

## **“The Tide of Marriage and Family Breakdown cannot be turned. Or can it?”**

**Progettimpenn**  
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### **Samuel Taylor Coleridge**

Thank you so much for inviting me to come and speak to you about a subject I am passionate about. I have been longing to come to Malta for many years because of an old but important family connection with this island. Some of you may have heard of a famous English poet who lived at the end of the 18<sup>th</sup> century called Samuel Taylor Coleridge (1772 – 1836). He was my great, great great uncle. He wrote some of the finest romantic poetry ever written in English but he was, as you might expect with poet, a deeply troubled individual. He was also an opium addict at a time when opium or laudanum was used as a medical pain killer. His private life, indeed his married life was chaotic . He had a very pretty wife who he treated very badly and three children who he adored but neglected. He was supported by rich patrons who paid him to write poetry and think but as a reliable provider for his family he was hopeless and in the end his marriage reached breaking point. So in 1804 he and his family decided he had to have a break. So where did he go for break? To this beautiful island of Malta. His was here for 16 months, and it was one of the happiest, most peaceful but also productive times of his life. He landed here on 17 May 1804 almost exactly 206 years ago and wrote these as his first impressions of the maltese ; “ *They are the noisiest race under heaven ... no cries in London would give you the faintest idea of it. When you pass by a fruit stall the fellow will put his hand like a speaking trumpet to his mouth and shoot such a thunderbolt of Sound full at you*”.

The following year he became Public Secretary to the Governor Sir Alexander Ball on a salary of £600 a year; the first regular employment he had ever had. This of course was at the time when Britain and this part of the world was preoccupied with the activities of Nelson and Napoleon on land and sea and so it was an important post.

He loved the people, the colour, the climate and the atmosphere and very nearly decided to abandon life and his family in England and stay here.

I can only say that, so far my experience of Malta mirrors that of the poet. But given the subject I have come to talk about I don't think I should abandon my family and come here however attractive that might seem !

### **The three big questions**

The title of my talk is “the Tide of marriage and family breakdown cannot be turned. Or can it?”

Boiled down to its essentials, the question posed by the title can be broken into three parts

- Is there a tide of marriage and family breakdown?
- Does it matter?
- If so, is there anything we can and should be doing about it?

### **Four preliminary points**

#### **1. My experience is confined to the English perspective.**

For obvious reasons I can only speak about the problem from my English experience and with the aid of local statistics and surveys. I will tell you about my own experience in a moment. You may not have the problems on the same scale or at least not yet. If that is so you need, I suggest, to be

aware of where you might end up if you do not anticipate and prepare for the worst. When the world is so small and communications and travel so easy it is inevitable that you are more and more influenced and effected by the social mores and behaviour of your neighbours. I cannot speak about North Africa but I can tell you that all your neighbours, to the north, in the countries traditionally thought of as catholic, are experiencing the same problems as Britain and, of course, the USA. Italy in particular has seen a complete change in its family life and structure during the period I am going to talk about.

And I think I detect a real concern here about the rising problem which is why I am here at all?

## **2. My views only**

Let me stress that any views I express today are my own. They are informed by nearly four decades in the business since 1970. They are not in any sense the collegiate view of the judiciary in Britain. For all I know, many may disagree. Thankfully, we judges are by nature fiercely independent-minded. However I know that many of those I would count as my friends within the wider judicial family are strongly supportive of my views and observations, albeit they are perhaps rather more reticent about expressing them in public. In that respect I no longer share their traditional restraint. Times demand, I think, more open discussion, or even protest.

## **3. Do I know what I am talking about?**

Is what I say this evening just the ramblings of another member of the so called “out-of-touch judiciary” as the press sometimes suggest about judges in England. That is such a tedious riposte. But I am afraid much of the public, and much of the media, would consign us judges to an ivory tower and dismiss our views as irrelevant, uninformed and not worthy of consideration. That neatly side-steps the need to confront the issues. My only reaction to that response is, to copy Winston Churchill’s famous phrase, “some ivory, some tower”!

The forensic diet to which the family judges in Britain are subjected on a daily basis would shock or horrify, most of the audience in this room, made up, I suspect, of the broad-minded local intelligentsia. Some of you may have heard about the horrifying case of the death Baby P, with which I was closely involved. But the awful fact is that that was far from being an isolated case. Dozens of not dissimilar cases make up our regular fare. And it is getting worse.

**As some of you know and as I have said on previous occasions I am afraid that the time has come for those of us who know about these things ,family judges, to speak out publicly about the state of family life as we see it daily in the courts.** No one has the breadth and depth of experience that we have and over such a long and significant period in our recent history. We simply cannot stick to the old conventions of the judges keeping quiet, when things are so obviously out of hand . Doctors who did not alert the public to an epidemic they saw in their surgeries would rightly be criticised.

For as long as history has recorded these things, stable family life has been co-extensive and co-terminous with a stable and balanced society. Families are the cells which make up the body of society. If the cells are reasonably healthy, the body can function reasonably well and properly. But if the cells are unhealthy and undernourished, or at worse cancerous, and growing haphazard and out of control, in the end the body succumbs. The disease may be hidden from view until very late in its progress. And this may make the situation when it is discovered that much more difficult to control and treat. But it is there even if invisible.

These may sound like dramatic images. And those who would shut their eyes and minds to the obvious will say they are the product of a professional who has spent too long involved in the business of family breakdown. But I suggest they are a correct description for the situation large tracts of society now finds itself in. The disease and the rot are spreading and are out of control,

**In some of the more heavily populated urban areas of Britain Family life is completely unrecognisable and** it is on an epidemic scale. In some areas of the country, especially the huge conurbations but also the more urban parts of the west country where I work for much of the time, an area usually associated with a peaceful rural existence, family life in the old sense no longer exists. I am not talking about some halcyon picture of Husband, wife and 2.4 children once recognised as the national paradigm for families. I am talking about simple, ordinary family life where children are brought up with a normal daily routine of getting up, eating, going to school and returning to reasonably ordered home, presided over by a reasonably secure relationship. An environment of 2 parents who stay together if not for all then at least for most of their minority.

