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MARRIAGE AND DIVORCE IN SINGAPORE CHINESE SOCIETY

— A CHRISTIAN CRITIQUE

being a Thesis presented by

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in application for the degree of BPhil.



St. Andrews
October 1972

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Declaration

I hereby declare that the following Thesis is based on the results of research carried out by me, that the Thesis is my own composition, and that it has not previously been presented for a higher degree. The research was carried out in St. Mary's College of the University of St. Andrews, Scotland.

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Certificate

I hereby certify that SAMUEL K.S. HUANG has spent eight academic terms at research work in St. Mary's College of the University of St. Andrews, that he has fulfilled the conditions of Ordinance No. (St. Andrews), and that he is qualified to submit the accompanying Thesis in application for the degree of B.Phil.

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PREFACE

The aim of this thesis is to show the facts and tendencies now in existence as regards marriage and divorce in the Chinese society of Singapore. In bringing out the similarities and differences of the separate secular and religious circles, the important position of the Church becomes self-evident. The responsibility of facing up to the old, but still increasingly critical, moral problems presents a living challenge to every contemporary Chinese Christian leader in the conditions of this rapidly advancing republic.

The wide range and far-reaching considerations of this essay are inevitable, since it must take in a broad amalgam of cultures and traditions culled from many lands, peoples and ages. The study and accounts of the many practices connected with Chinese marriage and divorce in Singapore will, it is hoped, shed light on the customs, habits and difficulties of Singapore society.

Many learned authorities and social studies have been consulted, and their findings quoted throughout this thesis.

The intention is to set out the facts of marriage and divorce in secular and Christian circles, to offer a Christian critique of present practice and thinking, and to outline practical suggestions which may make some contribution to the intractable marital problems facing Singapore Chinese society today.

In conclusion the writer would like to express sincere thanks to his tutors, Professor J.A. Whyte and Dr. J.R. Fleming, and also to his lecturer, Rev. J.D. Trotter, without whose guidance and encouragement this study could never have been undertaken or brought to completion.

CHAPTER ONE : : :

MARRIAGE AND DIVORCE IN THE CHINESE
SECULAR SOCIETY OF SINGAPORE

1. Traditional Concepts and Practices

(a) Marriage

Before discussing the subject of Chinese marriage, it may be as well to note a few of the important developments in Singapore — a republic with its own special situation.

One hundred and fifty years ago approximately (1819), Singapore was founded by Sir Stamford Raffles and began its historical existence as one of the British colonies in the Far East. Since then it has grown rapidly, attracting a great diversity of peoples: Chines, Malays, Bugis, Arabs, Javanese, Indians and many others. At the beginning of the Second World War the population of Singapore was less than half a million, but since then there has been a dramatic increase. Already by 1947, according to Barrington Kaye, "the population of Singapore had risen to just under a million, of which three-quarters were Chinese."¹ In 1965 Singapore was separated from Malaysia and became an independent state, and by 1969-70, at the last National Census, the population was over two millions (2,016,800), of which 75 per cent were Chinese.²

Two-thirds of these Chinese were Singapore-born, the other one-third being emigrants from Mainland China. In Singapore now, 50 per cent of

1. Barrington Kaye, Upper Nankin Street, Singapore (Singapore: University of Malaya Press, 1960), Part One, Introduction (B).
2. United Nations, A Student Map of the United Nations (UN publication, May 1970), "Members of the United Nations."

Chinese are "young people" under twenty-one years of age, and only just twenty per cent are aged sixty years and over.¹

On this basis, therefore, we can logically classify "Singapore Chinese secular society" as "traditional" and "modern" and discuss marriage concepts and practices according to these two categories.

Although this term "traditional" indicates a definite group of people, it is nevertheless made up of people who have been variously influenced in thought and culture. Many of these influences stem from the mainland of China. Western ideas and practices have, to some extent, been superimposed on to old Chinese ways of thinking and living, but many practices current in family life, social relationships, marriage and cultural outlook still have strong roots in the old Chinese ways of thought. As far as possible, they try to reject Western pressures. Differences occur in each district, for local practices and thought vary according to locality. There is another group who have accepted much more completely the advanced (Western) outlook, and this group we will commonly term "modern society". Thus, when we use the term "traditional society" we always refer to that group of people who still cling mainly to the old ways and thought-patterns dating back for hundreds of years.

First of all, we would like to point out some essential concepts of marriage which are held by these traditional Chinese even in present-day Singapore. These are as follows:-

(i) Marriage is basically a "Heaven-made match" (天作之合). And Heaven represents God or the Heavenly Ruler (天官) in old Chinese religious thinking. Quite clearly this Chinese idiom means that human

1. Singapore National Census, 1971, in Singapore Year Book, 1971 (Singapore Government Information Council, 1971), p. 231.

marriage is directly arranged and matched by Heaven Itself, so we must completely obey and accept Its will and appointment as one's own Fate (命運). By this rather superstitious belief, if a man intends to dissolve his marriage, he no doubt sins against Heaven Itself, and he must be a "sinner". In brief, marriage is principally indissoluble because it has a sense of Holiness.

(ii) Just because marriage is regarded as a Heaven-made match, it is divine to a high degree, and further it needs some Ceremonies (典禮) or Nuptials (婚禮) to establish, identify and protect its permanency. Developmentally, marriage in the sight of those traditional Chinese has become a Rite which is strictly required by their old custom.

(iii) It is widely known that traditional Chinese always respect their parents and elders in every sense. Consequently, they accept the fact that their marriage must be appointed by their parents (especially the father) or other seniors of the household. In other words, son and daughter cannot be allowed to reject their parents' decision in partner choosing. This decision is authoritatively given as a final "command": as a common Chinese saying goes, "Parents' commands must not be disobeyed" (親命不可違). On the contrary, if they object to the command, they will definitely be treated as Unfilial Children (不孝之兒女). In order to avoid this, the only way for young people is to obey parents' orders for their marriage and so to gain the honourable title of Filial Children, which is very glorious in the old Chinese tradition. In short, the right of their marital choice is dictatorially held in the parents' hands, so they had better obey them as subjects obey their emperor!

(iv) A Chinese proverb says, "Marriage is the greatest business in human life" (婚姻是人生大事), and indeed traditional Chinese often respect marriage as THE chief thing in which they ought to succeed in life. Based on this old concept, they therefore suppose that if a

person fails in his marriage he is likely similarly to fail in other aspects of his career.

(y) Nearly all the traditional Chinese regard marriage as an essential in their career because it is regarded as making them more complete in personality and character. Hence the well-known idiom: "When a boy and a girl are of age, they should marry!" (男大當娶, 女大當嫁). If they cannot marry legitimately, or cannot marry when they are young (particularly the girl, who must **not** be over thirty years of age), this will become a great shame throughout their life, to their families as well as to themselves. If they fail to marry, they will be despised and ridiculed by their friends and relatives. In consideration of this "crisis", traditional parents always mind their children's marriage very early in their youth, customarily sixteen to eighteen years of age.

Dr. C.M. Wong, a contemporary Singapore Chinese sociologist, suggests that all concepts of traditional Chinese marriage are based on the book called Li Chi (禮記 i.e. Records of Rites). This book, which is very well-known to every Chinese, was recorded by Tai Shing (戴行) of the Han Dynasty (漢朝), 202-24 B.C. (Li Chi was attributed to Confucius in the 1st century B.C.). From Wong's article "The Ancient Custom of Singapore Chinese Marriage" we can realise that the marriage of the traditional Chinese is a very complicated affair. The string of ceremonies before, during and after the wedding is indeed tedious to the newly-weds, particularly to the bride, for such ceremonies are a combination of custom, religion, and even superstition.

As Dr. Wong says, marriage is regarded as one of the most important affairs in a man's life, because of the saying of Confucius (孔子) in the Li Chi: "There are three things which make a son unfilial, and the most important one is to be without posterity" (不孝有三, 無後為大).

By reason of such old sayings, the traditional Chinese often suppose that it is the FIRST duty of a son to get married and produce male descendants in the hope of continuing the family line. In the not very distant past, well-to-do Chinese families would start looking for suitable girls for marriage to their sons and grandsons as soon as they attained maturity, that is at about sixteen years of age.¹ It was the common wish of parents to see a grandson born to their family soon after their son's marriage, and it was a great pride for a Chinese in his early thirties to stroll about with his grandson in his arms.

In a word, the chief reason they must succeed is not to evade the implication of Confucius's saying that all filial children must have "posterity".

There are four separate aspects of traditional Chinese marriage in Singapore which call for consideration. They are the nuptials, the categories of marriage, polygamy and secondary marriages.

(i) Nuptials

In the view of traditional Chinese, marriage means that a man and a woman are living together, commonly with the intention of founding a family; that their relationship is assumed to be lifelong and to be distinguished from other less regulated types of sexual union; and that it has been preceded by a nuptial ceremony before their household gods (idols), or the images of the Divinities of Heaven and Earth, or the Tablets of Ancestors (which contain their names, biographies, and photographs).

Besides these customary requirements, they must also perform a simple public "wedding ceremony". And, as required by the civil law of

1. C.M. Wong, "The Ancient Custom of Singapore Chinese Marriage," Chinese Marriage (Singapore Chinese Society Annual 1960-1961), p. 60.

Singapore, they must swear an oath in the presence of a Judge or the Registrar of Marriages. When these requirements have been fulfilled, then the marriage can be customarily and legally approved as a "complete" thing. This in outline is the nuptials.

In detail, when a Chinese man marries a Chinese woman as his First Wife (or at least Major Wife), this is called marriage, or as we shall call it, primary marriage. While the woman lives, undivorced, the man definitely cannot marry in this sense again. By the same custom, neither can the wife under any circumstances re-marry in this sense. A Chinese woman can be given and taken only once in primary marriage; and, at such a marriage, she must be a "genuine" virgin.

As a rule, the marriage would be preceded by the betrothal, and then the wedding, which must be formally performed in public, takes place. Before the wedding, a bride-price must be paid by the groom's side for the bride. If both sides agree on the amount of the bride-price, then the marriage will smoothly come to pass.

First, in the groom's house, during the night preceding the day on which the wedding is officially to be celebrated, the groom and the bride must first go through the Rite of Dressing the Hair (梳頭禮), which the Chinese themselves say symbolises the coming of the young people to so-called maturity, and only mature people can be allowed to marry in such a way.

The next morning, formally invited, the bride goes in state to the house of her father-in-law. There, she and her husband must together worship the ancestral tablets, the Divinities of Heaven and Earth, and also the household gods. After getting through these adorations, the bride again must pay ceremonial respect to her parents-in-law, and also to other senior members of the husband's home (拜見家長禮). When the respect is being performed, these elders give her some valuable gifts

or keepsakes which signify their richness and kindness.

On the third day of the marriage, a return visit (回娘家) would customarily be made by the new couple to the bride's people.

One important thing to be mentioned here is the sexual consummation, which is usually expected to take place during the first two or three days of the marriage. (Perhaps "consummation" is not the mot juste in this context, for the reason that sexual intercourse did not put the "seal" on marriage as it does in the West. It established the virginity of the bride, which was considered essential, but the marriage had already been concluded by the passage of the bride to her new home. There was the possibility of repudiating a bride who proved to have already been deflowered by somebody, but this was rather in the nature of divorce than annulment!).

Another thing we need to describe is the wedding feast. Feasting in the groom's home brought together his closely related kinsmen in his own and his mother's lineage, and all his good friends. The mother's oldest brother (大舅) very often occupied the seat of honour (大位) at the feast. This distinctive treatment presumably symbolises the matrilineal interest in old Chinese marriage. The role of the bride's own people in the ceremonies conducted at the groom's home was limited to the arrival of her younger brother (小舅) on the third day of the marriage, to invite the new couple to her former house.

There is another interesting custom too. A Chinese woman never changes her surname on her marriage. Contrary to Western usage, she still has a right to retain her own family name after her marriage. In practice one may refer to the wife of, say, Mr. Lim (林先生) as Mrs. Lim (林太太), but her own surname is always lawfully and customarily acceptable in all official usages.

Chinese nuptials followed these traditional lines up to the early

part of the twentieth century, but to-day in Singapore these old Chinese nuptials never take place without some modern influences, be it only a Western wedding gown or wedding certificate.¹

(ii) Categories

There are at least five categories of Chinese traditional marriage in Singapore:-

(1) Referring to the classical term of old Chinese literature, the first marriage among bachelors and spinsters is commonly known as "hair-wedding" (結髮), referring to the traditional rite of dressing the hair (梳頭禮). Besides dressing the new couple's hair with a silver comb, they also join their hair together with a long band of red ribbon. This series of rites expresses the idea that only the hair of a mature man and woman can be allowed to join together in such a way at their first wedding. After this solemnised hair-wedding, the partners have clearly indicated that their wedlock shall be as steadfast as the hair-joining, therefore ideally they will not separate from one another in the future.

(2) By the old domestic system, a married Chinese may be allowed to marry another woman officially. This secondary wife is often called concubine (妾侍) in Chinese literature. But there is still a difference between the first and the secondary wedding. Nuptials or even ceremonies are not essential to the taking of a secondary "wife".

(3) In ordinary colloquial terms, a polygamous Chinese is customarily referred to by all his wives as "my husband" (吾夫). But there

1. The nuptials are carefully described in detail in Maurice Freedman, Chinese Family and Marriage in Singapore (London: HMSO, 1957), Chapters 4, 5, 6.

are differences in the titles of his wives. The primary wife is always called "great wife" (大妻), and the secondary wife is habitually called "small wife" (小姨). And just as these wives have different titles, they enjoy correspondingly different social status and position.

(4) Apart from marrying, a married Chinese may also keep secretly a mistress (情婦), or even several mistresses, outside his primary home. If he himself uses such an expression, then it is clear enough that he does not look upon a woman of this kind as "wife". Nevertheless, on the other hand, these mistresses always think of themselves as a real "wife" of some sort, and even lay claim to that status if it is disputed.

(5) A Chinese woman who has been married, and is now already a widow or divorcee, but not necessarily divorced in a strictly legalistic sense, may be allowed to find another new partner. Sometimes she can live romantically (either secretly or openly) with another divorced man or a bachelor. This "willing-to-join" couple are commonly referred to as 姘頭 ('joined heads'). Of course, in their presence, the ordinary words for "husband" and "wife" may often be used for the sake of politeness or respect, although everyone knows it is only an unofficial union.

Thus the five categories of traditional marriage result in three types of "wife", which may be referred to as primary, secondary and "following". Although a "following" wife cannot, strictly, go through the proper nuptials or ordinary ceremonies for a formal primary wife, and is not ushered into marriage with solemnity, yet she can still be a de facto primary wife if she can completely win her husband's favour and love. Non-virgins do sometimes go through forms of marriage proper to a primary wife, despite the fact that in traditional opinion such a wedding may be looked upon as a travesty of the Chinese secular custom.

Barrington Kaye classifies the categories of traditional marriage

briefly into the following five types:-

- (1) 一夫一妻 — literally, 'one husband, one wife' (also called monogamous marriage); or 大妻, that is, 'primary wife'.
- (2) 妾侍 — secondary wife.
- (3) 再婚妻 — remarried widow.
- (4) 續絃妻 — second wife (her husband's first wife having died).
- (5) 情婦 — kept mistress.¹

(iii) Polygamy

Before the Second World War (1939-1945) polygamy was still an acceptable custom, even a lawful one, among the Chinese in Singapore as part of their traditional "marriage". There was a peculiar but "normal" Chinese ideal, agreed by old custom, that to grow rich was always openly to fill one's house with as many wives and concubines as one could keep. If a man really succeeded in this kind of romantic and enjoyable life, everyone admired his cleverness and capacity, and respected him as a very masculine and heroic "gentleman"!

