a less and less satisfying and pleasurable place to be, people more and more took to their automobiles as an escape from it.

This in turn crowded the roads more which generated more road-building which destroyed more communities and so on.

The process is self-feeding. The more we drive, the less pleasant it becomes to walk down streets which have become noisy, dangerous, and smelly from cars. The less pleasant it becomes to walk, the more we drive. Eventually, custom becomes law.¹⁹

In time, we escaped from more than inanimate structures. We succeeded in escaping from those around us as well: "the reason that the average passenger car carries 1.5 passengers is that .5 passengers can't talk back . . . our car population is rising at twice the rate of the human one."²⁰ Automobiles ceased to be the means by which people sought out one another and gradually became "private think tanks": insular havens.

I was ridin' in my car
Screamin' at the night
Screamin' at the dark
Screamin' at fright

I wasn't doin' nothing
Just drivin' about
Screamin' at the dark
Lettin' it out

Well, along comes a motorcycle
Very much to my surprise
I said 'Officer was I speeding?'
I couldn't see his eyes

He said, 'No you weren't speeding,'
And he felt where his gun was hung.
He said, 'lady you were screamin'
At the top of your lungs.

And you were
Doin' it alone,
You were doin' it alone,
You were screamin' in your car
In a twenty-mile zone
You were dong it alone
You were doing it alone
You were screaming in your car
In a twenty-mile zone.'

I said I'll roll up all my windows
Don't wanna disturb the peace
I'm just a creature
Who's lookin' for a little release.²¹

Perhaps this severance of community ties explains the appeal for a relatively new cult: bumper stickers, which become a momentary means for spotting "kin" on the road. A nod of the head, a wave of the hand, a toot on the horn at sixty miles per hour establishes contact: minimal and fleeting, but contact nonetheless.

The proliferation of advertising campaigns based upon mottoes of friendliness stems from an awareness of the lack of such in most interactions: Sunoco Oil, "I Can Be Very Friendly"; United Airlines, "Fly the Friendly Skies of United"; National Airlines, "Hi. I'm Cheryl. Fly Me to Miami"; and Continental Airlines, "We Really Move Our Tail For You." The concept of service and relationship are explicit, the latter two (National and Continental) so much so that striking stewardesses from National Airlines picketed that firm with signs stating, "Go Fly Yourself, National."

We are paying a tremendous price for modernity: "an enormous technology seems to have set itself the task of making it unnecessary for one human being ever to ask anything of another in the course of going about his daily business."²² Frightening and true, as the following article indicates:

During a trial run, the mailboy missed the turn and went crashing through a men's room door. Now he has a regular office job--delivering and picking up letters on the 49th floor of Chicago's 110-story Sears Tower--and should do much better. He will probably never bump into anyone or anything, never pause for idle chatter or flirtation, or stop for more than 42 seconds at any one desk--indeed, never veer from any of his appointed rounds. If his fellow Sears employees find this paragon irritatingly inhuman, they can be excused. For the methodical new mailboy is a robot.

The dream mailboy is a completely automated cart with 20 mail compartments. It runs on four rubber wheels and is driven by a battery-powered electric motor. Electric sen-

sors in the cart pick up low-frequency radio signals from wires that are strung under the carpets along the desired route. Following their path, the 500-lb. robot stops when its photoelectric sensing system picks up signal lights bounced off reflective tiles strategically placed on corridor walls at knee level. Wherever a stop is out of a secretary's line of sight, the robot sounds a chime or blinks a light to attract her attention.

As it wends its way around the floor at about one mile per hour, the mailboy emits a soft beeping sound and a low-intensity blue light to alert unwary humans. If these warnings are ignored, infra-red sensors inform the robot when it is four inches away from a leg or a misplaced piece of furniture, and it comes to a stop after moving only another inch. When the obstacle is removed, the mailboy immediately resumes its travels. . . .

One device, designed for carting material around trade shows and conventions, actually says "Pardon me" (in a recorded male voice) . . . the most sophisticated installation is at Detroit's 650-bed Harper-Webber Hospital. There, 70 automated, self-propelled carts recently began doing everything from delivering meals and surgical equipment to carrying off dirty linens and wastes. To prevent the spread of germs from one area of the hospital to another, the carts are programmed to return directly to an automatic sterilizing "car-wash" after each delivery or pick-up. The automated orderlies can electronically signal the hospital's elevators and ride up and down by themselves.²³

But it is not only technology nor the educational process that belittles us. We do a great deal of this ourselves! The process of dating (or "courting") is a classic example of the presentation of non-self: "The typical method by which people deal with their early fears of love is imaging: choosing an attractive way of presenting oneself and what one has to offer. . . . The imager really presents himself, not as a person, but as a symbol."²⁴ We become adroit at conforming to what we perceive as expectations, even to the extent of denying our "self" in the process. Ultimately, the result is that

We never stop to wonder
till a person's gone
we never yearn to know him
till he's traveled on
when someone is around us

we never stop to ask
 hey, what's behind your mirror?
 hey, who's behind your mask?
 we never stop to wonder
 till a person's gone
 we never yearn to know him
 till he's packed and traveled on.²⁵

We take the path of least resistance. We "open up" ever so slowly. We depend upon contrived happenings or strokes of fate.

What can be done? What must be done? We are not entirely helpless. We can still determine the levels and intensities of our own involvement with and commitment to people.. This presupposes certain risks (risks of self-confrontation or of rejection by others) and re-educating ourselves in the light of new realities and growing awarenesses:

- a) As individuals, we must strive for exactly that: the respect of self (myself, yourself) as an individual. An all-too common characteristic of adult valuing is that:

the majority of his values are introjected from other individuals or groups significant to him, but are regarded by him as his own. . . . Because he has relinquished the locus of evaluation to others, and has lost touch with his own valuing process, he feels profoundly insecure and easily threatened in his values.²⁶

- Developing a sense of individual worth (respect, stature) results in

the meaning that an experience has for you is not determined by what your partner says or your parents decide or your church rules or your school evaluates, but by the way it 'feels' to you in your very deepest level of experiencing. . . . It implies that you are not governed by the 'shoulds' and 'oughts' which all the aspects of our culture are so ready to substitute for the values you are discovering in and by yourself.²⁷

- b) The consequence of this is the creation (or re-creation) of a positive self-identity: "As Erik Erikson has pointed out in his

studies on identity formation, it is only when a man has achieved an identity that he is 'ready for intimacy, that is, the capacity to commit himself to concrete affiliations and partnerships.'"²⁸

Before truly meaningful relationships can be established, we must

- c) break down rigid sexual definitions and
- d) communicate as the people we are, irrespective of gender or social rule. Carl Rogers writes that

It has been a striking fact of my experience that in therapy, where individuals are valued, where there is greater freedom to feel and to be, certain value directions seem to emerge. . . . They tend to move away from 'oughts.' The compelling feeling of 'I ought to do or be thus and so' is negatively valued. . . . They tend to move away from meeting the expectations of others. Pleasing others, as a goal in itself, is negatively valued. . . . One's self, one's own feelings come to be positively valued.²⁹

- e) In an age of rapid mobility and whirlwind of action, we must learn to be creatively idle. We must see silence not as a negation of existence or a void, but as a time to create or to introspect. This type of inaction may be more difficult for most modern people than to do something.

"What our society needs--not new ideas and inventions, important as these are, and not geniuses and supermen, but persons who can be, that is, persons who have a center of strength within themselves."³⁰

Toward Community

"Identity of course is the child of community. When we ask, 'Who are you?' we imply, 'To which group of people do you belong?'"³¹ A feeling of community might be indicated in the following way: would anyone notice if I didn't show up?

As more and more people seek intimate relationships (or, at least, say that they do), one alternative is that of a community of people living together. Whether the type of living pattern is: (a) a commune; (b) a group marriage--at least four people, two female and two male, in which each partner is married to all partners of the opposite sex; or (c) a multilateral marriage, which does not specify the numbers of each sex as does group marriage--most, if not all, living arrangements seek to fulfill several needs: "a genuine drive for intimacy, an active seeking for intimate contact and involvement with other human beings."³² Two desires are paramount: "the desire for freedom, and the other, a longing for relatedness to another."³³ The former can be achieved through diversification of labor; the latter, the "relatedness," is seemingly manifested by the very fact that the people are in community (or in formation of such) and are not simply talking about it. In multilateral marriages, "of the major or strong reasons for involvement, love was second only to companionship."³⁴

The main problem is that of communication. Not sex. Communication. Methods for dealing with this include the use of a third person as facilitator and/or regularly scheduled group meetings. This old nemesis of human relationships exists in the lives of single people, married people, people living in pairs or people living in groups.