But it is not just the overcrowded urban environment which manifests these problems on a huge scale and which often results in intervention by the Local state authorities. The increasing incidence of family breakdown is at all levels of society; from the Royal Family downwards. I am talking about the wholesale breakdown of ordinary family life in households of our land. Parents (whether married or not) providing no consistent parental influence or authority over their childrens' daily lives and separating as a matter of course and as part of the ordinary experience of children as they grow up.

And I am talking about the ordinary experience of most people in Britain in their private, their family or in their professional lives. We may have experienced the terrible trauma and stress of family breakdown directly ourselves, but if not I am happy to bet that there is not a single person in Britain who has not nowadays experienced it indirectly, at second hand, either with other members of their family or close friends or work mates.

And, of course, as a **direct result and reflection of that social phenomenon, there has been a massive increase in the workload of the family courts in last 2 decades.** The family courts used to be the minority occupation of the courts . Those days have long since gone.

So, along with crime, family cases now dominate the courts. And this is hardly surprising as they are, no more or less than, two sides of the same coin. Up and down the land, day in and day out, thousands of families are trooping through hundreds of courts in front of hundreds of judges seeking their assistance to resolve family disputes. All courts are inundated with cases. Thousands upon thousands of children are involved. Both in the public Care system because their parents cannot cope (or worse are guilty of neglecting or abusing their own or their step children) and in the private law system ( ie disputes between private citizens not involving the state) because their parents cannot sort out their problems without the help of a judge.

In the public law field, that is cases involving local authority intervention, there has been an astonishing 30-40% increase in the work in the past 18 months or so. But there is also the area of private law; the avalanche of private money and child disputes between separating parents. There has been a significant increase (up to 20%) in this work too.

I have described it before as a never ending carnival of human misery. A ceaseless river of human distress.

What the long term effects of family breakdown on the present huge scale, on the health and functioning of the nation, will be within the next 20years is impossible to predict accurately but I suggest it is inevitably a downward spiral so far as the maintenance and prolongation of family life is concerned.

I have said on previous occasions, without I hope being in any way over dramatic or alarmist **my prediction would be**, looking back and seeing where we have come from and projecting forward on the present trajectory, that the effects of family breakdown on the life of the nation and ordinary people

in this country will, within the next 20 yrs be as marked and as destructive as the affects of global warming. It will be more destructive than any economic decline caused by international market or financial movements triggered by mismanagement by financial institutions.

No, it is the general public, the media and governments throughout the last twenty years or so who are in the ivory tower, with, if I may mix metaphors, their heads in the sand, unable or unwilling to face up to the sad and awful truth.

#### **4. We need to beware of preaching**

It is very difficult to discuss, let alone address, the question posed by the title without sounding censorious, judgmental and sanctimonious. Especially if one is fortunate enough to have had a happy marriage or at least survived the slings and arrows inherent in any long marriage. If we are to have a useful debate on these sensitive issues it is essential that we do not pretend to be the sole occupants of the moral high ground. A land inhabited only by the sane and responsible. Or that marriage in and by itself is the panacea for all ills. It is not, it is one way of coping with the daily grind of life which has proved to be most enduring and so in the end most fulfilling for its participants, and most useful for the raising of children and so society.

**So, question one and two;**

**1. Is there really a tide of family breakdown and if so, 2. does it matter ?**

**Does it need to be stemmed or just left to ebb and flow?**

I have already touched on my experience in the family courts and the obvious evidence of changes in society but is it just that we are all, especially the older ones amongst us, having to learn to adapt to a new definition of family and a new way of family life which in due course we will all learn to live with and accept? Are we merely going through a period of change, painful sometimes, but that is all?

**Do not assume that the answers to these questions are obvious or agreed by all right thinking people.**

#### **Reactions to April 2008**

In April 2008 *Resolution*, the large and well-organised national association of family solicitors, kindly asked me to open their annual conference in Brighton. I took the opportunity to talk about the parlous state of family justice against the background of the scale of family breakdown in this country.

I would be either disingenuous or naïve if I suggested I did not expect any reaction to what I said. However I was genuinely interested, surprised and, to an extent, gratified by the scale of the reaction both in sheer numerical terms and intensity. It seemed to demonstrate to me, if nothing else, the very deep anxiety felt by swathes of the population in Britain about the whole subject. And it was not just reaction from within the country which was provoked. Because the speech inevitably found its way onto the internet, I received communications from as far afield as, for example, the USA, India, Poland and, of course, Malta. All identifying with the main themes of the speech. Since then I have had invitations to speak at conferences all over Briain and abroad both here and Australia..... but then someone has to!

In Britain I received reactions and communications from every quarter. Because, of course, almost everyone has a view on this topic almost always informed by their own personal experience rather than the hard evidence.

Let me mention a few; they are, I think, instructive.

By 5pm on the afternoon of the speech one Member of the British Parliament was offering his comments on the BBC about what I had said, as the speech had been fully reported on the national BBC news.

The MP's position could be summed up as "problem, what problem?" He went on: "Latest statistical data shows that 70% of households are headed by two parents". Ergo, I suppose everything in the garden is rosy or at least ok. Even assuming one accepts the raw data (sometimes a brave assumption where our government statistics are concerned) and even assuming that we write off the other 30 % (a far from insignificant minority), the 70 % figure by no means establishes a state of healthy stability in the nation's family life.