But unfortunately, for some, this so-called Golden Age of the polygamist has entirely passed away. In post-war days all things and systems in Singapore have been radically changed, and marriage is no exception. Nowadays Singapore civil law, particularly as set out in the "Women's Charter" (婦女憲章), Chapter 47, Part III, Section 5, treats polygamy as an illegal case and prohibits it as a form of marriage. As a consequence, those previously legal polygamists now cannot practise polygamy openly, otherwise they would certainly be reported and punished

1. Barrington Kaye, Upper Nankin Street, Singapore, p. 100.

by the Charter as in criminal cases.¹

In practice, it must be admitted that it is still the rich man's privilege to multiply spouses. The chief difference nowadays is that he usually keeps his concubines apart; there is a Chinese saying in Singapore: "It is a man of no ordinary kind who can keep peace and order between co-wives living together!" It is perhaps one aspect of the raising of the status of Chinese women that, when two or more are married to the same man, they tend to get out of hand if confronted with one another! And the passing of co-residential polygamy has added to the difficulty of defining secondary wives.

It must not be considered that, even in its old form, Singapore practice was an exact replica of concubinage in the mainland of China. The concubines in China were socially, maritally and domestically subordinate whatever their sexual function. But among Singapore Chinese nouveaux riches secondary wives sometimes, in effect, came to enjoy a higher position relative to that of the primary wife.

In these post-war days, however, co-residential polygamy is very rare, and growing still rarer in modern Chinese marriage. In past days, a conservative Chinese could keep his primary wife and two or three concubines all together in a big house — i.e. his main household — throughout his whole life; but nowadays his sons, the present generation, even though no less wedded than their father, will prefer (openly at least) a one husband, one wife relationship. In this they will to some extent be influenced by modern notions of the "backwardness" of polygamy; secondary wives kept separately are less conspicuous. But, in general, Singapore Chinese society has not yet reached the point where polygamy has ceased to

1. "In Singapore, polygamy and polyandry must be strictly prohibited by civil law" — Women's Charter (Singapore Government Printer, 1970 edn.), Ch. 47, Part III, Section 5, pp. 7 and 8.

confer a certain prestige.

The taking of a new wife may be a calculated demonstration of financial security. A display of wealth, by the acquisition of a large car or a new concubine, inspires confidence in a man's affairs. Indeed, the effect of a new "wife" is not to be seen solely in her contribution to public confidence; she may be married to strengthen her husband's morale. Hence, traditional Chinese in Singapore to-day still have an interesting but rather superstitious saying: "Many a man has had his luck changed by taking another wife" (男人的好運氣常隨另娶新妻而來臨).

It is difficult to measure the extent of polygamy in Singapore. There are more Chinese men than Chinese women, but some have primary wives outside Singapore, particularly on the mainland of China. On the other hand, the number of Chinese women with husbands outside Singapore must be comparatively very small.

Barrington Kaye gives some interesting figures for a small overcrowded slum area of Singapore (now completely cleared and redeveloped) that was intensively studied in 1960:¹

<u>Status as wife</u>	<u>Married women</u>	
	<u>no.</u>	<u>%</u>
1. Only wife	178	77
2. Principal wife	18	8
3. Second wife	20	9
4. Secondary wife	11	5
5. Widow remarried	1	-
6. Kept mistress	2	1
7. DK*	<u>1</u>	<u>-</u>
Total	231	100

* = "Don't know" (i.e. refused to disclose status)

The following figures from the Singapore Year Book, 1969 justify some tentative conclusions about the decline of polygamy. In 1969, of

1. Upper Nankin Street, Singapore, p. 175, Table 165.

387,883 Chinese men, 245,575 were over the age of fourteen, and of this figure 94,592 were returned as never having been married. The corresponding series of figures for women was 342,250 -- 211,325 over fourteen and 53,811 unmarried. Thus, for 150,983 married men over fourteen there were, on the face of it, 157,514 married women over fourteen. When we subtract the widowed and the divorced, this pair of figures becomes 143,008 men and 126,926 women (these figures are for Chinese citizens only). If there were no wives in China to reckon with, it would seem, roughly, that one man is married to one woman.¹

But apart from the question of external wives, there are still reasons why such figures may conceal a somewhat more "polygamous" state of affairs. The popular assessment of polygamy rests not only on the numbers of wives men have at one point of time, but also on the numbers of wives which individual men may have had in all. Some widows, who have been primary wives, marry again. As a consequence of the relative instability of secondary marriage, too, there is some circulation of women from one husband to another. Yet, even with these allowances made, the extent of polygamy in secular Chinese circles cannot approach popular notions of its widespread nature!

All we can safely say is that, among rich Chinese men, polygamous life is still common; and even this statement must be qualified by the remark that many of the secondary wives are perhaps nothing more than "kept women".

We should consider the matter again from another angle. When a Chinese man does not have his wife living together with him, domestic arrangements can vary. In some cases, where the husband has married a secondary wife in a more or less traditional manner, paying bride-price to

1. Singapore National Census, 1969, in Singapore Year Book, 1969, pp. 276-277.

her parents, he may simply visit her from time to time in her parents' home, which becomes the setting for the raising of children of the new union. Or he may set her up by herself in a room (or in a flat), and then divide his "time" between her and his primary wife.

In practice, one really cannot generalise about the extent to which the members of a man's main household are aware of his activities in secondary marriage. Of course, if he frequently stays away at night it must be known, and assumed that he doubtless has another "lady" outside. But in a cleverer way, he may secretly have more than one secondary "wife", and this is not always discovered. Secondary wives introduced to members of the main household are "unequivocally" wives. Those kept hidden away may still be "wives" in the sense that the husbands intend to treat them as such and give them that status, at least in the eyes of their neighbours and friends.

There is, however, the problem of drawing a line between secondary wives and mistresses, a problem complicated by the possibility of contextual ambiguity. For instance, a Chinese man may introduce a lady politely, but rather pretendingly, as his "wife" to his male friends, and yet discard her easily as an ordinary mistress.

The absence of necessary nuptials or ceremonies for secondary marriage, and the difficulty of recognition inherent in dispersed urban life, create the conditions in which a vague margin runs around the field of secondary marriage. The status of children of such unions provides no simple test, for a man may acknowledge sons and daughters as his own, provide for them, and even finally introduce them into his main household without necessarily, by the fact, conferring on their mother the status of wife.

It is from such complications that decisions in the Singapore courts

over disputes about intestate inheritance have produced definitions of secondary marriage that do not always square with Singapore Chinese views.¹

(iv) Secondary marriage

According to the legal sense, Singapore civil marriage relates to monogamously married wives only, although it is a fact that some Chinese men so married enter into secondary unions in the face of the sanctions that can be taken against them.

New marriage, that is civil marriage according to the Women's Charter, while carrying within it the traditional ideal that it is concerned with primary marriage only, also covers in practice some secondary unions. According to Chinese custom, a secondary marriage does not necessarily take its validity from any set of ceremonies or nuptials. Likewise, a concubine could be brought in without much formality in traditional matrimony. And also the secondary wife of a modern Chinese in Singapore does not rely on any documentary, or even ceremonial, evidence to prove her marital status.

However, any such evidence does strengthen her position by reducing doubt, and so there is an increasing tendency for Chinese women entering into secondary marriage to demand a special marital certificate as a legal proof. In any dispute that goes before the courts or the Department of Social Welfare, the production of a certificate is likely to simplify the question of status. Obviously in such a dispute it is in the adjudicator's interest to have before him a clear proof.

One of the Chinese officials of the Social Welfare Department pointed out in an article in the Singapore Sunday Tribune of 21st May, 1968, that

1. Cf. Freedman, Chinese Family and Marriage in Singapore, pp. 121-122.

if a secondary wife has a legal document, e.g. a marriage certificate, to prove the reality of her marriage, then should her husband desert her or fail to support her, she can sue him for monthly maintenance through the law. But the writer went on to give this warning:

There are cases where deserted secondary wives have gone to the Social Welfare (sic) for help. Most of them have no written marriage contracts in any form. Others bring documents, believing them to be proof of marriage. They are worthless papers with some Chinese characters scribbled on them, and without any signature whatsoever

Although traditional Chinese feel that dispensing with ceremony in taking a secondary wife is quite reasonable behaviour, because secondary marriage involves an already married man, nevertheless, apart from the husband's dispensing with the hair-dressing rites, some secondary marriages also approximate in form to the traditional wedding, especially in the matter of paying the bride-price.

There are doubtless "romantic" attachments that culminate in secondary marriage where bride-price is of no consequence. However, on the whole, bride-price is significant in secondary marriage. Not only does it validate the ordinary transfer of rights, but it also acts as a compensation for the inferior status of the girl and an inducement to her parents to put her in this position. Compensation also sometimes takes the form of the provision of expensive lodgings, and a large monthly allowance for the bride; in these, the inferior wife finds her economic return.

Secondary marriage in traditional Chinese circles was very common in pre-war days, and even to-day it still exists among a minority who function outside the law's prohibition and condemnation. It has gone underground!

(b) Divorce

Divorce was certainly not unknown in traditional Chinese society in Singapore although it did not involve the complicated legal processes that are now required. To understand the place of divorce in the traditional picture of marriage it is necessary to look into the husband's traditional status in the Chinese family.

The husband is often expected to be the provider for the family. And in a conjugal family set-up, the husband is always the figure of authority, and sometimes even controls the whole household.¹

In contemporary Singapore, especially among the so-called middle-working class, this pattern of authority is less emphasised where both husband and wife work; but among the upper classes as well as in the lower class groups it really seems to be quite dominant.

The traditional Chinese husband also unequally has a right to greater freedom and indulgence in his leisure life. Traditional society even regards it as "very natural" for a male to have extra-marital relations, to gamble and to indulge in other vices, although such things would be strictly forbidden to his wife. This tolerant attitude towards the male is often brought home by proverbial sayings, as for instance, "Men are always like this" (男人總是這樣風流).

It similarly arouses no great social disapproval should he occasionally use physical assault upon his wife. Anyway, the acceptance of the "right" of men to enjoy women other than their own wives by no means excludes the institution of female jealousy (or "eating vinegar", which is the meaning of the Chinese colloquialism 吃醋), which is a legitimate if often pathetically ineffective response to the extra-marital exploits of Chinese husbands.

1. Freedman, Chinese Family and Marriage in Singapore, pp. 56-79.

Another thing we need to realise is that relations between Chinese husband and wife in ages past used to be defined rigidly by rules of proper mutual behaviour, and accordingly expressions of affection between them were frowned upon. Thus Chinese in Singapore regard it as most undignified and even shameful to display affection, particularly in the presence of others. To a considerable extent, we do still find that the Singapore Chinese couple is reticent and reserved in their husband and wife relationship. We hence have a feeling of pity for a Chinese wife, who under such a tradition and dictatorial pattern of living has virtually no social communications with her husband's friends, especially the male ones. Strictly speaking, she ought to be contented as long as he has looked after her "basic needs", such as food, clothing and housing. This attitude may be responsible for the complaints brought out by some Chinese wives: their husbands do not give them a cent for their "pocket allowance". It is even more serious in a household where the mother-in-law holds fast the family budget.

It is interesting to note that quite a number of Chinese wives do not even ever know the exact amount of their husbands' incomes and expenditures. This is commonly the case among the "illiterate" and "business" groups of people. Not infrequently the wife does not discover that her husband has been indulging in gambling, drinking, dancing and other more serious "outside" activities until they have come to constitute so great a drain on his income that family maintenance is gravely affected. By then the wife will put up a fight, and try to stop her husband from continuing in such activities, but it is by this stage almost always too late, as his habits are firmly formed and he finds it very difficult to break off. And the next step is only too probably a family tragedy.

Another cause of trouble is that from the traditional point of view the sexual relation of husband and wife is primarily orientated towards

the procreation of their posterity. This is evidenced by the saying, "A man's wife is to give him offspring, his concubine is to look after his comforts, and his mistress is merely for his amusement!" (妻子是為後代，妾侍是為舒服，情婦乃為享樂)。

This traditional practice and expectation however becomes the core of "marital storms" when the wife rebels against it. Under the shadow of all these jealous struggles and conflicts, another family tragedy like separation or divorce is potentially imminent. Although traditional Chinese generally do not like to act legally before the court and the public, yet they may achieve the same ends by secret ways such as desertion, abandonment, wilful negligence, or even elopement.

When we further consider the unequal treatment and long suffering of the traditional Chinese wife, we shall understand more clearly why there are so many discords existing in their marriages. Referring to the Book of Li (禮記), we learn that "between husband and wife there should be mutual devotion, yet in principle the husband should always lead his wife".¹ Accordingly, a traditional Chinese wife often plays a rather subordinate role in the family. She has to be submissive to her husband as to a superior, answering his sexual demands promptly, and looking after his domestic affairs. Under this kind of treatment she still has no recourse to a legal divorce, although she may be very unhappily married. Another important "virtue" the wife must have is that, when she is living in her husband's home, she shall recognise herself as merely a daughter-in-law in status; she therefore ought to be obediently under the control or supervision of her mother-in-law and other senior members of the husband's family.

These conservative Chinese often reply to casual enquiry that they

1. The Book of Li, attributed to Confucius in the 1st century B.C.; cited by Cheng Tien-Hsi, China Moulded by Confucius (1968), p. 17.

mostly do not like to practise legal divorce. Looking at their Malay neighbours, whom they see as chronically addicted to marital instability, and also Europeans, whose conjugal infidelities are frequently reported from the local divorce courts, they tend to adopt an attitude of moral superiority in which they condemn the laxity of others and even vaunt their own matrimonial "steadfastness".

But behind their "superior" attitude there lie certain traditional assumptions:-

- (1) A husband has "extra" sexual rights outside the marriage bed.
- (2) A wife has no such sexual rights.
- (3) The dissolution of marriage, in cases of extreme difficulty, should take the form either of a bilateral agreement to separate or, when there has been moral iniquity on the part of the wife, of a unilateral repudiation by the husband.
- (4) Since a respectable woman should ideally not marry more than once, a primary wife must not be discarded without the most careful consideration and calculation.

So in the sense that "divorce" means either the apparent casualness of the local Malays in dissolving marriage, or the legal process by which Europeans sue one another in a court of law, the traditional Chinese tend to think of themselves as a people theoretically without legal divorce. What particularly shocks them in Western practice is the legal capacity of the wife to arraign her husband before the courts for exercising what they regard to be a matter of his sexual choice. During pre-war days (before 1939) the legal dissolution of marriage among Chinese was not common, but in popular usage "divorce" simply meant a signed agreement between a married couple to end their relationship of marriage.

Another thing we need to notice is that the unilateral repudiation of a primary wife had little relevance to Singapore conditions until

very recently. What usually happened, and still does happen, was that the husband did not divorce his wife in public, but put her aside on the quiet, and would then find another mistress outside his main household. Sometimes he might even invite the new lady openly into his home with the formal status of "concubine". The primary wife had no power to prevent this, especially as such behaviour was fully accepted by the old Chinese unwritten custom in those polygamous days.

Concerning the practice of divorce, we here need to affirm that the traditional Chinese is much more reserved than contemporary Westerners in every sense. The essential reason is that they regard marriage as a solemn match made by Heaven and seriously appointed by their parents' command. We have already noted how such marriages must be confirmed by certain rites which are strictly required by old Chinese custom, and noted too the saying: "Marriage is the greatest business in human life!" Therefore traditional Chinese always assert the "indissolubility" rather than the "dissolubility" of their marriage in both principle and practice. Consequently, they would rather take in another concubine or mistress than divorce a primary wife in public; for the primary wife was taken in formal matrimony before Heaven and the parents.

What are the possible results of this inflexible attitude towards marriage? The most obvious is that a traditional Chinese, although he has many conflicts in his marital life, or even constantly suffers from his primary wife every day, and although he has legal grounds for divorce, rarely, perhaps never, divorces her in the supreme court through the civil law. Why is this? The reason quite plainly is that if he resorts to divorce in public, a practice which traditional Chinese culture never accepted, he will at once lessen his own "masculine" dignity, honour and reputation amongst his community and surroundings.