As individuals,

The typical participant in a group marriage was found to be substantially inner-directed . . . autonomous and self-supportive, not dependent on others for support, for a sense of self-worth, for direction and purpose . . . flexible in the application of those values in real-life situations . . . they are highly spontaneous, able to communicate their needs and feelings freely in behavior . . . exceptional abilities to form warm, meaningful interpersonal relationships.³⁵

People most likely to attempt a multilateral marriage are young couples in their late twenties, who have been married six to eight years, and have two to three children.³⁶ The decision to opt for inclusion in "community" is a difficult one to make, especially realizing that "it's much easier to be thrust into community from your mother's womb, with the alternative only to leave. The opposite choice--to ask to be included in community--is terrifying and excruciating, a choice rarely made."³⁷ The goal of the Twin Oaks Community, based on the Walden Two philosophy, as described by one of its founders was

Of creating a society where every member does what he ought to do just because he wants to. We believe in that, but we don't know how to do it yet, and we still use some of the traditional props of government--rules, systems, pep-talks--as substitutes for more 'natural' reinforcers.³⁸

Yet most multilateral marriages do not endure. In a study of twenty-four groups of 104 marital partners³⁹ the duration cycles were as follows:

At the end of three months,	93 per cent were intact.
at the end of one year,	44 per cent were intact.
at the end of three years,	17 per cent were intact.
at the end of five years,	7 per cent were intact.

Why did so many fail to exist beyond a twelve-month cycle? One important explanation is that the mere existence of such living arrangements gives substance to the individual's fantasies; yet this is also a weakness which, when not substantiated by reality, accounts for the instability of many communal arrangements.

The reasons for joining a multiple living arrangement are varied and the ones most frequently cited are: to escape alienation and isolation; to be the whole "self"; less fractionalization of the self; to find a sanction for all kinds of sexual relationships; to experiment in some philosophy of social organization; opportunity for learning; opportunity for changing personal development; and the chance to drop roles.⁴⁰

The reasons perceived for the failures of such relationships are: insufficient thought to interpersonal conflicts, hurts, and cross purposes; jealousy; underestimation of the need for a reasonably secure one-to-one relationship; inability to resolve the problems of highly complex relationships; failure to recognize the need for privacy; and the need to recognize that ideologies are modified in practice.⁴¹

It is evident that most people cannot realistically conceive of themselves as integral parts of communal, group or multilateral marriage arrangements. But neither do they want to forfeit their hopes and desires for intimacy, for companionship, for communication. . . .

Toward Marriage

"Marriage, in some form or another, still provides the only framework in which people can find the stability in which to experience the full intimacy of a one-to-one relationship."⁴²

Although psychiatrists tell us that some people select mates for unhappiness rather than for happiness,⁴³ most people marry in order to achieve and fulfill basic needs: companionship, sharing, and intimacy. Studies show that "people are marrying because they desire intimacy and sharing, the chance for emotional fulfillment with another person,"⁴⁴ and that "companionship and sharing (mutual psychic support and communication about joys and problems) were the major marital goals."⁴⁵ Dr. Jessie Bernard describes that in her analysis of married couples "almost half of the wives felt that companionship was the most valuable aspect of their marriage, far ahead even of love, understanding, standard of living, and children."⁴⁶

Marriage can fulfill these human needs. It affords the opportunity of achieving on-going intimacy with another individual and of expressing

the entire range of human emotions and desires. Carl Rogers explores this desire and need for open dialogue through one of his clients:

High points and low points--they seem to come together in times of change in our relationship. The low times are core fears--fears of being ridiculed, maligned as childish, or impotent, or a drag, by her or by friends. This fear is especially strong when I feel separated from her--cut off--a loss of spontaneous affection--and I know she is expanding her world, in contact with other men. Such fears may be intense one hour or day and gone the next when we break the barrier and get close--sharing my fear--every last nuance--checking reality--what are her other relationships really like? Am I special? How? Are others special? How? Show every intimate corner of my thinking--risking every piece--this has been critical for me. Particularly sharing and exploring all my fears, however 'childish' and 'immature' I label them. Saying over and over again, first to myself and then to her--this is me--now--these feelings may never change. If you want me, you have to want these fears. I am vulnerable. I am threatened by your close relationships with other men. I'd say it took almost a year to feel free to express these fears when I felt them. At first I had consciously to force myself after internal 'words within myself' to share these fears--to be openly as vulnerable and frightened as I felt.⁴⁷

Marriage can be an impetus not only to individual growth, but to the sharing of that growth and development process, toward what is called "synergism"; "when the combined action of two things produces more beneficial and greater effect or result than the sum of their separate individual actions . . . one and one makes three, not just two."⁴⁸ Another author feels that "a 'working' marital relationship is not a blending or meshing of two individuals into a whole person. It is the accomplishment of two individuals who remain intact in their individuality so that their individual growth evolves concurrently. Ideally, the growth of each is then enhanced by the growth of the other."⁴⁹

Marriage can be all that is idealized to be. It can further stimulate the process of becoming "self" and sharing that "self" intimately with another. But does it?

CHAPTER V

Marriage: Process or Institution?

Sir Walter Scott almost two hundred years ago wrote, "What we love in early days is generally rather a fanciful creation of our own than a reality. We build statues of snow and weep when they melt."¹

It seems to me that the way in which individuals view marriage will to a great degree determine the stability and growth of relationships in marriage. Most of us are "possession oriented": when we see something we like, we covet it. If we cannot have that particular item, we simply purchase a duplicate. Retail marketing operates on this very simple premise: given a certain volume of advertising about given products, a certain number of people will desire those items. The financial value of an item is determined by the public's response to it (supply and demand), and in a capitalistic economy everyone can, through purchase, own a given item. Each unit of a product, regardless of how many hundreds of thousands (or tens of millions) are produced, becomes one's own item: now personal and precious in the eyes of the respective owner. In the case of inanimate objects or products, the maxim "what you see is what you get" generally holds true; and, if not, then the purchaser can always rely on the warranty.

But marriage is a different type of "item" altogether. What you see may not be what you get. In the marketplace of human relationships there are several "commodities" available: Intelligence, attractiveness, sexual rapport, athletic ability, cultural interest and so forth. We

spend a good portion of our lives "shopping" for those commodities in other individuals which either: (a) complement our own or (b) so excite us by virtue of their differences that we are thereby attracted to them. In this shopping spree (called "dating," now beginning in junior high school), we sample various types of relationships until at a given point in time (or points in time) we meet a certain individual to whom we relate in a very special way. We fall in love. At certain stages in our lives we view "love" as intrinsically important and meaningful, yet nonetheless transitory; and this seems to be alright, because each relationship carries with it a certain growth which adds to future relationships. Ultimately, many of us meet a person whom we are able to love in truly dynamic and exciting ways. We feel that to live without him/her would be to live a diminished sort of existence. At some point in an ongoing relationship of this kind, we cast our eyes upon marriage.

Now if marriage is conceived as an institution with prescribed rules and a well-defined framework of expectations and parameters of behavior, then the initial concept also means that the way in which we relate to our lover now, the way in which we perceive him/her now, is basically the way in which we will relate to one another during a married life. "We are attracted to our partners because they promise a fulfillment of ourselves, because they satisfy our sexual appetites, because they seem to enlarge our sense of living and loving--now. Our vision is temporary."²

But if marriage is viewed as a process--of change, of growth--in potentially unlimited ways, then all assumptions about what marriage is are valid only up to a point. They are valid only so long as we discuss marriage in the abstract sense; but we don't marry abstractions, we marry

people. And people do change. To fit a person into a preconceived concept or idealization of marriage is, in my opinion, tantamount to restricting that person's individual growth potential. It is a way of saying, "This is how I relate to you now. This is why I want to marry you. I am assuming that it will always be this way with us." But "we seldom ask whether he or she will make a good lover, a good parent, or a good companion ten years from now. . . . Marriages crumble, finally, when each blames the other for failing to embody the original visions that impelled their union."³

Statistics through 1967 (see chapter three) indicate that most marriages took place in the age range of 20-24 for women and 25-29 years of age for men; yet divorces for each group were highest in the exact age categories for respective gender as just mentioned! This seems to lend credence to the statement that "almost all young couples start marriage with an overestimate of their psychological maturity and an underestimate of their childish and juvenile qualities."⁴ But is there an age at which we tend to be more objective in our overview of marriage? Or are we, basically, incurable romantics who all too often typify the opinion of historian Arthur Schlesinger Jr., that "only the Americans have assumed that passion is destined to fulfillment?"⁵

As the marriage ceremony draws near, an awesome realization dawns: people will be given titles. This in itself need not be bad, save when certain roles and expectations are "granted" (willingly or unwillingly) with formal names-of-reference: your lover and friend becomes wife/husband; her/his father and mother becomes father-in-law/mother-in-law; her/his sister(s) or brother(s) become sister(s)-in-law/brother(s)-in-law. For some individuals, marriage is quite literally a "crisis rite":

