



Politics & Law

BROOK, HEATHER: *Conjugal Rites: Marriage and Marriage-like Relationships before the Law*, New York: Palgrave Macmillan, 2007. – VIII, 257 p.

Heather Brook, Senior Lecturer in Women's Studies at Flinders University, School of Social and Policy Studies, in Adelaide, South Australia, introduces her subject of "conjugal rites" by raising two questions, firstly: "How does marriage matter?" and, secondly, "What differentiates marriage from merely marriage-like relationships?" (3). B. tries to find out why and how marriage is shaped by governmental rules. Following these questions, she portrays a thorough understanding of feminist theory on marriage, including the critique of a society in which culture is constructed by heterosexual symbolism. While she gives this established feminist position some credit, she is also convinced "that feminist critiques of marriage had to a certain extent become exhausted" (3).

B. delivers her subsequent argument in eight chapters. She starts

with a reconstruction of feminist critique on marriage, examines the sexual politics of conjugality, and historically retraces the many transformations of meaning and conceptualization of marriage.

In Chapter 2, B. argues that "marriage can be reconceptualized as a dynamic arena of regulation" (5). This arena is outlined by governmental, corporal and performative aspects of the meaning of marriage. Throughout her argument, she reflects on the consequences that the norm of heterosexuality has on same-sex relationships. Following structuralism and drawing on the arguments by Michel Foucault and Judith Butler she intends to renew the perception of marriage and gender. Concluding this chapter, she suggests analyzing and assessing degrees of conjugality.

In the following chapters (3 and 4), B. then further investigates the norms and societal standards which are needed to "prove" that a marriage has indeed "come true". B. here specifically refers to wedding ceremonies and the tradition of consummation. She stresses that "marriage produces meaningfully sexed bodies and supplies the conditions for which certain kinds of sex are performative – and therefore 'special' (privileged)". The Christian phrase of becoming one flesh supported this process of forming and maintaining marriage. But it also served as the conceptual framework to establish the significance of adultery. B. describes the gender-specific perception of adultery, as "matrimonial union [which] is reinforced through iterative acts of sexual union" (81). Performative power is shaped by sex and the male's power seems to be stronger as B. can lucidly show.

In Chapter 5, B. explores the intersection of sex/gender and



“race”. She describes two case studies of the late 1950s; one is set in an US-American, the second in an Australian context. B. intends to show how virtually identical situations were looked upon very differently in their respective contexts (see 97), and that there are ambiguous reasons to act against intermarriage. In the governmental dimension there is even more to say: “Marriage is neither merely a cause nor an effect of racism, but both: it is a conduit for shaping relations between states and their gendered, racialized subjects.” (119)

The following chapter 6 focuses on the historical transformation from practicing divorce as grounded in fault-based relationships in earlier times, to no fault-based relationships. B. appreciates this process as a feminist victory of the 1970s, but nevertheless the shift from the concept of “union” to that of “togetherness”, which made this transformation possible, poses new questions. One of these B. treats in chapter 8, in which she questions if same-sex marriage may produce gender-subversive effects.

All in all B. argues for new modes of perception in which the plurality of conjugal rites is presented, because “the world of intimate relationships can no longer be easily divided into that which is marriage and that which is not. The field of analysis has opened up” (199).

B. theorizes marriage in the context of Women’s Studies. After reading her book one is well informed of social and political rules and regulations regarding marriage, up to the respective norms with which to form an institution like marriage has been called one to be. Surely, B. did not intend to write upon love and marriage, so one should not be

disappointed about this omission. Nevertheless, I am convinced that B. underestimates the importance of feelings for her topic. Because it is love constructed and practiced in strong bonds which give sense to human life. This is one reason why social and political regulation through marriage is still effective, while producing enormous ambivalences, as B. rightly maintains. It is this depiction of marriage as a topic of political significance that resonates well with the reader.

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