If he really takes this matter into the supreme court and it is later published with big headlines and bold type in every newspaper column, then the news of the scandal will be speedily known to all his friends, neighbours, colleagues, kinsmen and kinswomen, boss and staff, and he will certainly receive all sorts of criticisms and, whatever the outcome of the case, will certainly lose friends and status. As a divorced man he may also lose his social trust, his employment, his customers and even his standing. Above all, he will undoubtedly find himself very lonely among his townfolk because of their misunderstanding and exclusion of him. Thence he may fall into a sense of guilt and make himself avoid his hostile community and environment for the rest of his disgraced life.

Although he could legitimately under the civil law marry a new wife, yet his friends might not recognise or sanction his second family. In other words, there is no place for a divorced Chinese in his traditional community, for most of his "orthodox" companions respect and trust him no longer.

Counting up all the grave results, therefore, a traditional Chinese would rather shun any legal divorce or judicial separation. For if he does act by law in the open, his gain can in no way compensate for his loss, as the famous Chinese saying has it (得不償失). No wonder he regards legal divorce as an utterly unworthy and unwise course of action for an honourable gentleman to undertake. So instead of legal divorce, his recourse very commonly is to bring a concubine into his main household and let her stay together with his primary wife under one roof; this produces the so-called "secondary marriage".

In secondary marriage, as we have seen, the weighty Chinese tradition against the formal disruption of marriage is not so effective. This, of course, accords with the ideal that primary marriage is the one about

which domestic life really turns, while other, and inferior, unions may be merely incidental to a man's social life history.

Conceived in this way, stability of marriage is measured only by the absence of formal dissolution, and we should make it explicit that we are not dealing here with the maintenance of harmony and personal happiness in married life.

Maurice Freedman presents a neat table analysing certain features of one thousand consecutive cases of husband and wife dispute in Singapore brought to the Department of Social Welfare during the period 1947-56. From his analytical survey we can summarise the total sample of one thousand and breakdowns in this manner:-¹

Categories	Number of cases			
	ending in settlement	ending in divorce	not concluded	Total
Primary wives	136	186	363	685
Subsidiary wives	54	80	181	315
All wives	190	266	544	1,000

TABLE I

Reviewing the above analysis, we can probably understand its main purpose in this way. The category Subsidiary Wives includes in practice both secondary wives and following wives. Furthermore, we have counted as "divorce" not only the dissolutions actually signed in the Department of Social Welfare, but also a number of separations in which, because the wife is a following wife, the officer conducting the case has decided that no formal dissolution can take place on the grounds that a legal marriage has never existed. Nevertheless in such cases the marriage has apparently come to a final end despite the lack of legal documents to record the fact.

1. Maurice Freedman, Chinese Family and Marriage in Singapore, pp. 184-5; cf. also pp. 103, 121, 157.

However, practice in the Department is not consistent, some "following" unions being formally ended in the Department by signed papers.

We must make it clear, moreover, that owing to the incompleteness of some of the documentation, it is possible that some of the wives we have placed in the category of primary wives are practically secondary wives, and therefore should fall in the category of so-called subsidiary wives in the table above. As a consequence the percentage of 68.5 which primary wives form in the sample may well be somewhat too large. These figures, then, cannot show us anything about the differential stability of primary and even subsidiary marriage unless we can satisfy ourselves about the relative incidence of the two categories of marriage in the general population.

Besides these, too, there is another "cleverer" method traditionally allowed: if a married Chinese does not want to marry another woman publicly as his secondary wife, or perhaps has not enough money and time to arrange an official matrimony with a wedding feast and wedding reception, which are both costly, then he is permitted to keep her elsewhere as a "secret wife" or mistress. Sometimes he may even keep more than one secret wife "underground".

Though the primary wife may jealously dislike and disapprove of her husband's disloyalty, yet for her own marital safety she is well advised to keep quiet rather than make an outcry. She must keep her feminine envy under control in spite of her inwardly bitter feelings, and she will be wise not even to denounce or upbraid him in public, because there is often too little concrete evidence of his "crime" in her hand; if she should sharply scold him before all his friends she may herself produce the result of forcing her husband into the legal divorce or separation which she originally wished to prevent. She therefore prefers to tolerate his disloyalty, in the hope that such tolerance can save her from ultimate

marital breakup. She always feels confident that this is the "safer" way for a wife to follow!

But frequently a dramatic change occurs; by the exercise of absolute patience, tolerance, yieldingness, and even tacit permission, she may find she has rescued her marriage as well as her family from the danger of sudden explosion and destruction, or may at least succeed in maintaining her marital situation superficially and temporarily peaceful and integral, an outcome to be preferred to total breakup. Relying on such an agreeable attitude, she hopes that he will some day eventually repent of his illicit romance.

Now what is the situation of a Chinese woman involved in legal divorce? Under the pressure of old traditions, when a married Chinese woman decides to act legally with many adequate grounds she is faced with a great deal of shock, trouble, and even persecution. From the very first, while still only considering the possibility of taking divorce proceedings, she will generally receive many "friendly" warnings from her kinsfolk, neighbours and friends against making such an "adventurous" attempt, their chief motivation being to show her that divorce can only result for her in lifelong suffering and loss. If she still rejects their kind opinions and obstinately holds fast to her previous decision to take legal action, they may attack her with many remarks, criticisms, and even defamations; for they will suspect the innocence of her character if she proudly rejects their "straight" guidance. Thenceforth, with a rapid change of attitude, they become her implacable enemies, because she is now a "reactor" against orthodox Chinese morality in every sense.

Supposing she holds on to the last, divorcing her husband and remarrying a second husband, no matter whether lawfully or secretly, during her first husband's lifetime, then she will certainly be rejected by her own community not only as a divorcee but even as a dissolute woman or

an adulteress, throughout the rest of her life.

What social position does a divorced Chinese woman have in traditional society? In the critical eyes of the traditional Chinese, she simply belongs to low-class circles or even out-cast rank. She no longer possesses normal position and good fame, but just meets with the "cold shoulder" or "sarcastic grin".

In practical terms, if she determines to remarry legitimately she will meet with serious obstacles, for most Chinese bachelors or even widowers do not like to marry a divorcee. They believe that men always have the right to marry or to remarry a young and beautiful virgin for the purpose of increasing their male glory and dignity, but they think it not only inglorious but also shameful for a Chinese gentleman to marry or to remarry a forsaken divorcee. Under this unfair attitude and unequal treatment she has little choice and only a small chance of achieving an official remarriage.

A more serious thing is that, if a woman is ageing and still has no children when she divorces, or if her children stay with her divorced husband or are still very young at the time, or if she has no special ability or skill to earn money to support herself and her children, then she may face and suffer many financial difficulties as well as mental and spiritual afflictions throughout the rest of her life. Though she is weak, lonely and poor, yet very few traditionalists will pity her by giving her a job or even some money and food. To them a divorcee is always in the wrong; however reasonable and adequate her grounds for divorce, they automatically put her in "bad standing" through their so-called righteous anger.

The gravest possibility is that when remarriage becomes a "no through road" for a still young but lonely divorcee, she may in order to make a living and perhaps for her sexual needs become a songstress, a dancing

girl, a coffee-shop girl, a bar-girl or night-club girl, or even a call girl or professional prostitute. If unfortunately it should be so, traditional society would never try to rescue her, but just blame her more stingingly than before.

Such women furnish many of the "marginal wives", and as there are many coffee-shops, bars and night-clubs in a big city like Singapore, the recruiting-grounds for mistresses are very widespread and varied.

One of the most tragic results of divorce in traditional Chinese society is its effects on the children. Because of the hostile attitude of society, these children are likely to grow up without their parents' love and care, without a good family education and without being accepted by the neighbours. As a consequence their character and disposition and psychological health may suffer and they may even become wild and uncontrollable. Continually suffering ill-treatment and exclusion, they may at last become juvenile or adolescent delinquents who are a nuisance to society and a trouble to the State.

Because of all these "horrible" effects of divorce, traditional Chinese regard the divorce system as a "destructive confusion" and fervently try their best to avoid or evade it as a plague. Consequently the divorce rate among them is still not very high. This they see as their "ethical splendour", and prefer to preserve the outward form of marriage in any circumstances; as they say, "Saving half is sometimes better than letting the whole lot drown!"

Actually, of course, such a low rate of divorce among traditional Chinese does not necessarily mean that their moral standard is higher than that of those modern Chinese whose divorce rate is high. Most, indeed, of the undivorced but polygamous traditional Chinese are in reality "hypocritical gentlemen of morality"! It is quite possible that in the innermost recesses of their "honourable" hearts such a husband

often nourishes the desire to divorce his partner forthwith, hoping too to find another much younger and lovelier spouse as soon as may be. If, unexpectedly out of luck, his "underground plan" is prevented or broken by his "female tiger" (i.e. virago, referring to the primary wife, who in the Chinese colloquial expression is always as fierce as a tigress towards the disloyal husband), he may keep a mistress or mistresses outside the home instead.

At the same time such gentlemen pretend strongly to reject divorce, although it is now permissible by civil law in Singapore. Although these traditional Chinese superficially declare that they never like to take any legal action as such, yet they are dishonest in still finding many other underground ways to satisfy their desires behind the backs of their primary wives.

Their hypocrisy plainly cannot convince or persuade all their rational countrymen, for it is very clear that the motive behind their opposition to the legal remedy is not the desire to maintain a higher moral standard, but merely the wish to save "face" in order to stand upon their masculine dignity before the community. So this moral paradox is much worse than a lawful divorce.

2. Modern Concepts and Practices

(a) Marriage

We enter now into modern society as opposed to the former traditional society. This last, as we have pointed out, has chiefly taken over the old mainland Chinese ways of thought. But most of the younger generation have been born and bred in Singapore itself. Their thought is therefore mainly affected by many and varied influences from Europe

and America, i.e. the West in general, in matters of industry, leisure, and material needs. Radio, television, magazines, novels, movies, records, daily newspapers, and sexy comic strips, all successively assault these younger Chinese, and it is only natural that their views on marriage should also be affected, for it is a subject under constant review in the West. There are, nevertheless, still great differences of opinion even in "modern" secular Chinese circles, and some old customs still persist among them. But for the sake of clarity we will treat the views of the "Singapore-born" as being those of modern society, in contrast to the views of the "China-born" Singaporeans, which we have treated as representative of traditional society.

Since the New Age's arrival, particularly the period after the independence of the Singapore Republic since 1965, Chinese society is becoming more modernised, industrialised and Westernised in every aspect, and at the same time the new Chinese generation is also rising speedily and steadily and increasingly making its views heard.

According to the last National Census (1969-70), in present-day Singapore fifty per cent of the Chinese population are now "young people" under twenty-one years of age.¹ These youngsters, under the new system of the Ministry of Education, including all boys and girls on equal terms, must be educated in primary schools as full-time students, as the government requires under the law. Moreover, they now can easily and equally (without disparity between the sexes) enter into secondary school and also university with minimal fees, because they are supported by allowances from the Singapore government.

As a consequence, this new Chinese generation has a good chance, without distinction of age or sex, to gain much modern knowledge from their

1. See Singapore Year Book, 1971, p. 237.

schooling. By open-minded studies of many sciences, they are doubtless influenced by Western thought, including prevailing ideas on human marriage. Through the influences of foreign culture, they broadly and thirstily absorb the advanced "ideas" of Western ethical moral systems. They not only admire them but also enthusiastically tend to follow them as faithful disciples. In their eyes, every modern "thing" of the West is absolutely right and good!

Because of these rapid social changes and Western influences, these younger Chinese quite easily accept such modern concepts of marriage as prevail in the West as their own, for they are now very eager to be "advanced" intellectuals.

It is difficult to get evidence of the views of modern secular Singapore Chinese on marriage, but the writer, as a Singapore-born Chinese himself, knows that Western ideas of monogamy, of the necessity of the family for the upbringing of children, of the importance of sexual harmony in marriage, and of "easy divorce" and extra-marital relationships are widely known and accepted among modern young people in Singapore.

The legal aspect of marriage in Singapore to-day has been completely transformed by the Women's Charter of 1962 whereby monogamous marriage is made the only legal form of marriage except for Muslims. Generally speaking the form of marriage is an amalgam of old Chinese rites, modern Western customs, and a dash of Singaporean local customs. As the law requires, before the matrimonial rite a modern Chinese boy and girl must go together to the Registry of Marriage (which comes under the Ministry of Social Affairs) and register their names in the presence of the Registrar. After this legal proceeding, they must pay \$14 (Singapore dollars) to the Ministry for their registration to be validated. Twenty-one days after the registration, if the Registry receives no valid objection or opposition to the marriage, they can automatically be permitted to perform their

ceremony.

If they only want a legal non-religious civil marriage, they must go again together to the Ministry on the day arranged for their marriage. Incidentally they must book early as there is only one registry office in Singapore and marriage is very popular! Customarily, as they enter the Registry, the groom will wear Western dress and his bride will have on a Western wedding-gown (usually white) and carry a bouquet of orchids or other kinds of flowers in her gloved hands. At the appointed time, this new couple will be required to swear an oath, raising their right hands, and to sign their names on the marriage certificate in the presence of the Registrar (who has the status of representative of the law and the Singapore Government) and two witnesses. When all these necessary procedures have been fulfilled, then the marriage can be celebrated with a wedding reception, or more luxuriously with a wedding feast, which they prepare for their relatives, neighbours and friends on the evening of the wedding.

Most of all, we should notice the differences between modern and traditional nuptials. Modern Chinese now often omit the ceremony of betrothal which was solemnly required by the traditional marriage system in years past. They just get married straight away, and even perform only a simple wedding ceremony, following this single and simple rite perhaps with a buffet reception or sometimes just an economical wedding feast for the families and close friends only.

Another development is the omission of religious ceremonies. In modern marriage it is unnecessary for the parties to worship family gods, household idols, Divinities of Heaven and Earth, or even their hallowed ancestral tablets. Nowadays, with more democracy and freedom in practice, these old "superstitions" are outmoded.

Taking this further, we should pay attention to a current tendency

to choose the easiest and simplest form of matrimony. The so-called "travelling marriage" (旅行結婚) is most popular and attractive to the "space-age" Chinese society. The main reasons for its popularity are at least two:

(i) It is very simple and easy. It is just a matter of going before the Registrar and then making an announcement in the local newspaper. There is no reception or feast, so the new couple can at once go off for their honeymoon. They need not perform all those complex nuptials but just a "mysterious" journey!

(ii) It is less worrying and much happier. A traditional Chinese wedding often costs the couple a lot of money, time and energy, and always makes the couple both physically and mentally tired after their so-called "happy wedding". Using the same money, time and energy efficiently on a joyful trip, they can all the way enjoy the beautiful scenery of different spots, and at the same time they can have a real holiday outside their own, perhaps monotonous, living place.

From the sociological point of view the change to modern marriage in Singapore may be regarded as part of the social revolution that is sweeping the world and is particularly evident in South East Asia. It is an extension of more liberty and democracy into the theory and practice of marriage. This marital revolution is certain to benefit the developing State of Singapore, but it is too early as yet to say what the final outcome will be. It is however notable that the change to modern marriage was initiated by the democratically elected People's Action Party under the leadership of Premier Lee Kuan Yew. The Women's Charter, which has significantly raised the legal status of women and given them more equality than they enjoy in almost any other state of South East Asia, was part of this party's political programme right from the start.

Here we need to notice an important requirement of the law. Every civil marriage in Singapore to-day must be solemnly affirmed by the couple and confirmed by the Registrar of Marriages, who represents the Singapore law. This kind of legal performance is technically called "solemnisation". With reference to this essential matter, the Women's Charter, revised in 1970, the latest Marriage Law of Singapore Republic, declares the practices of such solemnisation in Chapter 47, Part III, Sections 8, 9 and 10. The relevant sections read as follows:-

Section 8: Persons by whom marriages may be solemnised. Under this section there are two regulations:

(i) A marriage may be solemnized by the Registrar, or any other person to whom a licence to solemnize marriages under this Section has been granted by the Minister.

