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BRET FURTWANGLER | GRAPHIC ARTIST

■ In my opinion

Law of the covenant



AILEE SLATER
FURTHER FROM PERFECTION

Louisiana, Arkansas and Arizona have introduced laws that could prevent divorce if it is not filed for one of three reasons, and Kansas is looking toward a similar bill. So-called "covenant marriage" is a legal option that couples can choose by signing an affidavit swearing they will stay married for the rest of their lives except in the case of infidelity, child or spousal abuse, or abandonment. These marriages must usually undergo a separation period of about two years before a divorce can become legal. The couple must also undergo marriage counseling prior to the wedding, as well as before divorce.

Along with more well-known issues such as gay marriage and abortion, this tidbit of recent history illustrates our country's sharp move toward conservatism in societal dealings with relationships, sexuality and the family.

In the case of adultery, abuse or abandonment, a couple in a covenant marriage must still undergo up to two years of additional marriage and counseling. In any of these cases, but especially in those of abuse, it seems pointless, and possibly dangerous, to continue the marriage. Undergoing two years of close contact with an abuser would surely be traumatizing in and of itself, but for a legal document to encourage this contact, and to encourage the idea of marriage over an actual person's happiness or safety, seems flawed.

Even though covenant marriage is still a choice, it seems likely that partners could easily egg unsure spouses into such an arrangement, and marriages could end up at an even worse place. Abused or

abandoned spouses would be forced to interact with an assailant because of legal terms they never wanted to buy into in the first place.

According to an Arkansas county newspaper, covenant marriage provides an opportunity for individual couples to combat divorce in a state with one of our nation's highest divorce rates. Marriage may be a sacred institution, but simply making this institution harder to escape is not conserving anything except for outdated values of what a healthy relationship between two adults should be. Maybe marriage just isn't it.

Although conservatives hail marriage as key to keeping families safe, perhaps these politicians should use their energy — now concentrated on promoting covenant marriages — to dealing with real problems, such as the fact that 34 percent of murdered women are murdered by their intimate partners, according to the National Women Abuse Prevention Project. Peggy Vaughan, author of "The Monogamy Myth", estimates that approximately 80 percent of marriages experience at least one case of infidelity. Conservatism is hardly worthwhile if what we are conserving seems to be so imperfect in the first place.

In our society today, there looks to be a cultural understanding that traditional marriage makes less and less

sense. For better or for worse, technology has offered devices through which we can engage in relatively safe sex without being in a relationship, and U.S. citizens have snapped up this offer. Likewise, with gender roles rapidly losing their holding power, men and women no longer need each other in the housewife versus breadwinner way that they used to. Technology has even given single parents the ability to reproduce their own genetic offspring.

These facts are scary to many, and for good reason. It is more than nerve-racking to see a system of stability, one that has been relied on for thousands of years, dissipating before our eyes. However, instead of fighting so relentlessly for the sacrament of the traditional, perhaps it would be easier, and eventually better for everyone involved, if our society instead accepted the sexual and familial movement of the future and figured out how to solve issues such as keeping children safe or preventing sexually transmitted diseases through a mechanism other than cementing unhappy marriages with legal documents.

It is important to remember that couples do not divorce because it is easy; they divorce because they no longer wish to be married. Falsely constructed ideas of stability, built around one man and one woman and one perfectly manicured suburban life, will only make the impending crash of the past and the future of relationships that much harder to reconcile. Conservatism is only as good as that which is being conserved.

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■ Editorial

Adios, Barry; Hello winter

Illegitimate divorce

A Spokane County judge ruled this past week that a pregnant woman could not get a divorce from her husband, who was jailed two years ago for beating her. After she's had the baby, she can divorce, said Judge Paul Bastine, who has pitted the rights of the unborn child against the woman's right to a divorce. Bastine told The Spokesman-Review that he is concerned the child, who does not belong to the abusive husband, would be made illegitimate. This ruling, and concerns of illegitimacy, come against the pleadings of a woman who says the marriage is preventing her from marrying the child's biological father. The woman's attorney, Terri Sloyer, wraps up the point succinctly: "We don't live in 15th-century England. ... This is a very dangerous precedent to set — particularly in this case, with a woman who is a victim of domestic violence."

Bye, bye, Barry

Newspapers across the country just won't be as funny now that syndicated humor columnist Dave Barry has taken an indefinite leave of absence. In his farewell column, which ran Sunday, Barry said he will decide sometime this year whether he will ever resume writing his weekly column. He also said he wants to focus on other projects. So while Barry's humor will probably remain a part of the American consciousness, many newspapers will be sorely lacking for a lighter side. In a world filled with murder, mayhem and more natural disasters than you can shake a stick at, newspapers are increasingly becoming bearers of bad tidings. And as much as Dilbert and Classic Peanuts help add a lighter side to newspapers, Barry's work was something special. With no obvious successor to Barry's column, many newspapers may give up on humor altogether. Sad day.

Market sees cup half full

Despite a tsunami that unleashed incomprehensible devastation, a continually deteriorating situation in Iraq, historic federal deficits and a report of a possible heart attack risk from popular pain relief drugs such as Vioxx, the stock market finished the holiday season significantly up and left investors optimistic about the new year. During November and December, the Dow rose 8 percent and the NASDAQ rose 10 percent. It just goes to show that one person's impending Apocalypse is another person's treasure.

To torture or not to torture

The Justice Department quietly posted a new, broader official definition of torture on the department's Web site Thursday. The action is a substantial departure from an earlier policy that was supervised and coordinated in part by White House counsel Alberto R. Gonzales in August 2002. That earlier memo narrowly defined torture and authorized President Bush, in the name of national security, to potentially ignore national and international regulations.

The change, made late in the evening and without public announcement, dismissed the 2002 definition, including the portions asserting that mistreatment could be deemed as torture only when it produced severe pain equivalent to that associated with organ failure or death.

While it is admirable that the Bush Administration has done the right thing and acknowledged that torture is an abhorrent practice, it is disturbing that such a move coincidentally came less than a week before the Senate Judiciary Committee is set to question Gonzales, a nominee for attorney general. Sadly, what should have been a compassionate and humane action has been reduced to base politics — a poor attempt to deflect criticism that Gonzales' influence led in part to prisoner abuses in Iraq and at Guantanamo Bay.

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