For what that figure does **not** reveal is

- 1 How long any such household has been in that state i.e. how stable the relationship really is and has been, nor
- 2 How many other relationships the individuals in the household have been in prior to the present one?

I am not doubting, indeed assert, that there is a deep human longing and desire for stable family life in this country as elsewhere. No, what, I hope in all humility, I am drawing attention to is the endless game of "musical relationships," or "pass the partner," in which such a significant portion of the western population is engaged, in the endless and futile quest for a perfect relationship which will be attained, it is supposed, by landing on the right chair or unwrapping a new and more exciting parcel. And it is this attitude which is one of the main drivers of so much family dispute which inundates the family courts.

Certainly the view that everything is pretty rosy is accepted by many of what are known as the intelligent chattering classes and the media. Let me illustrate.

Last year, in an edition of a very well known and long running weekly BBC Radio programme called "*Any Questions*" the following question was posed by a member of the audience to the panel of so mixed commentators:

*"Does the panel agree with the judge who recently claimed that family breakdown is a greater threat than global warming to our society?"*

I was the judge referred to, and it was supportive of my view that there is a high level of public concern, I thought, that this question had been asked four months after I had made the speech and from a member of the audience in a small Devon n.

The panel's off the cuff responses were, perhaps not surprisingly, somewhat confusing and mixed, some broadly agreeing with me but others not .

Dr Mary Beard, a very distinguished Professor of Classics at Cambridge University responded in this way:

*"I get so fed up with people sounding off like this whether it is judges or Prince Charles, actually. I mean by the time you get to be my age you live through so many things that are going to bring the planet to an end .....she went on*

*"At my age... you have lived through all these. Everything is either going to bring the planet to an end or bring British civil society to an end and that has been population explosion, it has been global warming it has been GM crops, it is binge drinking, gun crime, excessive marmalade eating, you know imagine anything. When I hear this I think it isn't necessarily bad, it turns attention sometimes briefly on to something we may need to notice but actually if you say what is going to bring civil society in this*

*country to an end? It is ignorance and lack of education not being able to judge old judges who come out with platitudes like this, you know that is the problem. Fine well meaning stuff but we need to think hang on a minute Mr. Justice who ever you are, are you right ...?"*

She is certainly right to pose the question “are you right?”, but it is her dismissive attitude to the whole problem which is I think concerning and one I do not share.

Tim Smit a founder of a huge eco project in Cornwall, another panellist, was rather more direct, he said

*“I find the way judges sound off, they ought to almost always be mystically shrouded in something because they tend to sound off .....you know about old fashioned values and all that and most judges I think should have been retired quite a long time ago.”*

Do I discern amongst those responses from those intelligent people, the attitude that all is fine if we would just take on board and accept the inevitable and live with the changes?

Jonathon Dimbleby, the chairman of the panel, was at least gracious enough to acknowledge that I might not be 100 years old quite yet. And there were some broadly favourable comments from the other panellists.

**But the underlying serious question remains; is this just a storm in a tea cup, a fuss about nothing?**

Here is another view, well articulated in a serious newspaper, *The Sunday Times* . Gemma Soames, a sensible journalist wrote a long and thoughtful article entitled

**“It’s all change on the traditional 2.4 kids front”**. Let me quote a few passages from it:

*“ In fact, there are so many non- “normal” families, there is no normal any more. Divorced — so what? Stepbrothers — how many? Grandmother as your nanny? Well, of course. Family is now an elastic term, applicable to any number of permutations beyond the Volvo-owning married mother and father of 2.4. Now there might be a mum and dad, two mums, two dads, no mum, no dad or multiple combinations of all the above. And what’s more, they might all get together for Sunday lunch. .... Because just as old ties are being broken, new ones are being formed. For many, the old family model does not fit. But that does not mean that they’re opting out of it entirely, they’re merely reinventing it.”*

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..... So old families are out, and new ones are in? Apparently so.

In December last year **Katherine Rake**, head of the government funded Family and Parenting Institute repeated these views. The nuclear family, she maintained, is an out dated institution being replaced by new models of family life where children are brought up by an assortment of relatives and other adults. She used her platform to discourage politicians from attempting to encourage (quote)“traditional families” (unquote).

So according to them the tide should be left to ebb and flow, everything in the garden is new, exciting and rosy or at least not at all bad really.

**Or is it?**

It is not for me or any of us perhaps, apart from the leaders of the faith communities, to make a moral judgment about the way in which people chose to live their lives. But it is for everyone to consider the implications or at least have a view.

Is the way in which life is depicted in the quotations I have used, a description of a social Utopia which we now, as a society, have attained? A society entirely and happily free from taboos and stigmas and other self-applied constraints on behaviour? Are the new models of family life, sleeker, simpler to operate, faster and more fun?

**Or, on the other hand,** is it a description of a kind of social anarchy, a complete and uncontrolled free for all where being true to oneself and one's needs is the only yardstick for controlling behaviour?

I wish I could agree with the Utopian viewpoint. It sounds so beguiling and superficially attractive. Let us all do what we want when we want and sort out any mess later.

Of course, I fully accept that our way of life and our social arrangements are bound to change over time. One has only to read the great classic writers of the 19<sup>th</sup> century, Dickens or Trollope or Hardy, to see how far we have come, especially in the last a hundred and fifty years. And many of the evolutions were and are excellent and long overdue in many areas; freeing women, in particular, from much of their past semi-serfdom.

But surely **the test** for the merit of any social evolution or development is whether it enhances people's lives or makes them more miserable. Does the new model do the job better than the old model? Are the participants' lives rendered more fulfilled and happy by the changes?

And this is where I take issue with this modern or post modern view of family. If it is so successful as a model, so happy and fulfilled, why are the statistics for separation of all kinds so appallingly large and at record levels? You do not separate if you are happy and fulfilled in your relationship.