(ii) The Minister may grant a licence to any suitable person (e.g. pastor, priest, bishop, etc.) to solemnise marriages in Singapore.

Section 9: Avoidance of marriages where either party is under minimum age of marriage:

Any marriage purported to be solemnised in Singapore shall be void, if at the date of the marriage either party is under the age of eighteen years, unless the solemnisation of such marriage was authorised by a licence granted by the Minister, under the provisions of this Act.

Section 10: Marriages within prohibited degrees. In this section there are also two regulations:

(i) A marriage solemnised between a man and any of the persons mentioned in the second column of the said Schedule shall be void.

But see the Amendment Act, Chapter 9 of 1967, as in the regulation (ii) immediately below:

(ii) The statement of the Amendment Act, Chapter 9 of 1967: The Minister may in his discretion notwithstanding the other provisions of this Section, and the provisions of the First Schedule to this Act, grant a licence under this Section for a marriage to be solemnised, notwithstanding the kindred or affinity of the parties, if he is satisfied that such marriage is valid under the law, religion, custom or usage applicable to the parties thereto and, where a marriage is solemnized under such licence, such marriage

shall notwithstanding the other provisions of this Section be deemed to be valid.¹

Through an official report called "Births and Deaths and Marriages" (which is a Registration of 1969 published by the Singapore Government Printing Office), we can learn some more legal details about the necessary procedure for a marriage's solemnisation under the Women's Charter in the Registry.²

In the same Report we are told that in 1969 11,534 marriages were registered under the Women's Charter. Compared with 10,652 in 1968, this

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1. Women's Charter, Chapter 47, Part III, Sections 8, 9, 10, pp. 9-10.
 2. A marriage may be solemnised as follows:-
 - (1) by notice of three weeks. Both parties must be at least 18 years of age. If they are under 21 years of age, they must obtain the written consent of their parents or guardians, unless they have been married previously. One of the parties must have resided in Singapore for at least 15 days preceding the date of filling the Notice of Marriage. The prescribed fee payable under the Women's Charter (see Registration of Marriage section) Rules, 1961, for marriage by Notice in the Registry is \$14 (Singapore dollars). A person licensed to solemnise marriages may charge a fee not exceeding \$4 for solemnising a marriage.
 - (2) by special licence. If neither party is able to comply with the ordinary requirements set out in the preceding paragraph, application may be made for a special licence, which dispenses with the 21 days' notice. The application must be made in person on the prescribed form at the Registry, and forwarded to the Minister for Social Affairs for consideration. If approved, the marriage may then be solemnised normally within 48 hours, exclusive of holidays. The prescribed fee payable under the Women's Charter (see Registration of Marriage section) Rules, 1961, for marriages by special licence in the Registry is \$60. If the marriage were to take place outside the Registry (e.g. inside one of the appointed churches, temples or mosques), then a fee of \$56 would be payable as the person who is licensed to solemnise marriages may charge a fee not exceeding \$4 for solemnising the marriage.
 - (3) The following particulars and documents are required of couples intending to marry lawfully: (i) identity card or passport; (ii) full name of father; (iii) for persons who are under 21 years of age, and who have not previously been married, the written consent of the natural parents or guardians must be submitted, the consent papers to be completed at the Registry in the presence of two adult witnesses; (iv) for persons who are divorced, a certified copy of the decree absolute; (v) for widows or widowers, the death certificate or any other documentary proof of the death of the said spouse; (vi) date of birth, occupation, religion, address, and relationship to one another.
- See Births and Deaths and Marriages, a Report on the Registration, 1969 (Singapore Government Printing Office, 1970), Part III, pp. 16, 17.

shows an increase of 882 in number, or 8.3 per cent. The marriages registered included 877 couples who were previously married under religious and customary rites (i.e. so-called traditional nuptials). Marriages contracted under religious and customary rites prior to the coming into operation of the Women's Charter are deemed to be registered under the provisions of the Women's Charter, and there is no necessity for actual registration. Many such couples, however, desired to re-register their marriages at the Registry because of the documentary value of the marriage certificate for a number of purposes.

The table below gives a distribution of the marriages registered in 1968 and 1969 by racial groups:-¹

Racial group	1968		1969	
	No.	%	No.	%
Chinese	8,620	90.0	9,500	89.2
Indians	376	3.9	450	4.2
Eurasians	28	0.3	33	0.3
Europeans	247	2.6	256	2.4
Others	16	0.2	21	0.2
Inter-racial	<u>294</u>	<u>3.0</u>	<u>397</u>	<u>3.7</u>
Total	9,581	100.0	10,657	100.0

TABLE II

1. Births, Deaths and Marriages, Part III, p. 18. This table does not include Moslem marriages because (i) according to religious law, i.e. the Muslim's Ordinance, all Malays in Singapore must not register their marriages in the Registry of Marriage, but strictly in their own Muslim's Court, the reason being that they are all moslems by birth, and (ii) statistics on 1071 and 877 couples, in 1968 and 1969 respectively, who were previously married under religious and customary rites, are excluded from the above table. Statistics of Moslem marriages are given in the Digest of Statistics, Singapore, Vol. X, No. 5 (May 1971), published by the Singapore Chief Statistician, Department of Statistics, 1971, Section 2, p. 9.

Period	Total	Malays	Indians	Others	Inter-racial	MOSLEM MARRIAGES REGISTERED UNDER MUSLIM'S ORDINANCE BY RACIAL GROUP (number)
1966	1,911	1,547	90	12	262	
1967	1,894	1,529	83	16	266	
1968	1,971	1,586	145	10	230	
1969	1,972	1,568	133	12	259	
1970	2,272	1,865	122	10	275	
1969 July	163	133	8	1	21	
August	260	215	8	1	36	

(continued ...)

Here for comparison with the previous table are some more recent figures:-¹

Marriages Registered under the Women's Charter by Racial Group

Period	Total	Chinese	Indians	Others	Inter-racial
1966	8,891	7,939	382	327	243
1967	10,392	9,323	487	310	272
1968	10,652	9,598	469	291	294
1969	11,534	10,286	537	311	400
1970	13,066	11,784	608	274	400
1969 July	834	750	35	23	26
August	823	704	50	33	36
September	956	855	52	22	27
October	1,164	1,040	61	24	39
November	1,174	1,065	30	29	50
December	1,277	1,168	46	33	30
1970 January	1,074	962	52	30	30
February	638	531	67	18	22
March	1,035	941	45	16	33
April	1,286	1,179	60	15	32
May	1,211	1,110	42	20	39
June	1,138	1,038	50	18	32
July	957	830	53	38	36
August	876	760	53	38	25
September	1,214	1,098	61	24	31
October	1,159	1,059	48	15	37
November	1,137	1,059	30	14	36
December	1,339	1,217	47	28	47
1971 January	1,072	966	51	18	37
February	756	654	59	11	32

TABLE III

... Period	Total	Malays	Indians	Others	Inter-racial
1969 September	184	123	14	2	19
October	212	171	9	-	32
November	98	79	6	-	13
December	180	140	18	3	19
1970 January	139	100	14	-	25
February	221	192	10	2	17
March	184	150	7	1	26
April	105	83	5	-	17
May	235	188	20	1	26
June	192	159	8	-	25
July	191	167	7	-	17
August	317	269	10	1	37
September	162	126	12	2	22
October	221	179	10	3	29
November	31	26	2	-	3
December	274	226	17	-	31
1971 January	125	89	12	1	23
February	294	241	16	-	37

MOSLEM MARRIAGES (contd.)

1. Digest of Statistics, Singapore, Vol. X, No. 5, Section 2, p. 8.

The following table gives a survey of the total figures from 1962 to 1969:-¹

Marriages Registered by Racial Group

Year	Under Women's Charter *					Under Muslims Ordinance				All marriages registered
	Total	Chinese	Indians	Other** races	Inter-racial	Total	Malays ^φ	Other# races	Inter-racial	
1962	4,890	4,229	239	239	183	1,483	1,211	94	178	6,373
1963	5,435	4,769	201	275	190	1,690	1,324	105	261	7,125
1964	6,202	5,476	250	289	187	1,698	1,354	106	238	7,900
1965	7,287	6,429	280	340	238	1,922	1,546	106	270	9,209
1966	8,891	7,939	382	327	243	1,911	1,547	102	262	10,802
1967	10,392	9,323	487	310	272	1,894	1,529	99	266	12,286
1968	10,652	9,598	469	291	294	1,971	1,584	154	233	12,623
1969	11,534	10,286	537	311	400	1,972	1,568	145	259	13,506

TABLE IV

* Marriages registered under the Women's Charter include marriages previously solemnised under religious and customary rites.

** Include Eurasians and Europeans.

^φ Include Indonesians.

Include Arabs, Indians, and Pakistanis.

From a comparison of the above tables we may draw the following conclusions:

(1) The number of registered marriages for all groups is increasing year by year. This no doubt is mainly due to the increase of the number of people of marriageable age resulting from the population explosion of the post-war years.

(2) A comparison with the Malay figures shows that in proportion to population percentages the number of Chinese registered marriages has increased. Almost certainly therefore there are fewer unregistered "marriages" than there were before the Women's Charter. Since 1962 the number of Chinese registered marriages has more than doubled, from 4,229 to 11,784 in 1970, whereas the Malay increase is only from 1,211 in 1962 to 1,865 in 1970.

1. Yearbook of Statistics, Singapore, 1969 (Singapore Chief Statistician Department of Statistics, 1970), Section 2, p. 15.

(3) The number of inter-racial marriages also shows a significant and steady increase. In view of general population figures it is to be expected that more Chinese are involved in inter-racial marriages than people of other racial backgrounds.

Another essential development we should mention here is that to-day among modern Chinese couples the relationship between a man and a woman already comes to be thought of in new and improved terms of mutuality, as for instance mutual compatibility, mutual consideration, mutual responsibility and mutual dignity. In particular sexual experience itself is increasingly viewed as a means of mutual enjoyment rather than just as a duty for procreation.

The older Chinese religious concept that marriage is essentially a covenant made by Heaven, and confirmed sacredly by parents, is more and more giving way to the idea that marriage can be regarded purely as a civil or secular affair, entailing a set of rights and contractual duties, freely entered into by young adults who make their own decisions with or without parental approval.

Taking this further, there are still some other obvious influences of the West. For instance, the ideas of individualism, idealism, rationalism, materialism, self-reliance, utilitarianism, and of freedom — freedom to marry, divorce and remarry, and even of sexual intercourse. These "attractive" things have all powerfully invaded this young republic of Singapore and have created a great upheaval in traditional Chinese society.

In place of the previous "authoritarian" big family, which often contained ten or twelve members in each household, there is now a small, planned, economic, democratically managed family developing at full speed. This "domestic revolution" is bound to liberalise attitudes to marriage in the next generation.

Among the influences making for change in traditional ways and customs, no element is more principal than the popularisation of women's education and their participation in the professions. Under this social tendency, no-one can stop the rapid decrease in male authority and priority, and, on the other hand, no-one can deny the speedy rising of female leadership and position in domestic, social and even political fields. Because of this increase of female power, woman to-day has more freedom and choice to manage her own marital life. She need not just **obey** her parents' and husband's decisions or arrangements. Nowadays she can make up her own mind to perform her own marital, domestic, and social activities according to her own will and interest. In a word, she is now independent!

This great change has undoubtedly shaken violently the foundations of orthodox Chinese marriage. But however people react, they cannot deny that these revolutionary changes in Singapore society have come to stay.

(b) Divorce

Having discussed the transition from traditional to modern social attitudes among the Chinese in Singapore in our treatment of marriage and having dealt with the effects of the social revolution upon education, living standards and attitudes to life, it is only necessary to point out here that all this has also affected attitudes to divorce in modern Singapore Chinese society just as much as it has affected attitudes to marriage.

In discussing divorce in modern Chinese circles in Singapore, it is necessary to recognise that the divorce rate has been speedily rising in many civilised nations of the West, particularly in the United States, and that such an increase in divorce rates is bound to have repercussions in

young countries that are very open to Western influences.

An American sociologist and religious reformer, broadcasting in 1967, made reference to the divorce statistics in the United States of America. Quoting from a national news-magazine, he said that early in 1956 the USA had already 246.2 divorces per 1,000 marriages, and in 1967, 20 per cent of her population was directly involved in the widespread collapse of marriage. Of all these broken marriages, 40 per cent lasted no longer than ten years and 13 per cent survived no more than twenty years before the break came. In a calculation, there have been 400,000 divorces a year in the USA since World War II.¹

Under the influence of social and ethical trends in the West, the contemporary Chinese secular world in Singapore has moved from the more traditional attitude which rejected divorce as we have shown above, to a more modern attitude which accepts legal divorce as a part of the social system. But as with ideas of marriage a good deal of the traditional view still remains and also Singapore tends to adapt new attitudes to local conditions and produce an amalgam of many traditions and influences. Before going further into these questions however it would be as well to reach an understanding of what is meant by "divorce" in the modern world. The Encyclopaedia Britannica defines it thus: "Marriage (as distinguished from concubinage or promiscuous sexual intercourse) is a relationship which envisages a lifelong union of the parties. However, many legal codes provide for the 'dissolution' of this union, for various grounds, during the lifetime of the partners. Such legitimate dissolution is known to our civil law as Divorce."²

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1. Joel E. Nederhood, "The Holy Triangle," denominational broadcast on The Back-to-God Hour (USA, 18th June, 1967) on behalf of the Christian Reformed Church: cf. pp. 3-4.
 2. Encyclopaedia Britannica (William Benton, 1964), Vol. 7, p. 513.

Divorce is the dissolution of a recognised marriage. It differs from annulment, which is a legal abolishment of a marriage by a court declaration that the marriage was void from the beginning. Both custom and law among most contemporary and historical peoples alike have provided for the lawful dissolution of marriage.¹

There are therefore two requirements for a divorce:

- (1) A valid marriage between the two persons from the outset.
- (2) Some factor which has intervened since the marriage, in virtue of which, by process of law, the partners of the marriage are declared exempt from any further matrimonial obligations to one another and from the obligation of refraining from entering into a marriage contract with some other person during the first partner's lifetime.

Nowadays divorce has become not only a possibility but also in certain circumstances the right of every Singapore citizen granted by the civil law in black and white. Relying on such legal power, the younger Chinese generation has recently become much less shy about taking divorce proceedings in the presence of judge, jury and the public in the Supreme Court. They often, moreover, put an announcement in bold type about their divorce in the local newspapers, to inform everyone of their present "freedom".

Precisely because of this decrease in "shyness", cases of divorce are apparently increasing. Divorce is no longer treated as the "great confusion" of the traditional view, but must be defined in the modern sense as a "great revolution". No matter what theoretical conflicts there are to-day, more and more Chinese in Singapore are resorting to divorce without hesitation.

What are the reasons for calling such legal action a "great

1. Cf. Encyclopedia Americana (Americana Corporation, 1964), Vol. 9, p. 206.

revolution"? They are essentially these three:-

(1) A legal divorce can basically resolve a "problem family" and its suffering spouses by an effective solution.

(2) Through such legal "remedy", they can officially release one another from the pain caused by their broken and meaningless wedlock.

(3) Under the right of divorce law, they are permitted to remarry as well as to found a second family. And the children stemming from their second marriage can be counted as legitimately born and can derive a full right of inheritance and governmental care.

We must now take a look at the new legal position in regard to divorce in Singapore.

Before the Women's Charter of 1962 and even for some years after, a divorce by mutual consent in Singapore could be lawfully signed at the Department of Social Welfare, but such a dissolution of marriage was merely one of the possible endings to the disputes brought there for settlement. But now, just as there is only one way of marriage, so there is only one way of divorce: that is, legal proceedings according to the provisions of the law in the Women's Charter.