The marriage ceremony signifies that you have accepted new roles. You are no longer just a man and woman, but a husband and a wife. . . . For some, marriage is a crisis of such proportions that it destroys the relationship between the man and woman . . . they had stopped being the people they were before and started playing the roles of husband and wife. Accepting these roles destroyed their flexibility, and imposed upon them a new set of rigid rules that they'd been able to avoid as a non-married couple.⁶

Conflicts may arise between both family loyalties as well as presentation-expectation of self:

The conflict the bride experiences between her attachment to her parental family and her attachment to her husband. . . . The transition from the always-on-good-behavior presentation of the self during courtship to the daily lack of privacy in marriage . . . the wife ceases to be the catered-to and becomes the caterer-to. These and related discontinuities have to do with redefinition of the self, with the assumption of new role obligations.⁷

His and Her Marriage: Roles and Expectations

Is marriage identical for both individuals? Apparently not. Studies indicate that

Very few married women are as happy or happier than their husband. In fact, the rung just below married men on the happiness ladder was occupied--and this was equally unexpected by the researchers--by single women . . . then came married women, a dreary third. On the very bottom rung of this happiness scale were single men. . . . The "happy bachelor"; it was discovered, was more the exception than the rule.⁸

Married women may quite literally not "feel" good about marriage: the National Institute of Mental Health statistics show that

Women have a higher incidence of psychiatric hospitalization than men, and generally demonstrate that a woman is more 'psychologically distressed' as one report puts it. Her incidence of symptoms such as nervousness, headaches, inertia, insomnia, etc., far outweighs man's.⁹

When compared with married men, more married women "have felt they were about to have a nervous breakdown; more experience psychological and

physical anxiety; more have feelings of inadequacy in their marriages . . . they show phobic reactions, depression, and passivity."¹⁰ Compared with single women, "more married women than single women suffered from nervous breakdowns or feared that they would have a nervous breakdown."¹¹ But the opposite holds true when married men are compared with single men! Married men show an

Impressive superiority in almost every index--demographic, psychological, or social. . . their mental health is far better, fewer show serious symptoms of psychological distress, and fewer of them suffer mental health impairments. . . . In the United States, the suicide rate for single men is almost twice as high as for married men.¹²

Why is there such a discrepancy? Is there, as Jessie Bernard claims, a "his marriage" and a "her marriage?"

On the basis of increasing divorce rates, of a literary genre on and about the need for "open marriage," and of attempts to create enlightened marriages, the answer to the query appears to be a resounding "yes." The authors of Open Marriage define that concept as "an honest and open relationship between two people, based on the equal freedom and identity of both partners. It involves a verbal, intellectual and emotional commitment to the right of each to grow as an individual within the marriage."¹³ Are those "rights" to individual growth present in marriage? Usually not. Role formation and the granting or denial of status all too often mitigate potential growth of either individual, and in the long run the marriage suffers.

Too often the vow "I now pronounce you man and wife" serves to re-inforce

The traditional roles of husband and wife [which] are often destructive to marital relationships . . . we are trained into the roles; different status is attached to male and female roles; husband and wife, and man and woman are confused with definitions of masculine and feminine.¹⁴

It is an extension of a process in which the girl is taught to be a wife, while the boy is taught to be a man.

A classic role, often to the exclusion of all others, is that of motherhood and child-rearing. Taken to the extreme, this is the "keep 'em barefoot and pregnant" philosophy. In so doing, the woman quite literally does become a "housewife," bound to the domicile "for the sake of the children":

The main factor facilitating the ultradomestication of the middle-class American female was the magnification of the child-rearing role. Child-rearing is not a fulltime job at any age in and of itself. In every other society throughout history women have been busy with other tasks, and regard their children as a kind of parallel activity.¹⁵

Women have, until quite recently, accepted the feminine mystique which stated that a woman validated her femaleness by having babies. The price paid for this one-dimensional function is that "mothers far more than childless wives find marriage restrictive; slightly fewer are very happy. Far more, expectably of course, report problems in the marriage; considerably fewer report satisfaction in the marriage relationship; and more feel dissatisfied with themselves."¹⁶ This extends to father as well, because it has been shown that "an impressively larger proportion of childless men than of fathers were very happy. . . . Twice as many fathers as childless men felt dissatisfied with themselves; three times as many inadequate."¹⁷ This may be a consequence of added burdens upon the father as breadwinner (if, indeed, the mother is to remain at home and raise the family and forfeit her own career) as well as psychological feelings of competition or loss of love, now channeled to the young child; but it may also be a consequence of the new female role--from wife, friend and lover to primarily that of mother and housekeeper. With the birth of the first child in particular,

wives emphasize the decrease in companionship with their husbands and hence the greater social distance between them. . . . The advent of the first child may not be a crisis, as some researchers call it, but it does represent a profound transition, even discontinuity, in the lives of the parents, especially for the mother, inside and outside of the marriage--even an 'identity crisis.'¹⁸

Too often a concentration upon the maternal role--to the virtual exclusion of all other activities or growth-enhancing possibilities--is connected with depression in middle age. Having devoted a large proportion of their adulthood to raising and caring for children, many women feel worthless and useless when deprived of that function.

There is, of course, another role fostered upon married women: parameters of femininity. There are too many double standards operative in marriage. A man can ostensibly flirt, can have a "harmless" affair, and can dress in an alluring manner--and thereby fulfill the aura of masculinity. But all too often the woman's wings are broken with the vow. What may have attracted the male to the female in the marketplace of courtship is now to be displayed only in certain places:

If a woman assumes any other than a submissive pose she is accused of being 'unfeminine.' This is an ingenious device for maintaining superior status and has been quite successful. On the other hand, males lose considerably by thus hobbling the personalities of their womenfolk. Whenever men have succeeded in convincing their wives that some human response is 'unfeminine,' they have sought other women who possessed it.¹⁹

The American housewife has been desexualized:

To an incredible number of men . . . the sexually active, responsive woman is suspect as a 'bad girl.' This attitude is confusing to women who receive a double message from husband or lover: be pure, be passionate, but not too passionate. They react by becoming frigid.²⁰

Sex: Shared or Bartered?

Sex can be a beautiful intimacy between a man and a woman, or it can

become a devastating playground. As with so many other facets of human interaction, "it depends": it depends upon the maturity of the individuals; upon their knowledge of one another; and, ultimately, whether or not the "granting" of sexual relations is based upon a reward and punishment system. Is a healthy sexual relationship important? Of course. Is it the most important area within marriage? Apparently not, for studies indicate that the desire for sharing, intimacy, and communication are listed more often than sex; but at the same time, sexual rapport generally bespeaks the nature of a relationship at given points in time. For instance, "when communication between spouses is poor, sexual relations are also found to deteriorate."²¹

Sex can mean power to both men and women. It can be withheld until favors are granted, promises kept, or goals achieved. It can be used in a terribly insidious way: to undermine another's ego. For centuries it was assumed that women's sexual drives were less than those of men; yet women do have a greater orgasmic capacity than men and can enjoy sex equally. And that is the key word--"enjoy." If marriage, especially as conceived in Jewish writings, is meant to be a fulfillment and an enjoyment, then so too should the sexual relationship be for an enjoyment. Yet, several things often mitigate against this. Some of them I have mentioned before and subsume under the category of "sex as gamesmanship." Yet there is another basic factor that must be granted: the sexual activity of men and women develops at a different tempo and in different phases. The result can be a debilitating, though perhaps unconscious, one: "the fact that the man in the last part of life becomes sexually weaker leads him to try to find means to secure the happiness of the sexual relation. He seeks to be the partner who determines the point of time for

and the length of sexual activity."²² A novel solution to this problem is suggested by author William Kenkel:

Accepting the fact that the sexes experience the height of sexual drive at different times in the life cycle, a young man of about sixteen years of age first would marry a woman twenty-eight to forty years of age. They would continue this relationship up to ten years. At about twenty-six the male would establish a relationship with a girl about sixteen years old. In this relationship reproduction would be encouraged, for the girl was young and healthy and the male fully mature. During the decade of this marriage, the couple would have a few children, rear them and lavish them with affection until they were six years old, and turn them over to the state. When men and women reached age forty or thereabouts, they would again change partners, this time emphasizing companionship, mutual tastes, and shared interests. . . . A young man could prove his masculinity in a direct, biological way when his sex drive was at the height of its intensity. He could then spend his time on socially useful activities instead of trying to prove his manhood at football, juvenile delinquency, or the surreptitious use of alcohol or drugs. Anxiety over masculinity and its resultant fear of homosexuality, about which we are hearing more and more, should be reduced.²³

Of course, what with men and women becoming more aware of themselves and of one another as physical beings with wide-ranging appetites and needs; with sex being discussed quite openly; and with what appears to be a lessening of the ego as tied directly to one's sexual abilities, it may well be that people are learning to talk in bed. And once this happens, the quality of sexual relationships should continue to improve.