And the effect of family breakdown on the psychological health of the parents and, even more importantly the children, both in short and long term is well researched and documented. Children from broken families are on every measure of success including happiness, less likely to achieve their proper potential

And, as significantly, why are the family courts utterly overwhelmed with cases especially involving broken relationships and the damaged, miserable or disturbed children of those breakdowns, requiring resolution by one means or another?

And what of the private disputes between separating parents? How do the children caught up in these private disputes, some serious, some less so, involving their separated parents, exposed to this new way of living, really feel? Do they relish the endless changes of partner? How do they feel about having to absorb into the family a new guest or step-parent and new step-siblings? Are they really happy to share their parents with the new family? Is that what they would choose or really want? Or are they just resigned to the inevitable?

Do they experience Utopia?

The big lie, of course, is that "fortunately, my children have not been affected". It is, for the courts at least, a real relief that most separating couples do sort out the arrangements for their children in a sensible, and mostly child-centred way, but I am afraid I take a great deal of persuading that even this group of children are happy about it and blissfully unaffected, however well it is organised.

And that is where the parents can sort things out without recourse to others to resolve disputes. But a very great many cannot. Then the children are caught up in the conflict of their parents' unresolved

relationship issues and court proceedings which can leave them scarred, sometimes severely scarred, for life

**What is certain is that almost all of society's social ills can be traced directly to the collapse of the family life.** We all know it. Examine the background of almost every child involved in the Public Care system or the Youth Justice system and you will discover a broken family. Ditto the drug addict. Ditto the binge drinker. Ditto those children who are truanting or cannot behave at school. Or indeed any of the other ills which are so regularly trumpeted by the media as the examples of national collapse. **It almost always comes back to a broken family or the complete lack of any stability within the family.** Scratch the surface of these cases and you invariably find a miserable family, overseen by a dysfunctional and fractured parental relationship, or none at all.

I emphasise, as I have always, that I am not saying every broken family produces dysfunctional children but I am saying that almost every dysfunctional child is the product of a broken or badly dysfunctional family.

So, at the risk of sounding too Jeremiah like, I suggest that family life in British society is on a steep downward trajectory and urgent and comprehensive action is required. We all know it and surely it is time we faced up to it and more importantly tried to do something about it?

**We do indeed have a mighty problem which cannot and should not be ignored or brushed aside with the response that this is just a natural and rather exciting development of our society and there is nothing to be done except to lie back and relish it.**

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But before tackling the next area, solutions, the most intractable part of the whole debate, it may be instructive to try and discern the route by which we arrived here for in so doing, the way forward may become clearer.

So, let me touch briefly on how and why we got here.

### **What are the causes?**

As I suggested earlier, I think no one would disagree with the assertion that there have been fundamental changes in the way society behaves and orders itself over the comparatively short period of about the last 50 years. In other words over the span of about two generations since about 1960. Put shortly there has been a social revolution in progress since about 1960. I think it is still in progress though perhaps the speed of change is now slowing.

What are the obvious indicia but also drivers for that change? I link the symptoms with the causes because unusually the chickens and the eggs are often indistinguishable and in some cases they feed on each other, as I hope will become clear.

In my view the main generic cause for this revolution is the evaporation of three interlinked social stigma or taboos which attached to particular aspects of social conduct in the past and which in the past acted as the governors and regulators of family behaviour. They are or were:

- 1 **The stigma of illegitimate birth**, both for the mother and the child.
- 2 **The taboo of living together** as if married, whilst remaining unmarried.
- 3 **The stigma attached to divorce** and being a divorcee.

All three were thriving in 1960, all three are now consigned to social history. I wonder how things compare in Malta?

So let me say a little more about each of these stigmas.

### **Illegitimacy**

When I was a child, the idea that one of my sisters might become pregnant prior to getting married was, so far as my parents were concerned, simply completely non-negotiable. It was anathema. I am sure that most people in Britain over 50 would recognize such an attitude and may be it remains in Malta. My parents were reasonably and appropriately loving and caring in every respect save this one. They would and could have coped with virtually any shame I or my siblings might visit upon the family but, where this was concerned, there was and never would be anything to discuss. My father made it clear to both my sisters, that if they became pregnant before marriage, they would probably have to leave the house. He was not out of step with any of his contemporaries and happily he was never put to the test. But this was the accepted norm across the whole of society. In some of the stricter ethnic minority communities in Britain it still is. Honour killings, which we seen in the ourts increasingly, stem from adherence to that old stigma.

It followed from the same approach that illegitimate children were regarded as in many senses, second class citizens. Whilst things were not as bad as in Shakespeare's day when Edmund , the bastard, delivered his soliloquy on being a bastard in Act I scene 2 of King Lear in the early seventeenth century, the taboo of illegitimate birth and the stigma of bastardy still endured in 1960. Illegitimate children had very curtailed legal rights to inheritance and the like. The Catholic adoption societies thrived, spiriting from view and finding homes for the products of illicit passions.

One of my more illustrious ancestors in the late 19<sup>th</sup> century, later himself a High Court Judge, had a liaison with one of the local village girls and had to make arrangements for the disappearance of the little baby girl who was born as a result. Both she and her mother were dispatched hurriedly to Argentina. It simply couldn't happen and so it didn't happen so far as society was concerned.

It was this deep-seated fear of unwanted pregnancy which kept the number of illegitimate children down to small numbers. Children were only born to married couples who, usually, between them could provide for their support. The family courts only rarely dealt with unmarried parents and their children.