When we read over Chapter 47, Section 81 of the Charter, we can plainly see many restrictions placed upon petition for divorce during the first three years of marriage. There are altogether four regulations in this Section:-

(1) No petition for divorce shall be presented to the court, unless at the date of the presentation of the petition three years have passed since the date of the marriage:

Provided that the court may, upon application being made in accordance with the rules of court, allow a petition to be presented before three years have passed, on the ground that the case is one of exceptional hardship suffered by the petitioner, or of exceptional depravity on the part of the respondent. But, if it appears to the court at the

hearing of the petition that the petitioner obtained leave to present the petition by any misrepresentation (or concealment) of the nature of the case, the court may, if it pronounces a decree nisi, do so subject to the condition that no application to make the decree absolute, shall be made until after the expiration of three years (from the date of the registration of marriage), or may dismiss the petition without prejudice to any petition which may be brought after the expiration of the said three years upon the same, or substantially the same, facts as those proved in support of the petition so dismissed.

(2) In determining any application under this Section for leave to present a petition before the expiration of three years from the date of the marriage, the court shall have regard to the interests of any children of the marriage, and to the question whether there is reasonable probability of a reconciliation between the parties before the expiration of the said three years.

(3) The court may, before determining an application under this Section, refer the differences between the parties to a Conciliation Officer, so that a reconciliation between the parties might be effected.

(4) Nothing in this Section shall be deemed to prohibit the presentation of a petition based upon matters which have occurred before the expiration of three years from the date of the marriage.

In the next section, No. 82, the grounds for divorce are set out clearly and in detail:-

(1) Any husband may present a petition for divorce to the court praying that his marriage may be dissolved on the "ground" that his wife:

(i) has since the solemnisation thereof been guilty of adultery; or
(ii) has deserted the petitioner without cause for a period of at least three years immediately preceding the presentation of the petition; or
(iii) has since the solemnisation of the marriage treated the petitioner with cruelty; or

(iv) has lived separately from the petitioner for a period of not less than seven years immediately preceding the presentation of the petition,

and is unlikely to be reconciled with him.

(2) Any wife may present a petition for divorce to the court praying that her marriage may be dissolved on the "ground" that her husband:

(i) has since the solemnisation thereof gone through a form of marriage with another woman; or

(ii) has since the solemnisation of the marriage been guilty of adultery; or

(iii) has since the solemnisation of the marriage been guilty of rape, sodomy or bestiality; or

(iv) has deserted the petitioner without cause for a period of at least three years immediately preceding the presentation of the petition; or

(v) has since the solemnisation of the marriage treated the petitioner with cruelty; or

(vi) is incurably of unsound mind, and has been continuously under care and treatment for a period of at least five years immediately preceding the presentation of the petition; or

(vii) has lived separately from the petitioner for a period of not less than seven years immediately preceding the presentation of the petition, and is unlikely to be reconciled with her.

(3) Further, every such petition shall state, as distinctly as the nature of the case permits, the facts on which the claim to have such marriage dissolved is founded.

(4) The court may order that the evidence required to show that a person is receiving care and treatment in a country according to standards which are substantially the same as those obtaining in respect of the care and treatment of patients suffering from mental illness in Singapore, may be given by affidavit on such conditions as the court may think reasonable.

(5) In calculating for the purposes of the subsection (1) or (2) of this Section 82, the period for which the respondent has deserted the petitioner without cause, and in considering whether such desertion has been continuous, no account shall be taken of any one period not exceeding three months during which the parties resumed cohabitation with a view to a reconciliation.¹

Although Singapore grants divorce on the grounds stated above the Social Welfare Department has since colonial days had a very valuable **Marriage** Counselling and Advice Section, whose office incidentally is next door to the Registry of Marriages, which has done a great deal to reconcile estranged couples and avoid marriages breaking down in divorce. The following table, which is set out by Maurice Freedman in his notable book Chinese Family and Marriage in Singapore, shows us that "reconciliation" rather than "redress" was one of the chief activities of the agency:-²

Year	No. of family disputes cases *	No. of divorces signed	No of cases settled amicably
1951	c.200	?	?
1952	c.150	?	?
1953	488	75	94
1954	738	119	200
1955	1031	118	242
1956	1179	143	468

TABLE
V

* Nearly all these involve husband and wife quarrels and are Chinese.

The above table was originally designed in mid-1957. But the express purpose of the Department of Social Welfare is still to negotiate a friendly settlement of disputes whenever this is possible and to draw up divorce papers only as a last resort. A large number of cases reached no conclusion at all, while some were passed to the magistrate's court to be dealt with as suits for maintenance.

1. Women's Charter, Chapter 47, Part IX, Sections 81 and 82, pp. 36, 37, 38 and 39.

2. Op. cit., pp. 182-184.

Nonetheless, in 1955 and 1956, 124 and 79 cases respectively were referred to the courts in the manner we described above. In some cases where the disputants could be got to agree on maintenance, the Department arranged the collection **on** the payment of these amounts. In 1956, we are informed, the sum of S\$12,153.50 was handled in the form of monthly maintenance and compensation.

Later, in 1968, a branch organisation called Social Welfare Counseling and Advice Department (社會福利勸導部) dealt with 3,155 cases of disputes of all types but mostly marital, and S\$100,582 was paid by husbands as maintenance for wives and children through this Department. As we can see, such an amount is pretty considerable.

A Chinese sociologist, Stephen H.K. Yeh, has recently reported on the work of the "Women and Girls Section" (婦女保良局) through his article "Chinese Marriage Patterns in Singapore." This Section is a body of the Social Welfare Department responsible for the cases discussed here. The history of the Section can be traced back to the early days of the "Chinese Protectorate" (華人保護制度) which was inaugurated in 1877. The Section was transferred to the present Social Welfare Department after the Second World War, and since that time its work has steadily increased. Its achievement in settling disputes is the more remarkable in that its work is practically a matter of custom without statutory sanction!

To most of the disputant, of course, it is "Government", just as the law courts are "Government". And the more unsophisticated of them, and therefore the majority, are inclined to regard its deliverances with respect. Most defendants, when summoned to appear by letter, do so, and although the officer conducting the case can only **advise**, and not order, his words are likely to be taken seriously.

We are, nevertheless, inclined to think that some of the prestige enjoyed by this Section stems directly from its still recent association with the Chinese Secretariat, and that as time goes on the lack of legal status will rob the Section of some of its effectiveness. In recent years some indication of this may be seen in the fact that the number of divorces signed did not keep pace with the increase in cases brought.¹

It is certainly true that divorce cases are now becoming more and more common in modern Chinese circles. In view of this we must ask what the main reasons given in these divorce petitions are.

(1) First of all, we should be warned by a widespread phenomenon. Almost all surveys reveal greater proneness to divorce when marriage occurs at too young an age, that is, 15-19 years.

(2) Another factor is the disapproval of the marriage by relatives and friends, and also the differing opinions of husband and wife with reference to their mutual role obligations.

(3) A third reason is that young Chinese women to-day will not put up with husbands' behaviour that was tolerated in previous generations. This point is made by A.F. Wells in his recent work Patterns of Authority in the Families of Malaya and Singapore. Indicating the inner causes of divorce, he goes on to say:-

Nowadays in modern Singapore Chinese society, there is a reflection of changing attitudes towards marriage, and to the husband-wife relationship among those younger Chinese generation, that a larger and larger proportion of young Chinese women are bent on monogamous marriages. Such a woman may feel that the fact of her husband's having taken a second wife is a ground for divorce. It would be so, if she had been married under the Civil or Monogamous Marriage Ordinance.²

(4) Apart from the grounds specified in the Women's Charter, we

1. Malayan Economic Review, No. 9 (1964), pp. 109-112.

2. Singapore University of Malaya Press (1968), pp. 243-244.

should recognise that there are still some "minor" reasons which can also cause a couple to resort to divorce proceedings in the end. When an unhappy couple have decided to go to law, they can. Having all such "evidence" in their hands, they hostilely complain about one another with many sharp and hot disputes. This kind of phenomenon is not astonishing and, in fact, reveals many of the causes of marriage failure. We can illustrate this with examples of typical husband and wife complaints:-

(1) Complaints husbands often make against wives:

She cannot manage the housework or organise the home properly. She cannot handle the family budget. She talks and argues too much. She makes a great fuss about husband's trifles. She cares too much about her dress but neglects the house cleaning.

(2) Complaints wives commonly lodge against husbands:

He ill-treats his wife, such as despising her, scolding her, assaulting her, injuring her, cheating her out of her money, and even treating her daily with iciness. All these are regarded as "cruelty" in legal terms, and this has become already a very common ground for divorce to-day.

After reviewing all these complaints from the parties on either side, we can now understand something of why so many marriages collapse in contemporary Chinese secular society. Nor is it surprising that so many modern couples do not have the moral stamina to carry on when such difficulties arise, now that legal divorce is available at any time and it has become so much easier and more convenient than before for them to obtain it.

In conclusion, divorce itself in the present-day Chinese community in Singapore is not merely an "affirmed law" in theory, but also a "not uncommon occurrence" in practice.

CHAPTER TWO : : :

II

MARRIAGE AND DIVORCE IN THE CHINESE CHRISTIAN CHURCHES OF SINGAPORE

1. Marriage

Before discussing the topic of Chinese Christian marriage, we must first ask: "How many Chinese Christians are there in present-day Singapore?"

From the data given in the Singapore Year-book 1971 we learn that there are at least one hundred thousand (100,000) Chinese Christians in this newly-established Republic. This official number includes all the members of the different denominations of the Protestant and the Roman Catholic Churches. The same source yields the information that there are nearly 200 ministers and 300 church buildings among these various organisations and, related to them as branches, 23 primary schools, 7 secondary schools, 12 clinics, 1 hospital, 4 Christian book rooms, 2 homes for the aged, 1 orphanage, 3 youth centres, 4 Bible colleges and 19 kindergartens.¹ In the light of these numerical data it is evident that this religious community has its own contribution, position and influence among the secular circles to a certain degree.

(a) The three main traditions

The "concept of marriage" among Chinese Christians comes directly from the three main traditions of Christianity in Singapore, which are:

1. Op. cit., pp. 234-235.

- (i) the Roman Catholic Church (羅馬天主教);
- (ii) the Anglican Church (聖公會); and
- (iii) the Reformed Church (改革宗教會).

It is best to discuss their teachings on marriage and divorce separately and in order.

(i) The Roman Catholic Church

The Directory of Singapore Churches, 1819-1969 states that by 1820 the missionary work of the Roman Catholic Church had officially begun in this tiny South East Asian island.¹ Since then, the ministry of this denomination has obviously been fast-growing and wide-spread in Singapore, this church organisation now claiming fifty thousand (50,000) communicants, 114 ministers (priests, deacons, deaconesses and other "religious orders") and 138 church buildings.²

With regard to marriage and divorce the position of the Roman Catholic Church in Singapore, by reason of the hierarchical constitution of the Church, does not differ from the position of the Roman Church in general.

The Catholic Encyclopedia, Vol. XV, shows us the interpretation of Marriage according to the attitude of the Roman Canon Law, thus:-

Roman Canon Law decreed that marriage, contracted "in faith of Christ", became an indissoluble partnership for life. Adultery was no ground for dissolution. A marriage could be annulled only if the conditions for entry into this estate as laid down in Canon Law had not been fulfilled, and this irregularity proved.³

Here are some quotations from the Canon Law:-

- (1) Marriage is a bilateral contract ... by which a man and a woman give and reciprocally receive a perpetual and exclusive right to each other's body for the performance of those actions which, of

1. Directory of Singapore Churches (1819-1969), (The Council of Churches of Malaysia and Singapore / C.C.S./, Stamford College Press Ltd., 1970), p. 5.

2. Singapore Year-book, 1970, pp. 237-238.

3. The Catholic Encyclopedia, ed. Charles G. Herbermann (New York: The Robert Appleton Company, 1958), Vol XV, pp. 30-31.

their very nature, are directed to the procreation of children.

(Can. 1081, Par. 2)

- (2) Marriage is a totally unique contract, by reason of its divine origin in the very law of nature. (Can. 1081, Par. 1)
- (3) Christ the Lord elevated the same matrimonial contract between baptized persons to the dignity of a Sacrament ... No valid marriage contract can exist between baptized persons without being at the same time a Sacrament. (Can. 1012, Par. 1 & 2)
- (4) Marriage is valid if it creates the bond; if it does not, it is null and void or invalid. If contracted with knowledge of an impediment affecting even only one of the contracting parties, a marriage is called Attempted. A valid marriage between baptized persons is called Ratified, before the conjugal act; after the conjugal act, it is called Ratified and Consummated. If coition was not completed or preceded the marriage, juridically speaking, there is no consummation. If cohabitation of the couple is proved, consummation is presumed unless there is evidence to the contrary. (Can. 1015, Par. 2)
- (5) A valid marriage between two unbaptized persons is called Legitimate. An invalid marriage is called Putative, if it was celebrated in good faith at least by one of the parties, until both parties become certain of its nullity. (Can. 1015, Par. 4)
- (6) The marriage strictly concealed or of conscience is that which is celebrated without any announcement and with the obligation of keeping it secret. (Can. 1104-1105)
- (7) Marriage generally enjoys the favour of the law; that is, in doubt, whether of law or of fact, validity is upheld unless the contrary is proved. This principle has only one exception: namely, if the nullity favours the faith. (Can. 1014 and 1127; also see the Pauline Privilege, i.e. I Corinthians 7:12-15) ¹

This outline of Roman Catholic doctrine on marriage can be supplemented by a few authoritative statements from Papal Encyclicals.

(1) On the observance of the "command" for human marriage God proclaimed in Genesis 1:28, Leo XIII, the Pope, shows a brief but clear opinion through his Encyclical Letter Arcanum divinae sapientiae on 10 February, 1880:-

1. Francesco Cardinal Roberti, Dictionary of Moral Theology, first English edn. (London: Burns & Oates, publishers to the Holy See, 1962), pp. 731, 732, 133, 734.

To take away from man the natural and primeval right of marriage, to circumscribe in any way the principal ends of marriage laid down in the beginning by God Himself in the words "Increase and multiply" (Genesis 1:28), is beyond the power of any human law.¹

Considering this saying of almost half a century past, another Pope, Pius XI, responds to it in his Encyclical Letter Casti connubii in 1930, where he says that

... the sacred partnership of true marriage is constituted both by the will of God and the will of man. From God comes the very institution of marriage, the ends for which it was instituted, the laws that govern it, the blessings that flow from it; while man, through generous surrender of his own person made to another for the whole span of life, becomes, with the help and co-operation of God, the author of each particular marriage, with the duties and blessings annexed thereto from divine institution²

(2) Pius XI, concerning the solemnity of Christian marriage, further expresses his viewpoint in the same encyclical:-

... Christian marriage which ... we have called the Sacrament, by which is denoted both the indissolubility of the bond and the raising and hallowing of the contract by Christ Himself, whereby He made it an efficacious sign of grace³

Considering the benefits of such a sacrament, Pius XI believes that "besides the firmness and indissolubility, there are also much higher emoluments, as the word Sacrament itself very aptly indicates;" for

to Christians this is not a meaningless and empty name. Christ the Lord, the Institutor and Perfector of the holy sacraments, by raising the matrimony of His faithful to the dignity of a true sacrament of the New Law, made it a sign and source of that peculiar internal grace by which it perfects natural love, it confirms an indissoluble union, and sanctifies both man and wife. And since the valid matrimonial consent among the faithful was constituted by Christ as a sign of grace, the sacramental nature is so intimately bound up with Christian wedlock that there can be no true marriage between baptized persons without it being by that very fact a sacrament ...⁴

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1. Pope Leo XIII, Encyclical Letter, Arcanum divinae sapientiae, 10 February, 1880, quoted by Pius XI in Casti connubii: see Anne Fremantle, The Papal Encyclicals (New York: A Mentor Book, 3rd printing 1959), p. 236.
 2. Pope Pius XI, Encyclical Letter, Casti connubii, 1930: see Fremantle, op. cit., pp. 236-237.
 3. See ibid., p. 238.
 4. See ibid., pp. 238-239.