The Wife Who Works--But Not in the Home

Status and stature and engagement in the decision-making process are all correlated to: (a) one's self image and (b) how one is perceived by a mate. Women who are housewives score lower in all these areas than their working counterparts:

Isolation has negative psychological effects on people. It encourages brooding; it leads to erratic judgements, untempered by the leavening effects of contact with others.

It renders one more susceptible to psychosis . . . wives who are rescued from the isolation of the household by outside employment show up very well . . . the working women were overwhelmingly better off than the housewives . . . the housewife syndrome might well be viewed as Public Health Problem Number One.²⁴

Take-home-pay is correlated to decision-making power at home.²⁵

But all too often this type of power is simply "claimed" on the basis of what should be, rather than what could be or is: "lower class men stake their claim to authority simply on the fact that they are men, and ipso facto, the head of the household. Upper class husbands are more subtle; They demand special preference in the name of their careers."²⁶ That is,

Both spouses tend to attribute decision-making power to the one who has the 'right' to make the decision. Their replies, that is, conform to the model of marriage that has characterized civilized mankind for millenia. It is this model rather than their own actual behavior that husband and wife tend to perceive.²⁷

The response to the question, "Who wears the pants in the family?" is found in the size of the paycheck(s).

The absurdity of this situation is clear when we realize that quite often the choice given by the husband to the wife (an initial assumption of decision-making power) is not that of housewife/mother and career, but rather of housewife/mother or career:

Thus when a man asks a woman if she wants a career, it is intimidating. He is saying, are you willing to suppress half of your being as I am, neglect your family as I do, exploit personal relationships as I do, renounce all personal spontaneity as I do? Naturally, she shudders a bit and shuffles back to the broom closet.²⁸

Yet we know that men relish professional careers and may well be healthier because of them! Working in "the jungle" has rewards far beyond financial remuneration. The discrepancy between the "working-out" husband and the "working-in" wife is startling:

Husbands go to the city and participate in the Twentieth Century, while their wives are assigned the hopeless task of trying to act out a rather pathetic bucolic fantasy oriented toward the Nineteenth Century. . . . The wife becomes a kind of monument, like the bit of earth the immigrant brings from the old country and puts under his bed. He subtly encourages her to espouse absurdly old-fashioned views which he then ridicules when he is with his male associates.²⁹

Status and prestige are accorded to him/her who works; but housework is not considered "real" work, even though the skills atquired--planning, budgeting, coordination of activities and follow-up--are the ones required for most jobs! In fact, recent studies indicate that a housewife's fifty-six-hour week is worth approximately nine thousand dollars a year.³⁰

Whereas women previously thought of a job as bridging the period between college and marriage, or between marriage and children, several things are altering the traditional pattern of work for American women: the high divorce rate, inflation, and the women's movement. As of 1970, approximately fifty per cent of women between the ages of 35 and 59 were in the labor force.³¹ Yet, a high proportion of them enter the job market with low self images and thoroughly unrealistic appraisals as to their potentials. Much of this is the result of "role": "women tend to have an almost inbred fear of professional success, rooted in society's view of the successful woman as unfeminine."³² Certainly women are not paid as well as their male counterparts. Studies show that

Although women represent about 30% of the full-time work force and almost 40% of the total work force, they account for only 7% of all individuals earning more than \$10,000 a year. At all ages, in all occupations and at all levels of education, males typically make the most money.³³

Women should be paid an equivalent wage on the basis of experience and performance, not because they are women, but because they are producing. That is, it seems, the American way. Or should be.

But my contention has less to do with financial remuneration for work done outside the home, and rather with the self-esteem to be gained from so doing. The wife who works is generally more self-assured about herself and better appreciated and respected by her husband: "when women learn to think of themselves as persons first, wives second, and mothers after that, they are much happier, more confident, and less dependent."³⁴ If people respect one another, then they talk to one another as the people they are and not as the roles they represent. And this is where the real "pay-off" lies.

What Marriage Should Be

Living with another person for an extended period of time is an art. It demands hard work: introspection and constant evaluation of the relationship. Good marriages are good precisely because the individuals care enough to confront one another about themselves. In marriage, you have to fight as strong as you love. The problem of open communication is so often the source of marital malaise that a marriage counselor at Brigham Young University sends married couples into the Utah mountain ranges for nine days with only a knife, sleeping bag, tin can, and a change of clothing.³⁵ The goal?--to force the couple to communicate. People who cannot talk openly, cannot fight honestly.

It is impossible for an individual to restrict the growth potential of his/her partner without in some manner restricting his or her own growth. To tell someone that he or she cannot work, or cannot enter a social relationship, or cannot do a given thing or go to a certain place --if that individual desires to do such--is to limit that person's "self-hood." If a marriage is close-ended; if the couple must have the same friends and the same interests; and if role expectations take precedence

over personal fulfillment, then what is marriage all about? "A husband is not free to be himself when his wife is not free to be herself--free in the sense of maintaining an inviolable identity as a human individual apart from her married role."³⁶ The same statement holds true for the husband vis-a-vis his married role.

Perhaps we are beginning to learn all of this. These facets of meaningful marriage will have to be emphasized and re-emphasized. Women will have to bear in mind that

However large marriage may loom in their lives, it is not nirvana, that it does not mark the end of their growth, that motherhood is going to be a relatively transient phase of their lives, that they cannot indulge themselves by investing all their emotional and intellectual resources in their children, that they cannot count on being supported all their lives simply because they are wives. They will have to prepare for living autonomy rather than symbiosis or parasitism in marriage.³⁷

Men will have to bear in mind that they are not always strong; that they will not always be deferred to; that the home is not a castle. It is a home; and in it live and love two people. And people change. And people are fragile. And people should be free.

CHAPTER VI

Divorce: The Pain and the Potential

"Almost all of us were brought up believing in marriage as the ultimate goal, the final problem-solver, the pre-ordained institution in which we would live out our lives, each partner being everything to the other. Society sees to it that we pay the price for having denied the truth of this ideal picture."¹

Shortly after a very close friend of mine was married, he asked me, "What advice do you have for a married man?" I had thought of such a question for a long time and had not been able to find an answer, yet suddenly it appeared: "Jer, always remember what it was that brought you together in the first place." This is not to deny the change processes that people undergo, but it does suggest that by the time the vast majority of people in our society do marry, they have already developed those parts of "personhood" which will remain with them throughout life. Interests may change, habits may be altered, moods may be accentuated; but more often than not it is expectations that change, and not individuals. You don't marry a person to change him/her, but you should realistically assume that changes will naturally occur through the individual or dual growth process.

Sometimes the polarity between expectations and reality is so great that undue stress is placed upon the marriage. Often, as suggested in the previous chapter, the growth of one individual may quite literally "outpace" that of the other; or sex and finances may be used to bolster

one's own ego at the expense of the mate's. All too often "in the openly sensual climate of today we are led to believe that sexual incompatibility, absence of marital sex, or adultery are the rocks on which marriage founders. In reality, these factors rank, as causes for divorce, below matters of money, temperamental incompatibility, unions formed by the immature or those prolonged far beyond their natural death."² There are many reasons that people decide to terminate a marital relationship: In some cases, divorce may be the best possible alternative to a given situation; far better than the agony of trying to maintain a relationship "for the sake of the children" or to simply avoid the onus of divorce. To characterize divorced people with a blanket indictment of "failure" is unfair and terribly superficial. Given society's penchant for advocating marriage as the nirvana of human fulfillment, perhaps it is the never-married who are the "failures" and not those who attempted to fulfill the dream, yet somehow could not. But to label people as failures, as less-than-complete individuals, on the basis of marital status is precisely the problem that adds to the emotional pain which so often accompanies divorce:

Society as a whole simply does not give a hoot why our marriages fail, and the propensity of divorced couples for placing blame upon each other is idle, unconstructive, incredibly costly, and almost wholly irrelevant. Any satisfaction gained by either party is merely the residual sickness of rage. . . . So long as we continue to regard divorce as an arena in which one party bests the other, and as a process by which emotional wounds can be healed, unnecessary pain and anguish and the expenditure of unnecessary legal fees and costs will be the inevitable results.³

Feelings of blame, guilt, or failure may be imposed from within or from without. In the realm of divorce, society can do much to minimize judgmental positions thrust upon divorced people, and allow the individuals --with professional help if desired--to understand the full range and

complexity of reasons that led to the dissolution of marriage. Recently passed "No Fault Divorce Law" statutes--with attendant psychological benefits to be realized--can be of immense help. A change in both attitude and law can stimulate people to cease blaming and to begin to understand the nature of their relationship. To blame oneself or another is not a solution: it is an avoidance tactic. It rests upon accusations which demand neither introspection nor explanations. Insofar as our legal codes are predicated upon societal attitudes, it is indeed a welcome sign that the passage of "No Fault Divorce" laws are explicitly stating that divorce need not be considered an onus. The concept of "no fault" when applied to divorce is a novel and significant one.