But now that taboo is dead and buried. And the attitude behind it would be regarded as antediluvian, another a piece of history. Every strata of society shares now the same approach, children of unmarried parents are a recognised and accepted part of life. No-one gives the point a moment's thought. With the arrival of in vitro fertilisation and surrogacy arrangements, the need for two parents to be in any kind of relationship at all, let alone marriage, at the time of conception or birth is removed. Meeting via the internet and quickly conceiving as a result, is currently quite "fashionable" in the courts. So the right to have a child is, it seems a free standing right, independent of any parental relationship.

Legislation has recognised and reinforced this situation. Since the 1987 Family Law Reform Act, in almost every respect illegitimate children have exactly the same rights as legitimate children. In the family courts my informed guess would be that we deal with more children of unmarried parents than married. The lack of a marriage of the parents is an irrelevant consideration.

With these changes, of course, has come the explosion in single parenthood. And, perhaps of especial concern, single parenthood amongst very young, school-aged mothers. Having a child without an obvious and chosen male partner is quite normal. Women having children by several partners, is also routine stuff.

### **Cohabitation**

A consequence of the stigma attached to illegitimacy was the accepted norm that on the whole you did not sleep with your partner before marriage either. And indeed most did not, or not openly. So there was quite naturally a clearly understood taboo that you did not cohabit in the full sense whilst unmarried. And anyway as it was impossible in the real world to be seen to be sleeping together (or having children whilst unmarried) there was not much point in living together in any permanent way. Therefore on the whole young couples did not sleep with each other or live together before marriage. And the middle aged and elderly certainly did not.

The term “living in sin” (some in England will remember it?) was coined or at least dusted off and used to describe the rare occasions when in the 1970’s, a couple lived together out of wedlock (itself rather an old fashioned way of describing those who were not married).

But now sleeping together is taken as read by all, from young adolescence upwards, and cohabitation prior to or instead of marriage is as much a part of life as marriage. No, I would go further, cohabitation is now the norm. All age groups and all stratas of society accept these arrangement which, fifty years ago, would have led to at best whispering behind the hand or, at worst, a measure of social ostracisation.

Marriage now has, I suggest, even a slightly special feel to it. And if you do not live together as a young couple prior to marriage you are very exceptional indeed. Almost everyone gets married from a state of cohabitation not true singleness.

### **Divorce**

The third stigma which has melted away is that attaching to divorce. To be a divorced person, particularly as a woman was, until the 1969 legislation to be regarded as less than entirely OK or proper. You were not allowed into the Royal Enclosure at Ascot Races, the high point of social acceptability, if you were a divorcee! Nowadays that stigma would exclude much of the Royal family itself! So divorce was messy and something you kept quiet about; an absolute last resort for the ending of the utterly intolerable union.

But now that is not the case. 40% of marriages now end in divorce and of those most end within a period of around ten years. No stigma attaches to be being divorced and long marriages, i.e. those which reach a silver wedding anniversary, 25 years, are increasingly rare.

Good or bad, right or wrong, it is the disappearance of these three social stigmas which has, I believe, led to the current instability and lack of longevity in relationships both unmarried and married and with it the loosening of the whole social fabric. No one can feel safe or secure in their relationship any more, however old or however long their present relationship has endured. Divorce amongst the over sixties is no longer uncommon as once upon a time it most certainly was.

### **What underlies the changes?**

What has driven these drastic and sudden changes of attitude; the melting of social taboos and the disappearance of the restraint on relationship mobility? This in itself is a huge topic and the drivers are many, various, interlinked and, I suspect controversial. May I suggest a few, because again, I think it is instructive when looking forward to see what has projected us here. Others may disagree or identify others.

The arrival of the contraceptive pill in the sixties heralded a complete revolution in sexual behaviour. The fear of unwanted illegitimate pregnancy was, more or less, removed overnight. As a result sleeping with your partner quickly became the norm. No doubt egged on by men, the natural tendency of the female of the species to be sexually monogamous became itself less in evidence. Women began to feel,

if not compelled, then at least free, to copy male behaviour. And as there was no longer a fear of pregnancy there was no worry about living together. Do you discern the chicken and the egg ?

This change in sexual behaviour has, of course, coincided with the now much trumpeted and almost clichéd effects of the women's liberation movement. The huge changes in the role of women, in all aspects of the life from education to the professions and all forms of employment (and so inevitably the decline in the traditional domestic role) has all propelled the snowball along. The role of the man in the relationship has also become less clear cut and more confused.

Perhaps also a lowered pain / tolerance threshold of unacceptable domestic behaviour has fuelled the meltdown in relationships. Partners are unwilling to tolerate not only unpleasant behaviour in their partner but also the simple and natural decline in the excitement of their early relationship, however unrealistic such an attitude is.

At the same time as these changes have taken place the old rule books have been consigned to the attic. The morality common to all the major religions, particularly the Judeo-Christian and Islamic traditions, have ceased to exert their previous external influence except amongst those who take their faith seriously. Those generally accepted basic rules of life which had provided a highway code for living and which had governed the behaviour of all, devout or not, and which had endured for about 5000 years no longer exert much influence. We no longer have that underlying cultural acceptance of sacred or Biblical values. And if you tear up the highway code, the traffic is liable to become uncontrolled and go haywire.

And all these changes have happened so quickly, over comparatively such a short time. This has been revolution, in contrast to previous changes which have been more in the nature of evolution. No one has had time to fully absorb the changes or consider or evaluate their consequences short, medium or long term.

The law and the courts have played their part too, I suggest. Whilst these ructions in society have been playing themselves out, the law and the courts have tried to keep pace, both in terms of remaining in touch with the changing mores and, as importantly, coping pragmatically with the vast increase in the volumes passing through the family courts, all at a time of endless restrictions on public expenditure in this field.

The law has had to streamline itself to manage the flood. In so doing I think it can be criticised for sending the message that divorce is easy.