In conclusion, the same Pope reveals his attitude in relation to contraception or birth control:-

But no reason, however grave, may be put forward by which anything intrinsically against nature may become conformable to nature and morally good. Since, therefore, the conjugal act is destined primarily by nature for the begetting of children, those who in exercising it deliberately frustrate its natural power and purpose sin against nature and commit a deed which is shameful and intrinsically vicious.¹

(3) From another angle, Pius XI reminds all his Catholic believers of the virtues of indissolubility in this definite expression:-

The many precious benefits which flow from the indissolubility of matrimony will be understood if we consider, even superficially, the welfare of husband and wife, of their children, and of society as a whole.²

(4) Later on, in 1951, Pius XII declares a quite advanced suggestion about the "safe period" method for Christian contraception. Through his address "Marriage and Moral Law" given to Christian specialists in medicine and biology at Vatican City, he tries to be the first Pope who agrees to Christians using birth control by the way of natural sterility (or infertile period in practical terms), but not by taking pills or other contraceptives. He said:-

The further serious problem presents itself to-day whether and how far the obligation of readiness to fulfil the duty of motherhood can be reconciled with the ever increasing recourse to the periods of Natural Sterility (the so-called Agenesical Periods in the woman), a practice which seems to be the clear expression of a will opposed to that readiness.³

And he went on to explain:-

You are rightly expected to be well informed, from the medical point of view, of this well-known theory, and of the progress which can still be foreseen in this matter; and moreover, your advice and help are expected to be based, not on simple, popular publications, but on scientific facts and the authoritative judgement of

1. Casti connubii, in Fremantle, Encyclicals, p. 239.

2. Pope Pius XI, Encyclical Letter, Casti connubii, 3. The Sacrament, 1930 (London: Catholic Truth Society's edition, 1959), p. 20.

3. Pope Pius XII, Marriage and the Moral Law, 1951 (London: Catholic Truth Society, 1960), p. 16.

conscientious specialists in medicine and biology. It is your office, and not that of the priest, to instruct married people, by private consultation or through serious publications, on the medical and biological aspect of the theory, without, however, allowing yourselves to be led into advocating this in a manner which is neither right nor discreet. But in this field, too, your apostolate demands of you as women and as Christians that you know and defend the moral law to which this theory is subordinated. And here the Church is competent to speak¹

Here, Pius XII again reminds us of two alternatives:-

a. The marital right itself.

If, even at the time of the marriage, it was the intention of the man or woman to restrict the marital right itself to the periods of sterility and not merely the use of that right, in such a way that the other partner would not even have the right to demand the act at any other time, that would imply an essential defect in the matrimonial consent. This would invalidate the marriage itself, because the right deriving from the marriage contract is a permanent right, uninterrupted and continuous, of each of the partners in respect of the other.²

b. The use of the marital right.

If, on the other hand, the limitation of the act to the times of natural sterility refers not to the right itself but only to the use of the right, there is then no question of the validity of the marriage. Nevertheless, the moral lawfulness of such conduct would be affirmed or denied according as to whether or not the intention to keep constantly to these periods is based on sufficient and reliable moral grounds. The sole fact that the couple do not offend against the nature of the act and that they are willing to accept and bring up the child that is born notwithstanding the precautions they have taken, would not of itself alone be a sufficient guarantee of a right intention and of the unquestionable morality of the motives themselves.³

By the influence of Pius XII's theory, Chinese Catholics in Singapore to-day also accept the "safe period" method (安全期) as the only way to contraception. They therefore still regard pills and other methods of birth control as unacceptable and even to be condemned, because they believe that these artificial preventions to procreating children are equivalent to murder, and carry the addition guilt of "soul-destruction". So if Christians practice contraception by medical methods outside the

1. Pius XII, Marriage and the Moral Law (Catholic Truth Society), pp. 16-17.

2. Ibid., p. 17.

3. Ibid., pp. 17-18.

approved way of natural sterility, they are without doubt murderers and destroyers of the new life.

(5) What is the right principle of Christian marriage? Pius XII gives his further interpretation in the same article on "Marriage and the Moral Law": plainly, he says, the truth is that marriage, as a natural institution, is not ordered by the will of the Creator towards personal perfection of the husband and wife as its primary end, but to the procreation and education of a new life. In Pius XII's ethical thought, apparently, this principle holds good for all marriages, even if they are unfruitful, just as it can be said that all eyes are intended and constructed to see, even though in abnormal cases (because of particular internal or external conditions), they can never be capable of giving sight.

On the other hand, Pius XII does not neglect the importance of conjugal joy in Christian marital life. The Pope openly holds that conjugal joy in marriage is God's gift to all the married; it is also one of man's marital rights blessed by God Himself, for He is the one who founded marriage.

Pius XII offers another piece of advice here. Every husband and wife ought to know how to keep within the bounds of moderation: just as in eating, sleeping, breathing and drinking they ought not to give themselves over completely to the promptings of their senses, so, similarly, they ought not to subject themselves unrestrainedly to their sensual appetite. Consequently, this is the "rule" to be followed. The use of the natural, generative instinct and function is lawful in the married state only, and in the service of the purposes for which marriage exists. It follows from this that only in the married state and in the observance of these laws are the desires and enjoyment of that pleasure and satisfaction allowed.

1. Marriage and the Moral Law, pp. 22, 23, 26, 27.

(6) About ten years after Pius XII's "Marriage and the Moral Law" address, there was an Ecumenical Synod of the Roman Catholic Church held at Rome (from October 11, 1962 to December 8, 1965) called the Vatican Council II. In "The Documents of Vatican II", an authorised translation of the main findings of the Council, there is some revision of the doctrine of marriage on more democratic lines.

Before the Second Vatican Council, Roman Catholic leaders emphasised that the chief motive and main purpose of human marriage is the procreation of children — that is, to produce posterity from their own blood under their own family name. In the light of this purpose the relationship called conjugal love in marital life becomes not of first importance, but only has a kind of subordinate position. They seldom mentioned the essentiality of such conjugal love in their church's pulpits or ecclesiastical publications.

But now, since the revision of Vatican II, its leaders pay more attention to this "companionship" in Christian marriage, and from the new viewpoint conjugal love is seen as taking priority over the procreation of children. Without a real and pure conjugal love, Christian marriage hardly fulfils the definition of companionship. One of the Vatican II documents, "Pastoral Constitution of the Church in the Modern World," for example, expresses such a revised view in Section 49:-

The biblical Word of God several times urges the betrothed and the married to nourish and develop their wedlock by pure conjugal love and undivided affection. Many men of our own age also highly regard True Love between husband and wife as it manifests itself in a variety of ways depending on the worthy customs of various peoples and times.¹

Based on this foundation, the Council tends to treat such conjugal love as "an eminently human one since it is directed from one person to another

1. "Pastoral Constitution of the Church in the Modern World," The Documents of Vatican II, Vatican Council II, 1962-1963 (London: Geoffrey Chapman Ltd., 1967), p. 252.

through an affection of the will". Hence, the emphasis on this conjugal love "involves a strong personalist tone in this Section of the Constitution, and thus brings once more to the fore a major theme of the entire Documents of Vatican II".¹

Quite true, this love involves the "good" of the whole person and can therefore enrich the expressions of body and mind with a unique dignity, ennobling these expressions as special ingredients and signs of the friendship distinctive of marriage. Such love, indeed, goes further. It merges the human with the divine, leads the spouses to a free and mutual gift of themselves, a gift proving itself by gentle affection even by deed. Also such love pervades the whole of their daily life. By its generous activity, it indeed grows better and grows greater.

When we read over the Marriage section of the Documents carefully, we discover the emphasis the Council makes is that True Love between husband and wife is uniquely expressed and perfected through the marital act. It is undeniable that the actions within Christian marriage by which the couple are united intimately and chastely are noble and even worthy ones. Expressed in a manner which is truly human, these actions signify and promote that mutual self-giving by which spouses enrich each other with a joyful and thankful will. Sealed by mutual faithfulness, and further hallowed above all by Christ's sacrament, this love still remains steadfastly true in body and in mind, whether in bright days or in dark.

A true love "will never be profaned by adultery or divorce. Firmly established by the Lord, the unity of Christian marriage will radiate from the equal personal dignity of wife and husband, a dignity acknowledged by mutual and total love."²

1. "Pastoral Constitution ...", pp. 252-253.

2. Ibid., p. 249.

It is quite obvious that married love is too often profaned by excessive self-love, the worship of pleasure, and illicit practices against human generation. Serious disturbances are also caused in families by modern economic conditions, by influences at once social and psychological, and by the demands of civil society. In ending this section the Pastoral Constitution notes: "Finally, in certain parts of the world problems resulting from population growth are generating concern!"¹

Regarding the solemnity of Christian marriage, the Catholic Church maintains that such marriage must go through the matrimonial ceremony in church conducted by an ordained priest of the Catholic Church for obtaining an evidence of Sanctification. It may not be carried out simply by registration through the Registrar of Marriage, or by swearing an oath raising the right hand in the presence of an official, though both are the authorised representatives of the civil law and also of the State. Why is this? The chief reason is as follows: Matrimony was not instituted or established by men in the very beginning of history, but directly by God Himself — not men, but God (the Creator of nature), and Christ (the Restorer of nature) too, provided marriage with its laws, confirmed it, and even elevated it. And effectually, those laws can in no way be subject to human wills, or to any contrary pact made even by the contracting parties themselves.

"This is a teaching of Sacred Scripture," says the Council, "because it is the constant and universal tradition of the Christian Church. It is also a solemnly defined doctrine of the Christian Church, which uses the words of Holy Scripture to proclaim and establish that the perpetual indissolubility of the marriage bond, its unity and its stability, derive

1. "Pastoral Constitution ...", p. 253.

directly from God Himself."¹ On the basis of this essential idea, they therefore affirm that Christian marriage is sacredly constituted in such a way as to involve a perpetual and indissoluble bond, which consequently cannot be dissolved by human legal power.

(ii) The Anglican Church

The story of the Anglican Church in Singapore, too, is outlined in the Directory of Singapore Churches, 1819-1969. In 1826, Anglican missionary work officially started in this British colony, with the appointment by the East India Company of the Reverend Robert Burns as the first Anglican priest to Singapore. Until then, members of the Church of England were ministered to by chaplains of the Company or by missionaries of other denominations. During those old days, services were conducted in the Mission Chapel of the London Missionary Society which stood at the junction of Bras Basah Road and North Bridge Road in the centre of Singapore.

Later on, in 1834, the foundation stone of the first Anglican church was finally laid on the site of the present building. After about three years, the first church was completed in 1837. But it had only a short and unfortunate history. Twice struck by lightning, it was condemned as "unsafe", and then closed in 1852.

After almost ten years, the present building of St. Andrew's Cathedral was splendidly consecrated in 1862. This Cathedral became the "headquarters" of the Anglican ministry in the island. Even to-day it still is.

About half a century later, in 1909, a new See of Singapore was founded.

In the same year, St. Andrew's Mission was established to evangelise South East Asia. Thenceforward the Anglican ministry became stronger and

1. "Pastoral Constitution ...", p. 254.

wider. Strategically situated in the centre of the metropolis of Singapore, which is itself strategically placed on international communication routes, it was noted that this Cathedral would serve as a "focal point" for Christian life in this South East Asia area.

Recently, in 1966, focusing on local needs, a creative and effective development has successfully taken place. The first Asian clergyman, Bishop Chiu Ban It (周萬一主教) was consecrated as the first Asian bishop for the Diocese of Singapore. It was the first "consecration of a Bishop" to be held in Singapore, even in this rather old Cathedral.¹

The Singapore Year-book, 1970 reports that the Republic had nearly 5,000 Anglican Church members who belonged to 23 churches, chapels and preaching stations. There were 49 clergymen serving as full-time ministers. A footnote of the same Year-book also reports that half these Anglicans belong to the High Church, one quarter to the Broad Church and the rest to the Low Church.²

Since this "old" denomination in Singapore originally came from the West, particularly from Britain, and also because the Singapore Diocese is still directly related to the Archbishop of Canterbury, Singapore Chinese Anglicans today accept the same position as the Church of England on marriage and divorce. So just as the Roman Catholic Church in Singapore follows Canon Law and is influenced by the thinking of the Vatican Council II, so representative Anglican views in England and the position of authoritative bodies such as the Lambeth Conference may be taken as also fairly representative of Singapore Anglicanism. Bishop Chiu and many other leading Anglicans were educated in England and it may truly be

1. Cf. Directory of Singapore Churches, 1819-1969, pp. 6-12.

2. See Singapore Year Book, 1970, pp. 239-240.

said that the Anglican Church is the most English in outlook of all the Singapore churches.

The Anglican viewpoint on marriage and divorce is clearly stated by Canon T.A. Lacey in his book Marriage in Church and State. Speaking of the beginnings of Christian marriage, Canon Lacey writes:-

In reality, the Christian policy was to accept marriage contracted under Roman Law as valid for the purposes of the Church, despite the fact that the law treated marriage as a contract pure and simple, terminable by mutual consent of the parties. And also, in the making of Christian marriages, to conform as far as conscience allowed with existing law and custom. Therefore a Christian wedding was simply a Roman wedding with any tokens of paganism removed, and then a Christian "blessing" added. But, the interpretation put upon the contract thus made was wholly Christian.¹

Regarding the conflict between monogamy and polygamy, Canon Lacey also states the historical position:-

Equally, in conflict with the idea [i.e. monogamous marriage] is the legal institution of polygamy. So widespread, however, is this, that it may seem rash to declare it contrary to nature, and grave opinions can be quoted in favour of its being permissible by natural law ... And by the more dangerous argument that one true God is the Lord of many faithful souls, while for a soul to go after many gods is the fornication of idolatry. This might certainly be pleaded, if pertinent at all, in favour of polygamy among Christians, since the figure of marriage is expressly used to illustrate the relation of the faithful to Christ. But St. Augustine, with many others following him, treats the restriction to monogamy as a later discipline imposed by divine authority on Christians, which modified the law of nature, to suit the changed circumstances of the human race.²

It is quite true, if we compare his idea with the principle of Genesis 1:28, that in the dawn of our human history the paramount need and the overriding demand of the natural law was "to be fruitful and multiply"! But this need which might have been used to justify polygamy in the past can no longer do so in the conditions of the modern world; to defend polygamy today as "natural" is no longer realistic.

Canon Lacey continues with a long discussion of polygamy showing

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1. T.A. Lacey, Marriage in Church and State (London: SPCK, first edn. 1947), p. 95.
 2. Ibid., pp. 10-11, 89.

that it cannot be justified by appeals to the Old Testament or the absence of specific prohibitions against it in the New Testament.

Apart from the completely abnormal cases of the Anabaptists and the Mormons, Lacey further points out, the only serious attempt on the part of anyone claiming the name of Christian to relax this rule of monogamy is found in the allowance of a second wife accorded by Luther and Melancthon to Philip of Hesse. The secrecy with which this was done, and the "shame" of its authors on detection, are the most eloquent assertion of the rule which they violated.

Lacey regards "the practice of polygamy" as due partly to there being too many women, and partly to the "selfish" aggrandisement of powerful men. These causes taken together account for its establishment by law at some times and in some places, but apparently it cannot be general without an enormous disparity of numbers between the two sexes.¹

Secondly, we may take The Lambeth Conference, 1958 as an important source of data on the Anglican viewpoint. Among the many resolutions passed by the Conference on Christian marriage in contemporary society, the following are the most important:-

Resolution 113: The Conference affirms that marriage is a vocation to holiness, through which men and women may share in the love and creative purpose of God. The sins of self-indulgence and sensuality, born of selfishness and a refusal to accept marriage as a divine vocation, destroy its true nature and depth, and the right fullness and balance of the relationship between men and women. Christians need always to remember that sexual love is not an end in itself nor a means to self-gratification, and that self-discipline and restraint are essential conditions of the responsible freedom of marriage and family planning.