The Trauma of Divorce

Next to the death of a loved one, divorce may be the most traumatic experience which people confront. Like death, divorce engenders a three-fold phase in the person's life: (a) shock, which may last from a few days to several weeks; (b) adjustment, which generally lasts from six months to eight months; and (c) the maturing process as a direct outgrowth of the experience, which may endure for a year or two.

Separations and divorce create new types of behavior in response to changed circumstances. Initially, the divorced person is past-oriented and only minimally present-concerned: "Among all the dilemmas divorce poses, the power of the past is the hardest to understand and, once understood, the most difficult to overcome."⁴ Because of this, denial emerges as both a normal and healthy human reaction to the crisis; it allows us time to retreat a bit from the reality of the situation while concurrently giving us the strength to comprehend the new situation. Yet neither de-

nial nor temporary adjustment must be allowed to become permanent situations in which further growth is forfeited for seeming stability.

A crisis of this magnitude often releases emotional energies and provides the individual with strengths which he/she may have only dimly perceived existed. There is in human beings a marvelous resiliency which gives us the strength to compensate for pain, grief, and periods of instability. A marking point in the adjustment of divorced people to their situation is their willingness and inclination to give a high priority to their own interests and pleasures: the word "selfish" ceases to be pejorative and instead refers to the necessary time spent with oneself in order to enhance the growth process, personal fulfillment, and so forth.

It is interesting to note that the intensity of the impact of divorce on men is a fact which both men and women find difficult to accept. This may in large measure be due to the stereotypes placed upon men and women: the "how" people should react may be a far cry from how they do react:

The woman, out of total immersion in the mourning process, will emerge a stronger, more secure person than the man, who never was able to either accept the enormity of his loss nor learn from it. If, after a year and a half or two, you were to plot their rates of growth on the same chart, the woman's would proceed from an initial low in the lower-left-hand corner to a high point in the upper-right-hand quadrant, while the man's would appear as a relatively horizontal line--neither as initially low nor as ultimately high as the woman's.⁵

Growth Through Divorce

The experience of divorce, emotionally upsetting as it may be, can be an impetus to greater self-awareness and growth. It can be if husbands are not burdened by court orders with which they cannot realistically comply and which bind them to the past; it can be if wives are not expected

to create new lives through court orders which consign them to confinement with children; and it can be if individuals seek not retribution but understanding. Growth comes with the realization that "self" need not be defined by the relationship with the former spouse.

Growth is a process realized through time. It takes time to accept oneself as a single person again and to resume socializing with married friends and begin "dating" again. Divorce entails a tremendous effort toward self-acceptance. It brings to the forefront heightened sensitivities, hopes and expectations. Because of the need for acceptance and approval, especially by the opposite sex, there is a tremendous temptation to enter relationships in ways which may not be natural or for reasons that only address personal needs (receiving but not giving): "selfish" in the negative sense of the word. "Divorced men and women, especially after a long marriage, need a period of experimentation with a variety of different people and relationships before they commit themselves to another marriage."⁶ Hasty remarriage can be a major impediment to sustained personal growth and can quickly lead to yet another divorce.

The divorced person must cope with the denial process, provided it is not over-extended. He/she must measure progress in terms of increments of adjustment to the new situation, and not major changes in short periods of time; provided such adjustments are seen as marking-points to mature stability and not simply as permanent way-stations. The individual may be shocked to realize that the very steps taken to resolve things once and for all--don't; instead, feelings and thoughts are still predominantly past-oriented, and more time and energy may be expended analyzing the past relationship than in coping with the new reality. It is through such coping, analyzing and introspecting that the divorced person will integrate

the experience of the past into possibilities for the future. Separation and divorce can be an awesome price to pay in terms of emotional and psychological ramifications, but the measure of individual growth and self-awareness through divorce is also a measure of the pain of divorce. Divorce signals the end of a relationship, but it can be fertile ground for future relationships: given time, thought, and understanding.

CHAPTER VII

Toward A Future--And A Hope

"Even very recently, the elders could say, "You know, I have been young and you never have been old." But today's young people can reply: "You never have been young in the world I am young in, and you never can be." This is the common experience of pioneers and their children. In this sense, all of us who were born and reared before the 1940's are immigrants . . . struggling to grapple with the unfamiliar conditions of life in a new era . . . these immigrants in time are the bearers of older cultures."¹

The past, uncomfortable though it may be, nevertheless is knowable. We know of events and people and places. We can chart changing values and norms and we collect statistics by the armload. Unfortunately, we often delude ourselves as to our personal past: we accentuate our glories and minimize our failures. We are experts at analyzing all else but ourselves, yet we revel in retrospect; it somehow serves to make the present more secure by comparison. And what of the future? The future beckons to us on the not-too-distant horizon: teasing us, challenging us, and filling us with both hope and fear. And therein lies the paradox: the past intrigues us because we can relate to it from an historical distance of safety; the present may excite us, or it may also frustrate and annoy us; but we can be neither so cavalier or definitive in our treatment of the future. It threatens whatever values we may currently hold, because tomorrow they may be of less import. More to the

point, when we consider the future we must, of necessity, assume that changes may occur which either will not be to our liking or which will find us physically or temperamentally unprepared. The irony is that our predictions of the future actually belong to the world of the past, for they are based upon assumptions of continuity and cause and effect and the resemblance of the future to the past. This may be partially true, yet should not prevent us from conjectures about future possibilities which may bear little resemblance to past practices.

Philip Slater makes an interesting cultural observation:

The old culture, when forced to choose, tends to give preference to property rights over personal rights, technological requirements over human needs, competition over cooperation, violence over sexuality, concentration over distribution, the producer over the consumer, means over ends, secrecy over openness, social forms over personal expression, striving over gratification, Oedipal love over communal love, and so on. The new counterculture tends to reverse all of these priorities.²

The future may hold several options as to life-styles, some of which will be outgrowths of present structures and others which will be radical departures from them:

- a) within a scant three decades it will be quite feasible to insure that there will be no children in a union. Infertility may well become the norm in early adolescence and it will take positive action, preceeded by a thoughtful decision--perhaps with a trained professional in the field of child-rearing, family stability, maturity, and so forth--to reestablish fertility.
- b) rather than opting for childlessness, couples may decide to postpone the rearing of children until after retirement. This may well alleviate the problem of loneliness

in old age and conclusively defeat the stereotype of the elderly as sexually inactive and/or worth-less (if not, indeed, "worthless").

- c) adherence to societal structures which bound people to "accepted norms" (which all too often meant that the norms were accepted for you rather than by you) is already being relegated to past practices: dating and courting now stress a more open type of relationship; stereotypes as to "masculinity" and "femininity" are rapidly being eroded; the "games people play" is viewed as pejorative comment upon relationship formation rather than as a means toward an end. Consequently, as relationships grow, we can anticipate greater open public acceptance of trial marriages--now termed "living together." This pre-marital living arrangement may come to be greeted less with moral opprobrium than with an acknowledgement of its utility and realistic value.
- d) equally feasible are marriages in which periodic sexual encounters are condoned on a wider basis. Though spurned by society and legally defined as adultery, "reputable authorities in the field of marriage and sex have in recent years stated publicly that such brief aberrances can benefit a marriage by relieving the tensions caused by unequal sexual drives or the tedium endured by one or the other."³ Such brief relationships may be seen as less hazardous than a marriage in which the needs of the more demanding sexual partner are left unfulfilled and in which an otherwise stable

relationship is forsaken for want of sexual fulfillment.

e) there may well be public and legal acceptance of homo-sexual marriages.

f) we may see a relaxation of the ban against polygamy, with noticeable benefits in particular for the widowed and elderly. The current ratio of widows to widowers is four-to-one, and three-fourths of the widows are sixty years of age or older. By 1985 the excess of aged females will reach 4.5 million! Consequently, a form of polygamy may develop which would permit any man past the age of sixty to marry several women in the same age group.

g) the growth of "geriatric communes" may become more widespread, as the elderly search for companionship and assistance and pool funds to allow for better medical services or, in a lighter vein, group travel or entertainment.

h) group marriages may achieve greater popularity in response to the fulfillment of personal needs and/or economic pressures, or to combat societal anomie. These marriages may consist of a high proportion of professional people with a stable economic base, allowing for a greater possibility of yet further innovation and expansion than is currently seen.

i) the concept of the "cooperative household" may become more than simply a "concept" and may--hard on the heels of women's liberation and a realistic appraisal of individual needs and aspirations regardless of sex--evolve into a broader acceptance of shared responsibilities. More husbands

and wives may be willing to enter and leave a job market to allow the spouse the time to study, raise and care for children, or pursue work in a field of interest that might have normally been denied.

- j) or people may decide on one of two other avenues: the idea of serial marriage may become prevalent, as the concept of "until death do us part" is viewed as less and less realistic; or the idea that marriage is not for everyone, with more people opting out of marriage as a conscious choice and choosing instead multiple living arrangements, each enduring for a given amount of time. In this sense, then, marriage may be viewed not as the ideal form of human relationships, but rather of one viable choice among many.

