

Couples question institutionalized marriage

by Debby Fairley

Chris and Jean have been living together for over a year. They are not married and would prefer to stay that way.

"Marriage is a pretty binding thing," said Jean. "The only reason we'd ever resort to it would be if we decide to have children. Until then, we don't want to tie each other down."

In Lincoln, that kind of freedom is illegal. According to a 1940 "immoral conduct" ordinance, Chris and Jean could be put into the county jail for six months and fined \$100 apiece.

Policemen arrest about two people every two weeks for cohabitation, said Jim Cada, assistant city attorney, but the usual fine is only \$10 and costs.

Most of those arrested for cohabitation are poor people and not college students, according to Cada. "I can't make generalizations, but a lot of them are women with children on ADC (Aid to Dependent Children)—the neighbors don't think it's right for a man to be there with the kids, so they'll call the police."

A spokesman for the police department said all such arrests are the result of complaints—policemen do not search for offenders.

People who live together without being married are also breaking God's law, in the eyes of most religions.

Father Leonard Kalin of the Catholic Newman Center termed unmarried couples who live together "generally promiscuous."

"Love must include a total commitment to each other. The couple may say they love each other but it may be only infatuation. If they break up after two years, was this love?"

Marriage is not strictly an individual thing, he said. It and procreation are done for the good of society, too.

The Rev. Duane Hutchinson of the Methodist

Wesley Foundation is less sure that living together is a sin.

"The Bible says this is fornication, and fornicators aren't supposed to inherit the kingdom of Heaven, but the Scriptures are a lot less hard on them than other lawbreakers."

"Promiscuity aside, I personally don't see anything wrong in people coming together with this kind of intimacy—the bad part is in the separating. In this crowded world, we need aloneness with one other person. But if this feeling is treated lightly, it can destroy one or both of the people."

The evil in this kind of relationship is in the mistrust that sometimes comes if there is no covenant or binding promise, he said.

If one of the persons has a fear that the rug will be jerked out from under him, he may never get really emotionally involved. He holds something back. Or if he gives his all to another person and gets burned, Hutchinson said, it can crush him.

Both Kalin and Hutchinson said their church recognizes at least some form of common law marriage for a couple who has been living as man and wife for a long time. However, the state of Nebraska does not.

In addition to conflict with religion and the law, unmarried couples often face opposition from parents and friends.

Parental pressure is forcing Paul and Karen to get married, after sleeping together for two years and living together for one.

Paul says his parents know the situation and approve of Karen, but "want us to put down in writing that we'll be good to each other."

The basic idea of marriage isn't bad, they said. "After all, man isn't the only species that mates for life." After marriage, however, the man and woman are usually pushed into the role of the typical husband and wife.

"Marriage can be pretty unfair to women," Karen said. "The wife is expected to go where he goes, assume his credit rating, do the household chores—and too often this means she loses her identity."

Several couples characterized the marriage ceremony as symbolic of the worst aspects of traditional marriage. "It's so blind," said one, "promising to love 'til death do us part."

Paul and Karen said they would have had some kind of pledging or celebration even if they weren't planning to be married. The decision to spend one's

life with another person is certainly important enough to merit a marker or ceremony, they said.

But as things are now, Karen said, the wedding is completely for the parents—the father gives the bride away, the parents announce the wedding and send the invitations. A traditional marriage would mean nothing to them.

Chris and Jean felt the ceremony is pretty irrelevant anyway. "What's a piece of paper? It's only necessary for society, not the people involved, unless one of the two needs the security."

If they're not married, said Chris, couples don't fall into the trap of taking each other for granted. It's more of an equal thing—there's no putting your thumb down or bullying, because either one can leave any time.

"If you love each other," he said, "you'll try to make it work. If you don't, you find out soon enough and can leave without all the legal hassles and hard feelings of divorce."

This kind of relationship can be hard on parents, Chris said, "but what if the same people had been married and then divorced within the year—what would that do to the folks?"

When people get married, he said, it's like saying, "Well, here goes. For the next 50 years I'm going to love this person." Chris said he didn't think he could ever marry someone without living with her first.

Many couples would like to spend their lives together, but don't think signing a "contract" will guarantee they will be able to do so.

Tom and Patsy are an example. They are living together and feel they have made a commitment to each other. They told their parents and it caused a big split with Patsy's. "They're concerned for her," Tom said. "I could leave her."

He said he wants to spend his life with Patsy, and hopes she will stay with him. Not getting married right away isn't a rebellion against the law, but just doing what is right for them.

When they have children, they will marry. "Otherwise, the law could take them away and put them in an orphanage."

This concern for protecting their children is shared by most unmarried couples.

Many say they're not hung up on having children that are legally or biologically "theirs." They want to adopt or raise foster children, but to do this they realize they will have to be married. That, they feel, is the only valid purpose marriage can serve them.



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