Resolution 114: The Conference welcomes, with thankfulness, the increasing care given by the clergy to preparation for marriage both in instructing youth, through Confirmation Classes and other means, and also immediately before marriage. It urges that the importance of this ministry should continue to be emphasised, and

1. Lacey, Marriage in Church and State, pp. 12-14.

that special attention should be given to our Lord's principle of life-long union as the basis of all true marriage.

Resolution 115: The Conference believes that the responsibility for deciding upon the number and frequency of children has been laid by God upon the consciences of parents everywhere: that this planning, in such ways as are mutually acceptable to husband and wife in Christian conscience, is a right and important factor in Christian family life, and should be the result of positive choice before God. Such responsible parenthood, built on obedience to all the duties of marriage, requires a wise stewardship of the resources and abilities of the family as well as a thoughtful consideration of the varying population needs and problems of society and the claims of society and the claims of future generations.¹

Treating "polygamy" as one of the serious problems in human marriage, the Conference declares four notable points through its Resolution 120, thus:-

a. The Conference bears witness to the truth that monogamy is the Divine will, testified by the teaching of Christ Himself, and therefore true for every race of men.

b. It acknowledges that the introduction of monogamy into societies that practise polygamy involves a social and economic revolution and raises problems which the Christian Church has as yet not solved.

c. The Conference urges upon Church members the continuance of thorough study and earnest prayer that God may lead his Church to know the manner of its witness and discipline in this issue.

d. The Conference, recognizing that the problem of polygamy is bound up with the limitation of opportunities for women in society, urges that the Church should make every effort to advance the status of women in every possible way, especially in the sphere of education.²

To the question, "What are the purposes of Christian marriage?", the Conference sums up these as three: responsible parenthood, the companionship of husband and wife, and the development of family life. Discussing the relationship between the purposes, the Committee Report goes on to say:-

It has been common, in Christian theology, to mention the procreative function first, as if to say that it is the ruling purpose. So it is, in the sense that no marriage would be

1. The Anglican Bishops, The Lambeth Conference, 1958 (London: SPCK and Seabury Press, 1958), Part I, pp. 56-57.

2. Ibid., p. 58.

according to God's will which (where procreation is possible) did not bear fruit in children. But it is clearly not true that all other duties and relationships in marriage must be subordinated to the procreative one. Neither the Bible nor human experience supports such a view. Where it has been held, the reason generally lay in a fear of the misuse of the sexual relationship or in a false sense that there is, in any sexual relationship, an intrinsic evil. Neither fear nor a false sense of what is "evil" is a helpful guide for humanity, in this or any other matter ...

Realizing that "responsible parenthood" is both a more complex relationship and a far richer one than merely the reproduction of the species, the same Report then suggests:-

Granted that the institution of the family is inescapably rooted in the biology of procreation and that this must always form part of the moral structure within which the decisions of husband and wife must lie, still the heart of family life — the heart of the marriage which is the corner-stone of the family — is the responsible freedom of the partners who make the marriage to begin with.¹

Thus the Conference in effect accepts Family Planning. For they hold that having a reasonable and effective approach to family planning recognizing all kinds of contraceptive methods, whether natural or "medical", can be helpful and contribute towards successful Christian marriage as well as to social development. Nevertheless, the Anglican Church never denies or forgets that the responsible procreation of children is still a primary obligation in Christian marriage. But the essential questions of how many children, at what intervals and under what conditions they are to be born and brought up, are very real matters on which no general counsel can be strictly given. The choice must be made by parents together, in prayerful consideration of their resources, the society in which they live, and the economic and even physical problems they face.

The Committee of the Conference agreed that

... sterilization when an imperative medical necessity (as in hysterectomy or the treatment of cancer) is justified. All likewise agreed that any government policy of compulsory sterilization as a

1. Lambeth Conference 1958, Part II, pp. 144-145.

means of population control is unacceptable to the Christian conscience, at least in our present state of knowledge and understanding; some indeed felt that such a policy could never be justified ...¹

However, the Committee thinks it right to state that

... sterilization ... has psychological and physiological consequences that are as yet unknown and unmeasured, and represents as well a violation of the human body, a body which is God's gift and trust, and only in a limited sense ours to do with as we wish. All agreed with these considerations, although some members felt that in the present state of our knowledge, we ought not to attempt to judge finally for the future.

The Committee therefore also emphasised that although husbands and wives have a duty to bear children,

... they owe an equal duty to each other, of tender and completing love; and these two duties interpenetrate and lighten each other. Neither one should master the other, for then marriage is distorted and untrue. To keep them both in true balance is never easy, and the use of effective contraceptives, with its persistent invitation to sensuality and selfishness, is an added hazard.²

In all these matters the responsible freedom of the married couple to make their own decisions is emphasised:-

Marriage is a vocation as well as an estate of nature; it is an essay in responsible freedom; and we have no more right to expect it to be without its problems than we might expect good citizenship or personal integrity to be painless. Freedom is the condition of every human virtue and of every grace. Freedom is also the way towards the attainment of all that is excellent and true. And, perplexing though the choices in contemporary marriage are, it must also be said that the new freedom of sexuality in marriage in our time is also, and equally, a gate to a new depth and joy in personal relationships between husband and wife. At a time when so much in our culture tends to depersonalize life, to erode and dissolve the old, clear outlines of human personality, Christians may well give thanks for the chance given us to establish, in marriage, a new level of intimate, loving interdependence between husband and wife and parents and children, freed from some of the old disciplines of fear.³

Ten years later, as recently as 1968, another Lambeth Conference was held. Through its official reports and published papers, the Anglican

1. Lambeth Conference, 1958, Part II, p. 148.

2. Ibid., p. 149.

3. Ibid., pp. 149, 150.

bishops go further in re-emphasising the importance of discipline in marriage. In Resolution 23 particularly, the Conference fully recognises that "polygamy poses one of the sharpest conflicts between the faith and particular cultures. The Church seeks to proclaim the will of God in setting out the clear implications of our Lord's teaching about marriage. Hence it bears witness to monogamous lifelong marriage as God's will for mankind."¹

The present-day Anglican Churches in the world, including all Anglican Churches in Singapore, since Singapore is a qualified member of every Lambeth Conference, therefore take their stand on the belief that monogamous marriage alone bears adequate witness to the "equal sanctity" of all human beings which lies at the heart of the Christian revelation, yet they recognize that in every place many problems concerning marriage confront the Church. It is really urgent that all churches ought to re-examine their discipline in such marital problems in full consultation with contemporary sociologists and statesmen, open-mindedly and sincerely.

(iii) The Reformed Church

The third chief Christian tradition in Singapore is the Reformed. It is chiefly represented by the Presbyterian Church, which has its historical roots in Congregational (L.M.S.) and Presbyterian (English Presbyterian Mission).

The roots of this church go back to the very beginnings of Singapore. In 1814 William Milne, the colleague of Robert Morrison, settled in Malacca as a missionary of the London Missionary Society. In 1819,

1. Lambeth Conference, 1958, Part II, p. 153; also The Lambeth Conference, 1963 (London: SPCK and Seabury Press, 1963), p. 37.

when Raffles founded Singapore, the L.M.S. appointed missionaries there. They began a mission among Malay- and Chinese-speaking Chinese settlers and in 1842, when the mission was transferred to China, one man, William Keasberry, remained as an independent missionary and minister of the church now known as Prinsep Street Presbyterian Church. Meanwhile in 1856 a Presbyterian Church was founded by British business-men, and this is now known as the Orchard Road Presbyterian Church. A third line of advance was started in 1881 with the appointment of J.A.B. Cook of the English Presbyterian Mission to work among the Chinese in Singapore and Malaysia. The present Synod of the Presbyterian Church dates its beginning from Mr. Cook's appointment. The work of the London Missionary Society and the English Presbyterian Mission continued in Fukien and Kwangtung and they were joined in this work by the American Reformed Church. As the Chinese population of Singapore grew mainly by immigration from these parts of China, so the Presbyterian Church in Singapore also grew by the accession of Christians from these areas who settled in Singapore. Thus a Chinese-speaking Church grew up which had close ties with China and indeed was for a time a Synod of the Church of Christ in China. When developing political conditions made this impossible the Church changed its name to the Chinese Christian Church and later, when union with the Orchard Road Presbyterian Church became a possibility, they merged to become the Presbyterian Church in Singapore and Malaysia. The Orchard Road Church and three other congregations in Malaysia joined the Synod in 1971.

There are now 6,000 Presbyterians in Singapore, including the independent and conservative Bible Presbyterian Church which is not actually part of the Synod. There are 37 pastors and preachers, 139 elders and 218 deacons. The Church has 34 church buildings including

missions and kindergartens.¹

The present Moderator of the Presbyterian Church in Singapore and Malaysia is the Rev. Dr. Frank Balchin (慕樂真博士) (1972-73).

The Singapore Year Book, 1970 adds some further details:-

The Presbyterian Church in Singapore and Malaysia was [and still is] related with the Presbyterian Churches in England, Scotland, and Ireland, and now further co-operates with the Reformed Churches in America and Taiwan. In doctrine and order, they all belong to the source of the Reformed Church. This old denomination was originally founded by John Calvin (1509-1564), a great Reformer in France and Switzerland during Europe's Reformation of the 16th century.²

The Presbyterian Church in Singapore, then, has a history going back one hundred and fifty years and today still plays an important role in Singapore Protestantism, although it is a minority. Like the other denominations a good part of its influence comes from upholding the standards of Christian marriage and family life.

But as we have indicated in our historical survey, the Singapore Presbyterian Church has developed from the Reformed tradition in the West and has had particularly close links with the English Presbyterian churches, just as a branch to a tree in relationship. Consequently, local Presbyterians have naturally observed the teaching on marriage in the Reformed Church tradition and incorporated this teaching into their own standards of faith and doctrine. In consideration of this special background, we will therefore begin with the teaching of the Westminster Confession on this subject.

The Westminster Confession has an important historical position in the development of Presbyterianism. This Confession (Longer and Shorter Catechisms) was agreed upon by the Assembly of Divines at Westminster with the assistance of Commissioners from the Church of Scotland as part

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1. Directory of Singapore Churches, 1919-1969, pp. 6-7.
 2. Singapore Year Book, 1971, p. 243 and footnote.

of the Covenanted Uniformity in Religion between the Churches of Christ in Great Britain. It was examined and approved by the General Assembly of the Church of Scotland 1647, and ratified and established by Act of Parliament in 1649. At the time of the founding of the Orchard Road Church in Singapore it was accepted as an important standard of faith, and it was part of the training of the early Presbyterian missionaries in Singapore and South China and through them has influenced the thinking of the older generation of Singapore church leaders. The Confession is set out in the form of a catechism and marriage is dealt with in Chapter XXIV, which sums up the doctrine under the following four points, each being a statement with a series of scriptural proofs:-

a. Marriage is to be between one man and one woman: neither is it lawful for any man to have more than one wife, nor for any woman to have more than one husband, at the same time. (Chap. XXIV, Par. I)

— scriptural proofs are cited from Genesis 2:24, Matthew 19:5-6, and Proverbs 2:17.

b. Marriage was ordained for the mutual help of husband and wife; for the increase of mankind with a legitimate issue, and of the church with an holy seed; and for preventing of uncleanness. (Chap. XXIV, Par. II)

— scriptural proofs are cited from Genesis 2:18 and from I Corinthians 7:2,9.

c. It is lawful for all sorts of people to marry who are able with judgement to give their consent: yet it is the duty of Christians to marry only in the Lord. And therefore such as profess the true reformed religion should not marry with infidels, Papists, or other idolaters: neither should such as are godly be unequally yoked, by marrying with such as are notoriously wicked in their life, or maintain damnable heresies. (Chap. XXIV, Par. III)

— scriptural proofs cited from Hebrews 13:4, I Timothy 4:3, I Corinthians 7:36-39, Genesis 24:57-58, 34:14, Deuteronomy 7:3-4, I Kings 11:4, Nehemiah 13:25-27, Malachi 2:11-12, II Corinthians 6:14.

d. Marriage ought not to be within the degrees of consanguinity or affinity forbidden in the Word; nor can such

incestuous marriages ever be made lawful by any law of man, or consent of parties, so as those persons may live together as man and wife. The man may not marry any of his wife's kindred nearer in blood than he may of his own, nor the woman of her husband's kindred nearer in blood than of her own. (Chap. XXIV, Par. IV)

— scriptural proofs cited from I Corinthians 5:1, Amos 2:7, Mark 6:18, and Leviticus 18:24-28 and 20:19-21.¹

Although the thinking of the Westminster Confession is part of the background of the Presbyterian Church in Singapore, it is not a part of that Church's rules of order. The Church has developed its own Constitution. This Constitution owes a great deal to the traditions of the Minnan and Lingtung Synods of the Church of Christ in China, but these have been adapted to local conditions in Singapore and Malaysia. During discussions with the English-speaking churches related to the Presbyterian Church of England, the Constitution was carefully compared with the standards of that church. It is now printed as an official booklet called "The Constitution of the Presbyterian Church in Singapore and Malaysia" (基督教星馬長老大會法規). This Constitution is now officially affirmed and observed by the local Chinese Presbyterians as their latest discipline. It is not to be expected that the Constitution should deal with marriage and divorce in detail, because it is only intended to lay down the minimum essential requirements and prohibitions for all church members. Marriage is dealt with in Section 62, as follows:-

Regulation a: Church members must observe monogamy.

Regulation b: For the sake of promoting the Christian home, it is desirable that the parties to the marriage should be of the same faith (Christianity).

Regulation c: To emphasize the solemn nature of Christian marriage there must be a service, but if neither party to the

1. The Confession of Faith (The Longer and Shorter Catechisms), agreed upon by the Assembly of Divines at Westminster, approved by the General Assembly of the Church of Scotland (Edinburgh: Johnstone, Hunter & Co., 1872), Chap. XXIV, pp. 83-85.

marriage is a communicant member, the marriage service cannot be in the church. ¹

Connecting with the principle of "monogamy", the same Constitution furthermore declares another regulation prohibiting "concubinage" and "prostitution" in Section 65 later on, particularly in Regulation b:-

It is forbidden to take a concubine or to be a concubine, to take a prostitute or to be a prostitute. If such sins have been committed before believing, and the offender is fully aware of his sin and truly repents, he may be received as a member but may not hold office in the Church, to make a distinction. ²

From this paragraph of the Constitution we can see that Singapore Chinese Presbyterians still feel it necessary to guard against "polygamy" and "fornication" because they are part of the background of secular society. Owing to their conservative ethical background, they judge concubinage and prostitution like adultery and other kinds of sexual sin. In short, they are still called "sin", and therefore they should be as strictly forbidden as other principal sins — e.g. theft and murder — in the Ten Commandments of the Bible (Exodus 20:3-17).

The Reverend Dr. Frank Balchin, the present Moderator of the Presbyterian Church in Singapore and Malaysia, expresses his representative view concerning Christian marriage in the following statement:-

Christian marriage in the Presbyterian Church in Singapore is regulated by the Constitution of the Church (Section 62) and the marriage law of Singapore as set out in the Women's Charter. The couple wishing to marry must attend at the Registry of Marriages, fill in the prescribed forms and make a sworn statement that they are eligible to marry and know of no legal impediment to their marriage. They must also state the Church in which they wish the ceremony to be performed. For the ceremony to be performed in church, the Church concerned usually requires that one at least of the parties should be a church member. Exceptions may be made to

1. The Constitution of the Presbyterian Church in Singapore and Malaysia, as revised by the 124th Meeting of the Synod, April 1968, Section 62, Regulations a, b and c (p. 42).