Some of these future possibilities are already de facto in existence, if not yet accepted legally or by societal opinion. The Zero Population Growth movement has had an effect upon formerly-held concepts of the inherent goodness of "being fruitful and multiplying"; trial marriages and sexual liaisons outside of marriage are becoming more prevalent; the medical profession, historically conservative, is re-defining its definition of the homosexual, and the day may not be far off when homosexual marriages are legally valid; group marriages have been and are being attempted, and the concept of the "cooperative household" is no longer the butt of jokes or simple wish-fulfillment.

The Reform movement will be more receptive to such changes in the social sphere than will its co-religionist counterparts who adhere to the halacha. Infidelity in marriage--termed "adultery"--may not find formal approval by any of the branches of Judaism, but polygamy among the

elderly (as a form of "honoring" or acknowledging the physical and psychological needs of widows and widowers) as well as serial marriage (simply a more refined term for multiple remarriages) may. There are and will be certain needs and contingencies for which the Bible or the Codes will have neither application nor hint of such; those bound to the halacha will be hard-pressed to create responses that adhere to a traditional framework yet respond to present realities. The Reform branch, never bound to halacha in philosophy or practice, will continue to respond to societal needs and changes through progressive Judaic thinkers and leaders, or on the basis of community reaction. Reform Jews will react on the basis of their personal philosophies and outlooks; Conservative and Orthodox Jews will be more likely to gauge their reactions to social changes on personal philosophies which are outgrowths of halachic stances.

Reform Jews may well be moving toward traditional ritual practices and the gulf between the Reform and the Conservative will decrease as a result; but Reform and Conservative Jews will in all likelihood be more responsive to the desires or needs for change than will the Orthodox. Traditional practices may be alluring; but traditional philosophies and their applicability to modern society will continue to maximize the differences in outlook between more observant and less observant Jews.

The family of the future--and the concept of "family" may have to undergo redefinition--regardless of what form it may take, regardless of what living patterns it may choose, may be one of the few places in the world of the future to find privacy. And in our society today--and who knows how much the more so in our society of the future--that is and will remain a precious commodity.

Suggestions and Recommendations

The goal of this thesis is three-fold: (a) to inform: through historical analysis, statistical data and a scan of contemporary events, norms and hopes: (b) to analyze: past practices, changing life styles and future possibilities; and (c) to offer suggestions which Jewish professionals--rabbis and educators primarily--might utilize.

It seems to me that several things might be done in response to the problems encountered in marriage, problems which all too often lead to divorce. These suggestions are not a panacea in and of themselves, but may aid us to help people who are perplexed, frustrated or agonized by interpersonal relationships which they can neither understand nor know how to confront.

- a) religious school programming: until now, such programming has been past-present oriented. That is to say, the past is studied in order to determine a general historical perspective as well as its impact on the present. Save for concern about Israel, we rarely allot time in the curriculum for "future concern." It would be advantageous to supplement courses covering "The American Jewish Community" or "Jewish Ritual" or "Israel and the Diaspora" with parallel "think-tank" courses in which students, aided by competent resource personnel, would probe future possibilities. They might attempt to create mini-environments reflective of such contingencies, utilizing retreats or conclaves--of two to three days duration--to extend the process into a temporary, yet nonetheless real, living situation. Temples are currently facing economic pressures. Since there will

be a greater proportionate increase in the number of aged people and a decrease of the young and middle aged, the ability of the latter group to bear a greater financial burden for Temple support may not be feasible. In view of the financial picture, what programming is deemed imperative? Which superfluous? Will congregants demand more services for their financial support? If so, what? Will havurot become mini-Temples unto themselves, each one subsidizing the rabbi an equitable portion of his salary?

There was a simple beauty in the traditional view of temples as both houses of worship as well as houses of study. In this sense, the havurot are reflective of the value which deemed study as quite important, and less so the locale in which it occurred. So, too, what was important was that man set aside the time to pray--be it with the community in the synagogue, or with a few people in one's home, or by oneself in a field.

Temples today serve various purposes: as points of contact for social and cultural events; as facilities for programming; and as places for worship. They are, in short, multi-functional. Yet too often the rabbis and administrative staff consciously or unconsciously become the means and the ends for creative growth and usurp individual and congregational inputs. The creation of new programs--be they havurot or "think tank" curriculum and retreats--bears with it the potential of the people themselves striving for answers to their own questions and learning from one another with the rabbi as resource person.

Given that one of the major problems in human relationships--and in marriage in particular--is that of communication, perhaps we should consider establishing programs through temples and Jewish community centers

which would educate people toward a better understanding of human dynamics. Trained facilitators would meet one evening per week with different groups--youth, parent-child, middle-aged, elderly--with the following goals in mind:

- 1) to develop an awareness of human psychology in general,
- 2) to develop an understanding of stresses and strains upon specific age groups, and the aspirations of the people in those groups,
- 3) to attempt to understand the perceptions of people given varying value structures,
- 4) ultimately, people may begin to perceive one another less in terms of "group" and more in terms of the individuals they are. Hence, youth group programming or pre-confirmation religious school curriculum might periodically include the aged for purposes of entertainment (at hospitals; homes for the aged; trips to locales which might otherwise be inaccessible for the elderly) or education (first-person accounts of the immigrant experience in America; recollections of the Holocaust; description of a particular culture, etc.). We may yet see the time when parents and children share a "retreat" experience, based upon a "kibbutz" model: parents might partake in seminars or experiential workshops geared to their interests, while similar programming is developed for the youth. The two groups, while eating together, would sleep apart; yet at various points during the "retreat" would come together in as natural a way as possible.

This might be a means for parents and youth--working separately in groups--to suggest to one another means of establishing points of contact at home, during leisure time, or through temple activities.

b) rabbinic education: rabbis should be encouraged--and I would hope, self-motivated--to seek training in marriage counseling. This presupposes an awareness and concern about the marriage-divorce dilemma: the Jewish Federation or staff personnel from a local Jewish community center might offer a series of seminars in which data could be shared, opinions given by experts in the field (social workers, lawyers, psychologists) and ideas expressed. This also assumes that the Jewish community acknowledge the existence of the problem--lower birth rate, high marriage rate and increasingly greater divorce rate--and a formal concern in regard to it; unlike our recent mishandling of the Jewish poor (the "myth" held that there were few Jewish poor and, through perpetuating ignorance and manifesting great nonchalance, we perpetuated the myth that was reality), whom we consigned to "nonexistence" rather than admit they were there, we must respond to the phenomena of broken marriages. This means that we will have to compile the necessary data which accurately reflect the current Jewish marriage and divorce rates and be willing to share--not hoard--that information.

c) rabbinic pre-marital counseling: those rabbis who do meet with couples desiring to be married--in order to get to

know the couple better before performing the ceremony, or to determine their level of maturity--might consider three specific areas of concern:

- 1) how well do the individuals really know one another?

Rather than dwelling upon what they share, it may be important to hear them verbalize their differences! Do their arguments tend to be about one or two specific things? Are their hopes for their future such that one partner's growth might be denied? These questions may be of less importance for the rabbi than for the couple who may discover yet more things about their relationship through honest verbalization of personal areas in the presence of a respected friend and professional.

- 2) marriage-counseling should entail, I believe, a brief description of what marriage means within the Jewish religion: parts of chapter one of this thesis may be of interest, as well as going through the marriage ceremony with the couple prior to the wedding in order to both explain and understand its structure.

- 3) in view of the rising divorce-rate, it is sheer folly to over-romanticize marriage. In addition to developing an historical appreciation of both marriage and the marriage ritual, it would be worthwhile to raise some important issues based upon contemporary realities: to emphasize that marriage entails the growth of two separate and unique individuals, and that that growth may not be parallel; to discuss the concept of "open marriage" and alter-

native life-styles; to strongly recommend that the couple read and discuss (with the rabbi, if possible) some of the better and more thought-provoking books in the field of marriage and human behavior and understanding (see bibliography; especially recommended are the works by Bach, Bernard, Brothers, Keyes, Krantzler, Mannes-Sheresky, O'Neill, Rogers, Slater, and Toffler).

- d) "hot-line" psychiatric aid and counseling: to enable couples undergoing immediate and serious marital problems or on the verge of marital break-up to dialogue over the phone with a professional who would spend a limited amount of time talking with them and then set up an in-office appointment within a matter of days (not weeks) at minimal cost (or at cost geared to ability to pay). A rabbi would have the names of several professionals (private, Jewish Family Service, social workers, etc.) who would voluntarily be "on call" to respond to such needs. The availability of professionals through telephone communication would be of immense help to people in crisis, and could effectively bridge the gap between the onset of a crisis (or the time at which it is finally acknowledged and dealt with) and the personal encounter with the professional. The time elapsed between cries for aid and responses to those pleas is of utmost importance.
- e) institutes or clinics for family living and analyses: wherein family units would periodically meet with resource personnel and professionals at temples or Jewish community centers

to hear seminars and discuss: positive inputs for marriages; the positive and negative effects of childless marriages; the effects of divorce upon adults and children; the status and viability of group marriage, serial marriage, multi-lateral marriage and so forth; alternative life-styles, etc.

