

The main thing about marriage until about 50 years ago was that it was, in practice, indissoluble. Divorce, though possible, was a major legal hurdle attended with many embarrassing and unpleasant features. If one party to the marriage insisted on continuing as promised, the other could not get out. Betrayal of the marriage vows was a major act of domestic war. What was more, if you wouldn't, or couldn't get married, you were condemned to the fringe of the world. Living in sin was awkward and unpleasant. People frowned on you. It was hard to get lodgings in respectable places. Any children of such a household would almost certainly suffer in various ways.

And I can already hear a lot of people saying 'Well, quite, and wasn't this exactly why we needed divorce reform? To which I reply that nothing good comes without a price. If you value the freedom to divorce, then you must accept that it, too, has a cost.

Despite the self-serving litany of so many divorcees (you must have heard it) that 'the children were far happier once we broke up. Divorce was far better than the constant rows. And now they have two homes instead of one', we all know in our hearts that in most cases the children hate the divorce and are upset and damaged by it; that rows between grown-up people are not a force of nature, or the weather, but something they can control and prevent if they really wish to; that two homes are not necessarily better than one.

We also know that, where marriage is easily dissolved, it is more frequently dissolved, and that where divorce is simple and cheap, it will be resorted to more readily, and be seen as the normal and automatic response to marital difficulty; that the discipline of lifelong marriage, which compels husbands and wives to learn forbearance and forgiveness, can actually strengthen the moral muscles. We must also recognise that, where divorce becomes more and more common, and where the laws on distribution of marital property and custody of the children heavily favour the divorced wife regardless of who is responsible for the break-up (as they do, see my 'Abolition of Britain'), many men will become reluctant to marry at all.

And so cohabitation will increase, and yet more children will be vulnerable to sudden and devastating break-ups of their parents. Of course, the poorer and weaker the individuals are, the worse the consequences will most likely be, ending at the bottom of the heap with a distressing number of homes in which there is no permanent father in the house, just a succession of boyfriends who may well be hostile to, or exploitative of, children fathered by other men. It is in these households that child abuse, physical and sexual, has been shown by the Family Education Trust (which studied family court reports) to be greatly more common (about 33 times more likely) than in any other sort of ménage.

I suspect that it is also from these unhappy homes that so many of the wretched young men and women misleadingly called 'homeless' have fled to escape the secret horrors that can be (though obviously are not always) visited on the vulnerable by hostile step-parents.

These are considerable evils, which grow among us. It is really up to you to decide whether they are a worthwhile price to pay for the freedom from lifelong marriage which has been bought through this suffering, and the disturbed, distressed and in many cases ungovernable generation which has resulted from it. For me, it is quite an easy choice. I think we were better off when marriage was for life, and generally lasted for life. I don't deny that this system had its grave disadvantages, but the thoughtful, responsible person must ask if they outweighed the advantages.

There is another aspect, and that is the great expansion of state power (and the great loss of an important power in the hands of women) involved in no-fault divorce, in which either party can dissolve the contract whatever the other thinks.

In both Britain and the USA, since the 1960s, the divorce law is such that if one spouse wishes to stay married, and the other does not, the state may now invade that house, backed with the force of law and prison, and expel the spouse who does not wish to leave .

Once the legal facts are expressed in this bare form, it is obvious that state power has attacked one of the most private areas of human activity, and conquered a crucial piece of territory. You may favour this. I do not. But whichever side you take, it is absurd to pretend that nothing important has changed.

Then there is what might politely be called the Lysistrata factor. Lysistrata, in the Aristophanes play of that name, forces the men of Greece to abandon war, by organising a sex strike by the women of Greece. In a way, the old marriage rule was a permanent sex strike by the women of Christian countries, under which they demanded binding lifelong promises from men, in return for their favours.

Well, this may seem crude and disagreeable to us now, but once again, look at the growing plight of older women in our society, embarking on grotesque plastic surgery, botox etc to stay in the market for male favour; look at the nasty development known as 'the trophy wife', invariably involving the cruel discarding of a previous wife, and look in general at the number of serial divorces and at the Bridget Jones problem of young women who cannot find husbands.

These are deep social changes, and they are not in all cases beneficial. They are, as always in this subject worst of all for the children, who are shuttled around from relationship to relationship and from home to home, for the convenience of adults. We are already paying quite heavily for this, and the bills have only just begun to come in.

Since the 1960s reforms, they have never really been revisited, despite the fact that they are almost 50 years old and have led to many serious problems, which weren't anticipated by their framers.

Nobody in mainstream politics has said 'This law had many bad

consequences. Perhaps we could moderate them'. The principle of freedom from a lifelong, faithful bond was the thing, and that apparently cannot be reopened. Yet it seems to me that it should be. I for one would be very willing to look into ways of reforming marriage, making exits for those who really needed them, while simultaneously making divorce particularly hard where young children were involved. There could be different degrees of marriage, under which those who wished to could choose, in advance, a form which was much harder to dissolve (I believe there have been experiments along these lines, of 'so-called 'Covenant Marriage' in some parts of the USA), These would have to be their own reward since, like Nick Clegg, I really can't see that marriage allowances in the tax system (though desirable in themselves) will influence anyone's intentions very much.

In the midst of this, the contractual arrangements of a few thousand homosexual couples are a tiny matter. My own view was always that wise and compassionate reforms of inheritance law, tenancy transfers and the rules about next of kin, could have increased human kindness without raising a great political storm. But it's not a battle I wish to fight , when the far more important war, for the survival of marriage itself, is being lost across that 5,000 mile front.