Until 1977, to obtain a divorce in Britain a public hearing was still necessary. It may not have been lengthy but it still, symbolically at least, sent a message that divorce (like marriage) was a public matter; the ordeal of the court room had to be faced. In 1977 an unnoticed, non-statutory procedural change, was introduced into the process to save time and so money. It reduced divorce to a simple form-filling exercise and no attendance at court of any kind is now required. The public act and face of divorce has gone.

If the message that divorce/separation is easy has become common currency it is, of course, totally misconceived. Divorce and separation are never easy. They are no easier now than they have ever been. The legal formalities may have been simplified but the pain, suffering and effects caused by it, to all the participants, are as scarring as ever. And they last a lifetime and beyond.

So the recent opening up of the family courts in Britain all over is a good thing. We have nothing to fear from public hearings. The public will get a shock when they are exposed to the full scale of the problem.

I have touched on a range of factors which have, I believe, contributed to the current state of affairs. As I say, there are no doubt others. They have, I think, acted cumulatively and fed each other and upon each other. Apportioning blame and being judgemental gets us nowhere. Understanding the problems and the causes most certainly can and is a necessary first step.

We have become a society without boundaries. And this is odd because every child psychiatrist will tell you that children brought up without boundaries are unhappy and unfulfilled. So children apparently need boundaries, but adults apparently not. Or do they?

**So Question 3. What if anything can be done,**

**Can the tide be stemmed or turned?**

So what if anything can be done to improve things? Nothing?

I refuse to believe that counsel of despair. Not because I am an eternal optimist who refuses to face up to what some see as the inevitable but because it is new public attitudes and behaviours (made up of the behaviour of individuals) which have driven us here and it is by that route, I suggest, we shall stop the decline, improve things and move forward.

**There are three areas which call for our attention; the behaviour of us as individuals, government action and private enterprise.**

1. Let us start with **the behaviour of individuals**. We all, as individuals, have to share the responsibility and the blame for too easily and uncritically espousing the new models of family life. None of us like to be thought of as out of date and out of touch and some parts of the media have, wittingly or unwittingly, fanned the flames of this attitude. But just as the greed of individuals, not the institutions they inhabit, drove us into the banking and credit crisis, the same ambitions of individuals, but **properly directed** will ultimately pull us out.

It is always so much easier and pain free to blame central government, social services or the courts for everything..... **but in the end it is the behaviour of individuals which has driven us here and it is only changes in behaviour which can make a radical difference and ease the burden on the services.**

And that is every one of us in our own private lives. It includes the judiciary and politicians amongst whom there is as high an incidence of relationship breakdown as in any other walk of life. No section of society and no one is immune. No one has a right to preach (except perhaps the priests and preachers who should do so with more vigour) but we do have a duty to draw on our experience, explain what is happening and draw attention to the plight of those affected.

**The fundamental change in individual attitude and behaviour that is required is in our assumption that the way in which we conduct our private lives in relation to both the production and parenting of children or the break-up a parental relationship, is a private matter which only affects the individuals directly concerned.**

**No, it is not.** It is a public matter; of real public interest and real public concern. And in the end public finance. The ripple affect, as I have described it, is very, very far reaching both on the wider family of the individual, the local community and ultimately the wider community and the whole country. We all pay the bill. The cost of family breakdown is variously put at £24 billion according to a well respected

London think tank ,the Centre for Social Justice, or according to the latest research by the a Christian organisation, the Jubilee Centre, nearer £42 billion; both figures are huge and unaffordable.

In the short term, the termination of a relationship which has become boring, stale or worse seems an attractive solution especially if another, newer partner is in prospect. It seems like the easy option and as a society we like to think there are simple, painless solutions to everything. **And it seems like just a private choice.** But not only is that attitude short-sighted and short-term for the partners, it is actually a matter of public concern because children damaged by broken and dysfunctional families affect us all, whether directly or indirectly, when the fall-out has to be expensively managed by the institutions of our society in the person of teachers in the classroom, or doctors or social services or courts. It is all extremely costly.

I am not suggesting that all relationship breakdown and termination can be avoided in all cases. Of course it cannot. Genuinely intolerable relationships have to be ended with as much dignity and lack of distress as the parties and the system can manage.

But in the end we must all take full responsibility for the effects of our own behaviour on those around us; our neighbours.

There is certainly no one, simple, quick fix solution to all the problems of relationship breakdown despite the many hobby horses that are flying around! Indeed there are no quick and easy solutions at all.

## **2. Government Action**

Governments of all persuasions, whether national or local, no doubt have an important part to play. Imaginative and sensitive legislation can certainly alter attitudes. But I do not accept or believe government has been the main architect of the problems and I am more than ever sure it cannot by itself solve them.

There are a few encouraging signs from all political parties that they are taking this whole subject seriously, at last. They simply have had to and so that is a start. Indeed, it is really heartening to see the whole subject forcing its way more and higher onto the political and media agenda where it rightly belongs with all political parties during the recent election vying to outdo each other with their family focussed policies. All of that is excellent news. Maybe, the squeaky wheel, does occasionally get a little oil as we sometimes say

And there are other government interventions which would assist. Support for individual families before they reach crisis point is known to be effective in improving statistics for breakdown. Government can play a huge part here.

But it has to be recognised that with a population of 60 million it is very expensive of resources of all kinds. (But then, as I have shown, family breakdown is also massively expensive of resources too).

However, there are three major constraints on the activities of government. **Firstly**, the bottom line for all parties is the need to be elected. Accordingly to espouse a radical line or policy in this area risks alienating a significant portion of the electorate who by implication are being criticised or are not of the same view. As a result, especially when elections approach, what once appear to be hard-edged policy commitments become softened and diluted. What are needed are unequivocal statements and policies. They will not in the end be found forthcoming from politicians. Instead, blander and broader, high-sounding phrases, full of sound and fury but trying to be all things to all men and women will be heard.