- f) professional meetings: perhaps sub-committees of the CCAR and NATE, interested in the Jewish family and its maintenance, might schedule yearly regional conferences or seminars in which rabbis, educators, sociologists, social workers, researchers and marriage consultants would meet to share information and ideas. The noteworthy results of these conferences would then be disseminated through literature to interested groups and professional organizations.
- g) in-temple professional aid: Temple Solael of Canoga Park, California, recently instituted a novel program in response to the increasing number of divorces within the Temple family. The program is specifically aimed at the children of those families, such that the rabbi and two congregants--both licensed clinical social workers--meet with the young people in order to assist them during the initial period of introspection and re-adjustment. The meetings are confidential, must have the written permission of the parent, and the latter must agree to meet periodically with the rabbi and professionals to discuss both problems and progress.⁴

Marriage can be strengthened and/or saved if the individuals recognize the problems at an early stage; if they do not delude themselves as to the

nature of the problems; and if professional aid is both timely and well-trained. Some marriages cannot be saved, and still others shouldn't be: in some cases divorce may be a better alternative than prolonging an agonized relationship. But unless we, as rabbis and educators, have the tools with which to work--some basic levels of understanding of ourselves as individuals, and of the nature of marital relationships--then we will be attempting to solve a problem without understanding its nature. The key to this, as all else, is education: the sharing of knowledge and ideas. And, ultimately, the sharing of hopes and dreams.

CHAPTER VIII

Conclusion

In the previous chapters of this thesis we have seen the Biblical and Rabbinic precepts as they relate to both marriage and divorce as reflective of the values and legal norms of those times. We have also seen statistical flow charts which indicate a progressively rising marriage rate and an ever-increasing divorce rate in our contemporary times; the different ways in which men and women are coping with existing relationships or seeking to establish new ones; and some of the innovative techniques and group processes whereby people are attempting to discover more about their own identities, discoveries which will hopefully enable them to relate to others in more meaningful and more humane manners.

The Jewish community is part of the American social scene, and its members by and large take their "cues" from current societal perspectives and values; far less so, save for our Orthodox co-religionists, from Biblical precepts or Rabbinic commentaries. Yet many Jewish people do have a nostalgia for the past and, in selectively choosing "Jewish motifs" or values, they seek to validate them in terms of the Jewish experience or their own personal lives. In this sense, when Jewish people bemoan the instability of the Jewish family and the rising divorce rate, the aid of professionals might be viewed as tangential to exploring the Jewish view of the husband-wife relationship--preferably before marriage, but also during and after.

The Jewish community will respond to both the problem of marriages and possible corrections in various ways; how different organizations and individuals will react will, of course, vary. It would be ideal if

those responses are based, in part, on dominant Jewish historical-philosophical values and a knowledge of what they are. Because our religion does have much to offer in the area of human relationships, to help people understand the "sanctity" of people talking to, being with, and loving other people. In marriage and out of marriage.

NOTES TO CHAPTER I

- ¹Seder Eliyahu Zuta, Ch. 3.
- ²K. Kahana, The Theory of Marriage in Jewish Law (Leiden: E.J. Brill, 1966), p. 22.
- ³Tosefta Kiddushin 1.1.
- ⁴Kahana, p. 44. Emphases mine.
- ⁵Tosefta Kiddushin 2.4.
- ⁶Ibid., 1.1.
- ⁷The writ and the act of intercourse are Biblical. The kesef is rabbinic.
- ⁸Tosefta Kiddushin 2.7.
- ⁹Kahana, p. 84.
- ¹⁰Ibid., p. 87.
- ¹¹Tosefta Kiddushin 4.5.
- ¹²Norman Linzer, The Jewish Family. A Compendium (New York: Federation of Jewish Philanthropies of New York, 1970), p. 13.
- ¹³Zohar 189a
- ¹⁴Ibid., 450b
- ¹⁵Yevamot 62b
- ¹⁶Eben Ha-Ezer, Hilchot Priah V'Kviah 1.1.
- ¹⁷Mishnah Yoma 1.1.
- ¹⁸Shabbat 118b
- ¹⁹Kiddushin 29b
- ²⁰Sanhedrin 76a
- ²¹Tosefta Kiddushin 3.7
- ²²Hullin 84b

²³Hayyim Schneid, ed., Marriage (Philadelphia: Jewish Publication Society of America, 1973), pp. 97-98.

²⁴Ibid., pp. 95-96.

²⁵Pesikta Rav Kahana 11b-12a.

²⁶Sotah 2a.

²⁷Megillah 27a.

NOTES TO CHAPTER II

- ¹R. Moses Isserles to Eben Ha-Ezer 19.6.
- ²Gittin 90b.
- ³K. Kahana, The Theory of Marriage in Jewish Law (Leiden: E.J. Brill, 1966), p. 19.
- ⁴David Amram, The Jewish Law of Divorce: According to the Bible and Talmud (Philadelphia: Edward Stern and Col, 1886), p. 39.
- ⁵Ibid., pp. 46-47.
- ⁶Mishnah Kettubot 3.5.
- ⁷Amram, pp. 44-45.
- ⁸Mishnah Yevamot 14.1.
- ⁹Eben Ha-Ezer, Baer He'Tev to Priah V'Rviah 1.10.
- ¹⁰Mishnah Kettubot 4.9.
- ¹¹Deuteronomy 20:10.
- ¹²Jeremiah 3:1.
- ¹³Mishnah Kettubot 7.6. Emphases mine.
- ¹⁴Ibid., 5.7.
- ¹⁵Eben Ha-Ezer, Hilchot Gittin 154.1.
- ¹⁶Mishnah Kettubot 7.8. Emphases mine.
- ¹⁷Ibid., 5.5.
- ¹⁸Exodus 21:10.
- ¹⁹Mishnah Kettubot 5.7.
- ²⁰Mishnah Nedarim 11.12.
- ²¹Amram, pp. 65-66.
- ²²Mishnah Nedarim 11.12.
- ²³Mishnah Kettubot 7.10.

²⁴Eben Ha-Ezer, Hilchot Gittin 154.1.

²⁵Mishnah Kettubot 5.9.

²⁶Ibid., 5.5.

²⁷Amram, p. 70.

²⁸Eben Ha-Ezer, Hilchot Gittin 154.3.

²⁹Amram, p. 73.

³⁰Eben Ha-Ezer, Hilchot Priah V'Rviah 1.10.

³¹Eben Ha-Ezer, Hilchot Ishut 13.1.

³²Amram, p. 157.

NOTES TO CHAPTER III

¹Mena O' Neill and George O'Neill, Open Marriage (New York: M. Evans and Company, Inc., 1972), p. 21.

²The States in the MRA are: Alabama, Alaska, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Virginia, West Virginia, Wisconsin, Wyoming, and the District of Columbia.

³U.S. Department of Health, Education, and Welfare, Publication No. (HSM) 72-1007, Series 21, Number 21: "Marriages-Trends and Characteristics," pp. 12-13.

⁴Ibid., p. 1.

⁵Ibid., p. 3.

⁶Ibid., p. 13. Composite chart.

⁷Ibid., p. 3.

⁸U.S. Department of Health, Education, and Welfare, Publication No. (HSM) 73-1121, Vol. 21, No. 13, June 27, 1973: Vital Statistics Report, Annual Summary for the United States, 1972--Births, Deaths, Marriages, and Divorces, p. 8.

⁹U.S. D.H.E.W., Publ. No. (HSM) 72-1007, pp. 5-6. Composite chart.

¹⁰Ibid., p. 5.

¹¹Ibid., p. 2h.

¹²Ibid., p. 10.

¹³Ibid., p. 1h.

¹⁴Ibid., p. 13.

¹⁵Larry Constantine and Joan Constantine, Group Marriage (New York: The Macmillan Company, 1973), p. 6; Joyce Brothers, The Brothers System for Liberated Love and Marriage (New York: Avon Books, 1972), p. 1d; and Mel Krantzler, Creative Divorce--A New Opportunity for Personal Growth (New York: M. Evans and Company, 1973, 1974), p. 5.

¹⁶Constantine and Constantine, p. 6.

¹⁷George Bach and Ronald Deutsch, Pairing (New York: The Hearst Corporation, 1970), p. 49.

¹⁸"Old Patterns and New Perspectives: The Role of Jewish Women in Strengthening the Jewish Family," American Jewish Committee-B'nai B'rith Consultation, January 24, 1973, p. 1. Personal letter from Mrs. Joan Millen, Membership Director of B'nai B'rith Women in Washington, D. C., dated 10-31-73.

¹⁹U.S. D.H.E.W., Publ. No. (HSM) 73-1121, p. 11.

