

Finlay

To Have But Not to Hold

An extraordinary revolution in family relationships took place in Australia between 1857 and 1976. Marriage changed from an institution to be preserved at almost any cost to a union of equal partners, to be dissolved when it had irretrievably broken down. A millenium of legal, social and religious practice was swept away in less than 120 years. Gender relations were transformed. Change, however, was not straightforward or consistent. The Commonwealth parliament does not act until 1959 and different reforms take place at different times in the Colonies and States. In To Have But Not to Hold, Henry Finlay recounts the transformation through the eyes of parliamentarians. Fierce and varied debates take place in which all shades of opinion are represented. Marriage is sacred. Marriage is an economic union. Marriage is a social contract. Women are dependent. Women are equal. Fault must be punished. Indissoluble marriage preserves the family and the foundations of society. Indissoluble marriage destroys people's lives. This book, by a leading scholar in family law, breaks new ground in its account of a fundamental change which underpins modern Australia's attitudes.

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