**Secondly**, the life of an English parliament is 5 years. Any serious remedies will take longer than that to have any real effect. Unless they have cross party support (and now perhaps I am in the fantasy

world) they will be in danger of disappearing as elections and other national issues dominate the minds of government.

**Last but not least**, there is no spare public money and support for families by large-scale public programmes is potentially very, very expensive of resources.

Similarly, blaming the agencies by e.g. endless scape-goating and examination of, say, the processes and systems of social services departments is all well and good but it is by itself totally inadequate and does not begin to address the causes of the mischief.

The law and the courts can certainly be improved, and so help with the putting in place of the right substantive laws and procedures would be a good idea. But it too is not the whole answer either

The education of parents and children in the nature and validity of long-term relationship and commitment is a field in which government can properly engage and help.

So individuals and governments have a very important part to play...

**But there is a third force involving major private non-government enterprise in this area too.**

**Marriage as the gold standard.**

Realistically, the problem of family breakdown cannot be tackled on every front simultaneously. I would suggest that we should identify the biggest area of concern and the main hole in the dike and deal with that first. You might then create a breathing space in which other related leaks can be tackled.

To that end, the reaffirmation of **marriage as the gold standard** would be a start, with all its faults. Marriage is by no means perfect or the only way or only structure for living with a partner but **statistically it has proved to be the most enduring and, statistically, the children of such relationships perform the best.** The evidence from every study is now incontrovertible. It is a simple provable fact which has to be faced, however unpalatable to its detractors.

Support for marriage therefore makes pragmatic common sense because it is demonstrably in the public interest and ultimately saves money (like eating healthily, or not smoking or recycling your litter!) That can properly engage government policy to some extent but, as I have suggested, unequivocal and wholehearted support for marriage is not going to come from any political grouping in Britain at least.

In the very recent *Centre for Social Justice* report “*Every Family Matters*” published in July 2009 the following appears:

*“Married couples are far less likely to break up than couples who live together without getting married even after adjusting for the influence of such factors as income, age and education. Data shows that only 8 percent of married parents, compared to 43 percent of unmarried parents, had separated before their child’s fifth birthday. The empirical evidence....shows that intact marriages tend to provide more beneficial outcomes for adults and children than cohabitation or single parenthood. Children tend to do better in the areas of physical and emotional health, educational achievement, financial security and their ability to form their own future stable families. Despite this clear and overwhelming evidence there has been a lamentable lack of active government and parliamentary support for marriage...”*

Last week the Jubilee Centre published new research based on evidence of a sample of 30,000 families. It found that married couples are ten times more likely to stay together until a child’s sixteenth birthday than the children of unmarried couples.

Unequivocal support for marriage therefore is not only a matter of morality or religious persuasion (if that approach offends you) but it makes pragmatic common sense and is demonstrably in the public interest i.e. it has the potential to save huge amounts of public money. Married couples are five times less likely to break up before a child's 5th birthday than unmarried ones and, as I have said, the children of the married are most likely to succeed and far less likely to drop out of school or become involved in expensive anti-social behaviour of one kind or another.

But in Britain marriage is in decline and statistically at its lowest level ever although ironically the desire to live in stable lifelong partnerships remains the aspiration for the overwhelming majority for both sexes.

As everyone knows marriages are never perfect or without their faults. If they are to last they require endless understanding, compromise and forgiveness. And they are most certainly not exciting all the time. (I always think they are a bit like a cricket test match which takes place over 5 days as opposed to a game of 20/20 cricket which is completed in about 5 hours. Most of the time not very much happens but every now and again there are exciting moments or periods. The beauty of the match is that it is played out over many days and at the end there have been ebbs and flows, happy times and sad, all going to make up the whole memorable performance). No relationships will ever be lived like 20/20 games with adrenalin pumping excitement every over. And in the end it is the best we have got, there is no better system on offer.

So the education of children, especially, dare I say it, young women in the huge advantage of marriage as opposed to cohabitation when it comes to having families is vital.

But I am convinced that real change must be generated, at least in the first place, by private initiative and private money.

In the 1920's it was recognised that there was a need for a national trust to preserve old buildings, the existence of which the country had for years taken for granted but which were in fact in urgent need of repair and preservation. Marriage is now in a similar situation.

### **The Marriage Foundation**

So in Britain I have been advocating the establishment of an independent autonomous NATIONAL MARRIAGE TRUST or FOUNDATION .

I would call it the Marriage Foundation (a play on words!) - at least initially. It would focus its entire activity on this vital area of national life. It would be entirely non-sectarian and seek support from across all parts of the community and all faith communities.

**Its overall objects would be simple; to preserve, support, enhance and promote marriages and the institution of marriage as “the gold standard” for relationships. It would seek to be the primary engine to influence and where necessary change public opinion and by that route and where necessary, government policy and private behaviour.**

**How will it do it?**

**By:**

- Raising awareness of the benefits (psychological, social, and FINANCIAL) to individuals, families (especially children), communities and the nation of supporting marriage and especially long marriages
- Celebrating and promoting the advantages of long marriages

- Discouraging cohabitation and single parenthood by emphasising their financial, legal and psychological disadvantages

**The following might be some of the means employed to achieving these ends:**

- The promotion of a lengthy, high profile media campaign to change attitudes and explain benefits to all along the lines of “why settle for second best” for yourself and your children, “Divorcing is bad for your health”
- Lobbying for measures (of all kinds including fiscal) by government to support marriage (positive discrimination in favour) designed also to change the public attitude to marriage.
- Education at school of benefits of long term relationships and especially marriage and the effects of family breakdown
- Specific education for couples **before marriage** of benefits
- Support and positive encouragement for families **during marriage** to prevent breakdown
- Enhancing all aspects of the marriage experience
- Counselling at time of marriage crisis to prevent/postpone breakdown
- Sensible divorce laws designed primarily with the interests of the children as the primary factor
  - to make people think twice or even more before divorcing
  - Separate with dignity and without excessive acrimony

**ALL WITH THE SIMPLE GRAND OVERALL AIM OF**

- 1. Increasing the rate of marriage AND**
- 2. decreasing the rate of separation and divorce**

If such initiatives reduced the rate of divorce by the modest target of 20% and increased the rate of marriage by the same factor the effect on the life of the country would be absolutely dramatic. Family breakdown would begin to be consigned back to its minority activity status in the country where it rightly belongs.