²⁰U.S. Department of Health, Education, and Welfare, Publication No. (HSM) 73-1900, Series 21, Number 22: "Divorces--Analysis of Changes," p. 27.

²¹The States in the DRA are: Alabama, Alaska, California, Connecticut, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Maryland, Michigan, Missouri, Montana, Nebraska, New York, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, Wisconsin, and Wyoming.

²²U.S. D.H.E.W., Publ. No. (HSM) 73-1121, p. Emphasis mine.

²³Ibid., p. 3.

²⁴Ibid., p. 31. Composite Chart.

²⁵Carl Rogers, Becoming Partners: Marriage and Its Alternatives (New York: Delacorte Press, 1972), pp. 9-10.

²⁶U.S. D.H.E.W., Publ. No. (HSM) 73-1121, p. 8.

²⁷Ibid., p. 9.

²⁸Ibid., p. 10.

²⁹O'Neill and O'Neill, p. 21.

³⁰Krantzler, p. 239; Hans Peter Dreitzel, Family, Marriage, and the Struggle of the Sexes (New York: The Macmillan Company, 1972), p. 112.

³¹U.S. D.H.E.W., Publ. No. (HSM) 72-1007, p. 17.

³²Ibid., p. 23.

³³U.S. D.H.E.W., Publ. No. (HSM) 73-1900, p. 27.

³⁴Jessie Bernard, The Future of Marriage (New York: World Publishing Company, 1972), p. 19.

NOTES TO CHAPTER IV

¹Ralph Keyes, We, The Lonely People: Searching for Community (New York: Harper and Row, Publishers, 1973), p. 110.

²Ibid., p. 139.

³Ibid., p. 111.

⁴Jerry Farber, The Student as Nigger (New York: Simon and Schuster, 1969), p. 28.

⁵Carl Rogers and Barry Stevens, Person to Person--The Problem of Being Human (Lafayette, California: Real People Press, 1967), p. 37.

⁶Carl Rogers, Becoming Partners: Marriage and Its Alternatives (New York: Delacorte Press, 1972), p. 216.

⁷Larry Constantine and Joan Constantine, Group Marriage (New York: The Macmillan Company, 1973), p. 81.

⁸Philip Slater, The Pursuit of Loneliness (Boston: Beacon Press, 1970), p. 71.

⁹George Bach and Ronald Deutsch, Pairing (New York: The Hearst Corporation, 1970), pp. 53-54.

¹⁰Norman Sheresky and Marya Mannes, Uncoupling, The Art of Coming Apart: A Guide to Sane Divorce (New York: The Viking Press, Inc., 1972), p. 4.

¹¹Ibid., p. 5.

¹²Hans Peter Dreitzel, Family, Marriage and the Struggle of the Sexes (New York: The Macmillan Company, 1972), p. 101.

¹³Keyes, p. 37.

¹⁴Ibid., p. 38.

¹⁵Slater, p. 5.

¹⁶Keyes, p. 15.

¹⁷Conversation with Prof. Gerald Bubis, Director of the School of Jewish Communal Service, in Los Angeles, California: Summer of 1973.

¹⁸Kathleen Kinkade, A Walden Two Experiment (New York: William Morrow and Company, 1973), p. 148.

- 19 Keyes, pp. 15-16.
- 20 Ibid., p. 11.
- 21 "On My Way to Where" by Dory Previn, quoted in Keyes, pp. 42-43.
- 22 Slater, p. 7.
- 23 Time Magazine, February 25, 1974, p. 68.
- 24 Bach and Deutsch, pp. 73, 75.
- 25 "Sacred to be Alone" by Dory Previn, quoted in Keyes, pp. 209-210.
- 26 Rogers and Stevens, pp. 11-12.
- 27 Rogers, p. 208.
- 28 George O'Neill and Nena O'Neill, Open Marriage (New York: M. Evans and Company, Inc., 1972), p. 214.
- 29 Rogers and Stevens, pp. 17-18.
- 30 Rollo May, Man's Search for Himself (New York: W. W. Norton and Company, Inc., 1953), p. 69.
- 31 Keyes, p. 58.
- 32 Constantine and Constantine, p. 120.
- 33 O'Neill and O'Neill, p. 11.
- 34 Constantine and Constantine, p. 75.
- 35 Ibid., pp. 97, 99.
- 36 Ibid., p. 67.
- 37 Keyes, p. 147.
- 38 Kinkade, p. 57.
- 39 Of the 104 individuals: half were thirty years of age or older and half were in their twenties; the age range was from 18-59 years of age; eighty per cent of the families included children; and there were only twenty-eight single people in the entire population studied. From Constantine and Constantine, p. 67f.
- 40 Rogers, p. 156f. Not necessarily in the order listed.
- 41 Ibid., p. 158f. Not necessarily in the order listed.
- 42 O'Neill and O'Neill, p. 26.

¹³Jessie Bernard, The Future of Marriage (New York: World Publishing Company, 1972), p. 132.

¹⁴Penelope Orth, An Enviably Position--The American Mistress (New York: Berkeley Publishing Company, 1972), p. 255.

¹⁵Dreitzel, p. 97. Emphasis mine.

¹⁶Bernard, p. 156. Emphasis mine.

¹⁷Rogers, p. 55. Emphasis mine.

¹⁸O'Neill and O'Neill, p. 260.

¹⁹Mel Krantzler, Creative Divorce--A New Opportunity for Personal Growth (New York: M. Evans and Company, Inc., 1973, 1974), p. 265.

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¹Mel Krantzler, Creative Divorce--A New Opportunity for Personal Growth (New York: M. Evans and Company, Inc., 1973-1974), p. 257.

²Marya Mannes and Norman Sheresky, Uncoupling--The Art of Coming Apart: A Guide to Sane Divorce (New York: The Viking Press, 1972), p. 9.

³Ibid., p. 10.

⁴Carl Rogers, Becoming Partners: Marriage and Its Alternatives (New York: Delacorte Press, 1972), p. 193.

⁵Joyce Brothers, The Brothers System for Liberated Love and Marriage (New York: Avon Books, 1972), p. 107.

⁶Nena O'Neill and George O'Neill, Open Marriage (New York: M. Evans and Company, Inc., 1972), pp. 139-140.

⁷Jessie Bernard, The Future of Marriage (New York: World Publishing Company, 1972), p. 41.

⁸Brothers, p. 46.

⁹O'Neill and O'Neill, p. 211.

¹⁰Bernard, p. 30.

¹¹Brothers, p. 46.

¹²Bernard, pp. 17-18.

¹³O'Neill and O'Neill, p. 41.

¹⁴Ibid., p. 141.

¹⁵Philip Slater, The Pursuit of Loneliness (Boston: Beacon Press, 1970), p. 66.

¹⁶Bernard, p. 62.

¹⁷Ibid., p. 62.

¹⁸Ibid., pp. 70-71.

¹⁹Slater, p. 75.

²⁰Brothers, p. 97.

²¹Hans Peter Dreitzel, Family, Marriage, and the Struggle of the Sexes (New York: The Macmillan Company, 1972), p. 101.

²²Ibid., p. 111.

²³Bernard, pp. 210-211.

²⁴Ibid., pp. 50-51.

²⁵Dreitzel, pp. 72, 135.

²⁶Brothers, p. 79.

²⁷Bernard, p. 9.

²⁸Slater, p. 72.

²⁹Ibid., p. 71.

³⁰The Wall Street Journal, February 11, 1971.

³¹Dorothy Gallagher, "Midwifing a Return to Work," Money, March, 1971, p. 11.

³²Ibid., p. 12.

³³Ibid., p. 13.

³⁴Rogers, p. 207.

³⁵Ralph Keyes, We, The Lonely People Searching for Community (New York: Harper and Row, Publishers, 1973), p. 175.

³⁶Mannes and Sheresky, p. 119.

³⁷Bernard, pp. 321-322.

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¹Mel Krantzler, Creative Divorce--A New Opportunity for Personal Growth (New York: M. Evans and Company, Inc., 1973-1974), p. 92.

²Marya Mannes and Norman Sheresky, Uncoupling--The Art of Coming Apart: A Guide to Sane Divorce (New York: The Viking Press, Inc., 1972), p. 32.

³Ibid., p. ix.

⁴Krantzler, p. 51.

⁵Ibid., pp. 119-120.

⁶Ibid., p. 171. Emphasis mine.

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¹Margaret Mead, Culture and Commitment--A Study of the Generation Gap (New York: Doubleday and Company, Inc., 1970), p. 49.

²Philip Slater, The Pursuit of Loneliness (Boston: Beacon Press, 1970), p. 100.

³Marya Mannes and Norman Sheresky, Uncoupling--The Art of Coming Apart: A Guide to Sane Divorce (New York: The Viking Press, Inc., 1972), p. 32.

⁴Temple Solael letter, dated 12-3-73, mailed to families touched by divorce.

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