This may sound like a grand venture but I am confident we **can** change attitudes and stem the tide and turn the tanker. We all know it makes sense and the benefits are incalculable in terms of the health and happiness of every citizen and the community as a whole.

**A Business Plan**

Perhaps you think this all may sounds like a vague and idealistic pipe dream? I do not believe so.

**With the assistance of an ex senior business development planner from Accenture I have for some months now been trying to put some flesh on the bones of this idea.**

**Let me give you just a very few edited highlights taken from our first draft business plan .**

**Under the heading of “Objectives:**

The central objective would be “to encourage couples to form and maintain happy and lasting marriages

Under the heading of ***Building An Intellectual Repository***: “The creation of a one-stop-shop website that makes accessible the most powerful academic research evidence supporting marriage. It should aim to have the top Google ranking for searches on “marriage” and “relationships”.

***Media Relations*** the Foundation’s spokespeople and experts should aim to produce at least one press release each week.

***Political Impact***: Lobbying to achieve changes in legislations.

***Educational Impact***: The Foundation could provide pre and post-marriage counselling –

**Governance:**

There are a number of layers of governance that could prove useful:

***Council of Reference/ Trustees***: high profile individuals representing different faith groups, and leaders in the media, legal, governmental, scientific, sport, business and other worlds. It would demonstrate the breadth of appeal of the message and its influence.

***Governing body***. This would be the decision-making body who would approve the strategy, budget and appointment of the executive leadership.

***Sub Committees***: These would cover operational issues (e.g. finance, media relations, lobbying, alliance relations)

**Fund Raising:**

This is of course a crucial and difficult area but my initial research shows that there are charities and individuals in Britain who are so concerned about the current state of affairs in these areas of national life that once it is known that there is a respected organisation trying to address and tackle the problem the funds will be obtainable without huge difficulty.

**Alliance Strategy:**

There are at present over 50 organisations of one kind or another working in the field of family and relationship breakdown and doing great things. They are all doing fantastic useful work in their own chosen fields. No one would want to impede or interrupt their work but, I ask, would not a common marriage-focused organisation achieve a critically important mass and so pack a much harder punch if these other bodies (or some of them) were affiliated in some way under one umbrella with some common aims and objectives?

\*\*\*\*\*

So in the end, unpalatable though it is to face up to, we shall get nowhere if we wait for government to wake up and act decisively. They never will. So it must all come back to our own individual behaviour which we must retrain and restrain and our own efforts and money.

**Conclusions**

**After this necessarily superficial and personal tour d’horizon of where we are, and how we got here, these are my broad conclusions:**

- 1 We need to recognise that as a society we have real problems caused by the way we live and we need to face up to them, try to understand them and their causes and then try and fix them.
- 2 Although, superficially, these are private issues they become matters of public concern when they are happening on such a huge scale and affect detrimentally such a significant proportion of the population of all types and ages. What is a matter of private concern when it is on a small scale becomes a matter of public concern when it reaches epidemic proportions. An epidemic is a matter of concern for us all especially where so many children are infected by it. Happy, stable families make for a happy, stable community.
- 3 Winding back the clock is not an option even if it was right or feasible. We are where we are, not all the changes are for the worse, many are for the better. The removal of judgemental stigmas and taboos is positive, if society can manage itself and its excesses in a more intelligent and sophisticated way for the greater benefit and happiness of all. But the re-emergence of a public attitude which is anti relationship destruction, a new stigma perhaps, could do a lot to stem the flood. Recycle your rubbish, by all means, but be very slow indeed to recycle your partner.
- 4 Government can play a part but it is not and never will be capable of implementing and sustaining long term solutions.
- 5 Marriage, as the best structure in which to raise children, needs to be reaffirmed, strengthened and supported. An independent Marriage Foundation with a single major objective should be established as a matter of urgency and priority to carry the flag of change.

We have come a long way, very fast and in a very short time. But surely we have learned from our experience along the way and matured? And surely we can now, steeped in that experience both good and bad, stand back, put aside our preconceptions and personal prejudices, fashion some improvements and remould our behaviour for the benefit of us all, especially children.

I fervently believe so

### **VIVA MALTA**

On 18 May 1565 the first ships of the mighty Ottoman Turkish fleet were sighted fifteen miles off the north east coast of this great island. There were 40,000 in the invasion force. It was the start of the greatest siege by then ever recorded in history. As a result of the extraordinary courage and tenacity of the Maltese and the Knights of St John the Turks were defeated in four months and sent home with a battered fleet and the loss of more than half the army.

I fear you are going to experience another destructive invasion if you do not confront and prepare for it. It is potentially as destructive of your way of life as any physical invasion although more slow moving and difficult to detect. I can only wish you luck and urge you to employ the same initiative and energy you employed in the 16 century when confronting that unwelcome invasion.

Thank you for your kind invitation which has forced me to come here and will bring me back, I am sure, again and again

**Sir Paul Coleridge**

**15 May 2010**