2. Ibid., Section 65, Regulation b (p. 43).

this rule at the discretion of the minister in charge. Sometimes the legal ceremony is held at the Registry and is followed by a religious service in the Church or, very rarely, in the home. All Presbyterian churches are registered for the performance of marriages. A marriage ceremony that has legal standing can only be performed in a registered building.

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When the parties have made their sworn statement at the Registry and have paid the \$14 fee they will in due course be issued with a form that authorises their marriage at the Church named on a date not less than three weeks or more than three months after the date of issue of the form. This form must be taken to the minister officiating at the wedding or the person appointed to register marriages at the Church concerned. Usually they are the same person but they can be two different people. A minister has to be licensed by the Government for the performance of marriages. This is separate from the registration of the Church. When a Church is registered, a marriage-register for the Church is issued by the Government and all weddings performed in the Church have to be recorded in triplicate. All the certificates must be signed by the person appointed as a deputy-registrar of marriages in charge of the marriage register of that Church. Usually it is the minister of the Church but it can be an Elder. The details on the marriage register correspond to the details on the form issued by the Registry. Of the three copies taken, one is left in the book as a record, one is given to the couple as their marriage certificate and the other must be returned to the Registry of Marriages within three days of the marriage being registered in the Church's register. At the same time the form issued by the Registry must also be returned signed by the minister who has officiated at the wedding. All three certificates must be signed by the bridegroom, the bride and two witnesses. Any adult can be a witness but usually the witnesses are the fathers or other close relatives of the couple. The name of the minister officiating is given and he usually signs but he is not legally required to sign the marriage certificate except as deputy registrar, registering the marriage. The other details on the form are identity card number, full names, age, status, profession, religion, address and name of father of each of the couple; the names and addresses of the witnesses and the name and address of the Church. There are no legally required statements in the order of service because these have already been made at the Registry. There is a form of service approved by Synod but the officiating minister can use his discretion in the use he makes of it. Services in Chinese tend to be slightly more informal than those conducted in English.

.....

There is usually a reception in the Church hall or in a nearby restaurant after the wedding and often a big wedding feast in the evening. It is not uncommon to have three or four hundred guests at these feasts and they cost considerable sums of money. Christians tend to follow the injunction to marry within the Church and consequently there is a high proportion of inter-relatedness among congregations. But as Christianity is still very much a minority religion in Singapore it is not always possible to marry a Christian. Fortunately more non-Christians are introduced to the Church by marrying Christians than there are Christians who lapse from church membership by marrying non-Christians. Also fortunately the number

of break-downs of Christian marriages is very small. The average age of marriages in the Church tends to be a bit higher than in the community as a whole. Most ministers know the couples they marry very well and have two or three interviews with them before the wedding. It is not uncommon to have a religious ceremony in the home or in the church at the time of the engagement and there is a form of service approved by Synod for this purpose. From time to time there are courses on preparation for marriage organised by the Singapore Council of Churches or other bodies.

.....
According to Chinese custom the parents of the bridegroom are responsible for the arrangements for and expenses of the wedding but nowadays both families often share in the expenses of the feast. Also according to Chinese custom the bride is regarded as belonging to her husband's family but the old custom of the bride living in the husband's family home is now breaking down. Young people now wish to set up a home of their own and as a result of successful housing developments by Government and by private developers this is a lot more possible than it used to be, although as elsewhere in the world it costs more. Nowadays far more wives are working than twenty or even ten years ago, and this helps the family budget.

.....
With regard to choice of partners there is an increasing freedom. Generally speaking the views of parents are still respected in spite of the world-wide revolution of youth. But Christian parents now are happy for their children to make their own decisions and rarely act in an autocratic manner. In particular, girls are now rarely forced into marriages that they are not happy about. In the past this sometimes happened because the alternative was to be unable to get married at all which seemed a worse fate still to many Chinese women. There are two other factors that no longer apply. One was that in the past immigrant families sent to their home towns in China for brides for their sons and the other is that many poor immigrants could not afford to get married in their youth. Now with the post-war generation reaching marriageable age, former Chinese conditions and customs are having less and less influence.¹

(b) Ways in which indigenous emphases on marriage support the Christian traditions

As introduced above, the three chief denominations (Roman Catholic, Anglican and Reformed Church) have greatly influenced local Chinese Christianity since its beginning. But in some cases, along with the absorption of these Western doctrinal thoughts, local believers have

1. Opinions expressed by Dr. F.K. Balchin in conversation with the writer on a visit to U.K. in June 1972.

reconstructed their own ethical ideas together with Singaporean customs and features. As a consequence, through mixing the Eastern and Western traditions there has developed a kind of amalgam. We will try to summarise this amalgam in a number of points drawn from local observations in Singapore to show how Western and Eastern traditions meet and are adapted to the local situation.

(i) According to the traditional Chinese view, human marriage should be based on the so-called "Heaven-made Match". Influenced by this traditional belief, older Chinese Christians tend to interpret "Heaven" as their "God" in Christianity. They therefore believe that Christian marriage must also be arranged and joined directly by God Himself, for He established the marriage system for the very first human couple in the Garden of Eden (see Genesis 1 and 2). As a result Christians, the children of God, should be wise in obeying and accepting His unerring and "superior" arrangements for our lifelong partners. In brief, Christians should unreservedly trust such an excellent "God-made" match as providing the "best" companion possible. If marriage is solemn and divine as such, then it is absolutely to be honoured. By such deductions they hold that, when a Christian intentionally dissolves his wedlock whether in the open or in secret, he "sins" against God Himself. Thinking over the gravity and seriousness of God-made wedlock, they strongly emphasise the doctrine that Christian marriage must be a lifelong and inseparable contract.

(ii) Considering the solemnity of such a "God-made match", naturally these traditional Chinese Christians believe that their marriage needs certain formal rites to protect and to strengthen its indissolubility and sacredness. With their sense of the need for "safety" and "perfection", they thoroughly approve of the practice of an ecclesiastical ceremony. This ceremony is then separately required by their churches

as a necessary step in an acceptable marriage. Without such a ceremony, a marriage will be treated by them as "illicit" and "unclean" in some sense.

(iii) From the legal point of view, they would also agree that Christian marriage must be a covenant or contract, as it is in Chinese secular thought. This covenant should always be confirmed before God, approved by the parents or heads of families, and publicly signed by both bridegroom and bride in the presence of the ordained pastor and at the same time of the congregation. It is not sufficient if the Christian marriage be performed legally in the presence of the judge or the Registrar of Marriages. When this covenant, however, is consecrated by the ceremony in church, it shows that such matrimony has been fully solemnised by both the earthly Church and the heavenly Father. Through this sacred ceremony the covenant becomes thenceforth a concrete contract written in the marriage certificate which belongs to the wedded parties. And this covenant between them, like a bridge, not only joins both their bodies together in one but also unites their hearts and spirits. Under such a covenant, both Christians have a complete and holy combination in supernatural unity. Because of its specific bearings, this covenant they believe should be carried on even throughout the whole life of all Christian couples.

(iv) Influenced by that Chinese tradition that is expressed in the saying, "Marriage is the greatest business in human life", traditional Chinese ministers always like to treat marriage as an undertaking in life whose successful accomplishment is most important to every Christian. Although it is not "absolutely necessary" to everyone (for example, celibacy practised for reasons of religious vocation is an obvious exception), yet it is still normally essential and reasonable for all ordinary people who have normal bodies and senses. They believe that a successful

marriage can make us more "complete" and "normal" in Christian life and even in human character and personality. In such Chinese circles, consequently, it can happen that young Christians who fail to marry may find themselves despised or even ridiculed by their kinsmen and friends (quite possibly including even some of their Christian friends) throughout the rest of their lives. Because of this, traditional Chinese ministers begin to be concerned about the marriage of their members while these bachelors and spinsters are still very young, generally as early as sixteen to twenty years of age. Sometimes indeed they go beyond mere concern and offer active encouragement and help to enable them to marry "on time", whether or not the individuals concerned have reached physical or mental maturity. At the same time they may also advise and urge Christian parents to "help" their children to get married as early in adolescence as possible. It is urgent for them to act, because they hold that if a Christian fails to marry, he will be likely to fail in his career and in his life's work.

(v) The contract of marriage must be a contract between only one man and one woman to the exclusion of all others, as long as they both shall live. This, from the conservative Chinese angle, is the necessary minimum condition of a union, which will be capable of realising the full purposes of our human sex, not solely for purposes of procreation but also for "true" and "faithful" conjugal love. So the great majority in such traditional circles hold firmly to the idea that Christian marriage is the only state within which sexual intercourse is permissible and legitimate.

(vi) These traditional Chinese Christian teachings on marriage can be summed up under three headings:

(1) Christian marriage must ideally be a monogamous relationship. For the marriage of one man and one woman is the proper form of human marital

life. Other religions, for instance Mohammedanism and Hinduism, do not take the same ethical view. By their religious custom and even discipline, the open practice of polygamy is permitted to their adherents; this phenomenon is widespread in Singapore and Malaysia particularly. A Moslem (generally he will be a Malay) is permitted to take four "legal" wives under the Muslim's Ordinance, while a Hindu (generally Indian) is allowed to take one primary wife and two "lawful" concubines under his Temple's law. Thus these two world religions neither treat polygamy as a kind of sin, nor respect monogamy as a higher virtue. But in the eyes of traditional Chinese Christians these two sorts of pagans are condemned as adulterous "sinners".

(2) Christian marriage always demands sexual fidelity on the part of both husband and wife. Traditional Chinese pastors emphasise that the sexual relationship between a Christian couple must be of a unique character which cannot be shared with any third person. So it is fairly clear that if either party has another sexual relationship outside marriage, he or she commits the "sin" of adultery. And adultery is strictly forbidden by God Himself (cf. Exodus 20:14), by Christ (Matthew 5:27-32), and also by St. Paul, an apostle and representative of the New Testament Church (Galatians 5:19-21).

(3) The bond of Christian marriage is solemnly indissoluble. It can only be dissolved by death and nothing else. With this moral ideal, Christian marriage is intended to be a permanent union between the husband and the wife — "Till death us do part!" as in the vow made at their wedding ceremony before all the witnesses.

These then are the views of traditional Chinese Christians in Singapore on marriage. But nowadays, fifty per cent of the population is under twenty-one and naturally this applies to the Church too. So there are about 50,000 young Chinese Christians in Singapore and their views

are very different from those of their elders. These younger Chinese Christians are speedily and steadily coming to the fore in the life of the country. They now visibly possess a considerable position and influence in all of our churches. It would ^{be} unreasonable, therefore, to neglect this large group, whether at the present time or in the future.

In discussing the modern development of Singapore Chinese Christendom, then, it must not be forgotten that young Christians are no exception to the whole younger generation of Singaporeans in being much influenced by the secular West. These young Chinese believers, with all their contemporaries, have the chance to be trained in secondary schools, polytechnic colleges and even universities under the "new ordinance" of the Singapore Education Ministry since the coming of independence in 1965. Owing to the support of their government allowances they are required to pay only a very small proportion of the school fees per academic term. Endowed thus with equal opportunity, irrespective of sex, these youngsters are in a position favourable to the acquisition of much new knowledge, current ideas and various philosophies deriving from the West through their school-teachers, lecturers, tutors, professors and sometimes their foreign schoolmates. Besides this, they read and study many recent Western writings in their classrooms and libraries — writings which include all their text-books and reference books and which for the most part owe their authorship to contemporary sociologists and scholars of the West. As a result of everyday study, accordingly, these Christian youngsters' thought is directly or indirectly influenced by many Western ideas, including new points of view about marriage and divorce. The latter issue — divorce in the context of Chinese Christian society in Singapore — will be discussed in the section which follows.

2. Divorce

(a) The three main traditions

(i) The Roman Catholic Church

Roman Catholicism has always rejected divorce, even in the case of the lawful marriage of non-baptised persons, and has always held to the doctrine that a ratified and consummated marriage of baptised persons cannot be dissolved by any human power but only by death (cf. Can. 1118, which follows the definition of the Council of Trent, Sess. XXIV, Can. 7). In practice, however, Catholic teaching does permit the separation of husband and wife even for an indefinite period of time or permanently for reasons established by the Code (see Can. 1128 of 1932). The marriage bond, however, remains unbroken and the separated spouses are not permitted to enter on a new marriage.

There are nonetheless two cases in which a marriage intrinsically indissoluble may under special circumstances be dissolved:-

(1) The lawful marriage of two unbaptised persons can be dissolved by virtue of the Pauline Privilege (i.e. I Corinthians 7:12-15), when one of the parties becomes a Catholic and the other refuses to live without offence to God (see Can. 1120-1127).

(2) The ratified marriage (sacrament) of two baptised persons, which was never consummated: this union can be dissolved either by solemn profession of one of the parties or by a dispensation of the Supreme Pontiff for good and just reasons (see Can. 1119).

A declaration of nullity granted by the legitimate ecclesiastical authority must not be confused with divorce. In actual fact, by such declaration, the ecclesiastical authority does not dissolve any bond of marriage, for this it cannot lawfully do. But it does declare, after

proper investigation and regular process, that the union in question was never a valid union because of the presence of an impediment or a defect of consent or of form. Such declarations of nullity are something entirely different from the granting of divorce. By a divorce the attempt is made to break a valid bond, of its own nature unbreakable, whereas, by a declaration of nullity, the ecclesiastical judge acknowledges that, despite the semblance of marriage, there never existed between A. and B. a true marriage bond.

The Roman Catholic Church has therefore fought long and hard to eliminate divorce, which was imbedded in the marriage concept of the Romans as well as of the barbarians. After the patient efforts of many centuries, the Church, around the year 1000, succeeded in having its doctrine and practice of the indissoluble marital union accepted everywhere.¹

Following up the essential thought of "the indissolubility of Christian marriage" (even all secular marriages originally are indissoluble in principle also), there are several fundamental Catholic interpretations. Among them we can note the following:-

(1) Pope Pius XI in the encyclical letter Casti connubii which he wrote in 1930 radically opposes any form of divorce. He expresses a typical Catholic view of this moral issue:-

The complement and crown of all is the blessing of Christian marriage which we have called Sacrament! It denotes both the Indissolubility of the matrimonial bond, and the Consecration of this contract by Christ, who elevated it to the rank of a sign which is a cause of grace. The indissolubility of the marriage contract is emphatically declared by Christ Himself, when He says: "What God hath joined together, let no man put asunder!" (see Matthew 19:6 and Mark 10:9); and, "Every man that putteth away his wife, and .

1. Francesco Cardinal Roberti, Dictionary of Moral Theology (London: Burns & Oates, publishers to the Holy See, first English edn. 1962), pp. 427 and 428.

marrieth another, committeth adultery. And he that marrieth her that is put away, committeth adultery!" (see Luke 16:18).¹

The same Pope further comments:-

If any Christian makes a separation, his act is null and void, with the consequence which Christ Himself has positively declared: "He that putteth away his wife and marrieth another, committeth adultery; and he that marrieth her that is put away, committeth adultery" (see Luke 16:18). It is apparent that these words of our Christ apply to any marriage whatsoever, even to a legitimate marriage of the "natural order". Thence indissolubility is simply the notable attribute of every true marriage.

So far as the dissolution of the bond is concerned, it is independent of the will of the partners themselves, and of every secular power too!"²

When the Catholic Church seeks to discover the "intrinsic reason" of the divine ordinance, she finds it in the "mystical signification" of Christian wedlock. As she is plainly told by the apostle Paul in Ephesians 5:32, "This is a great mystery, but I speak concerning Christ and the Church!" Christian wedlock signifies the "most perfect union" which subsists between Christ and His holy Church. And this is a union which certainly, as long as Christ lives and the Church lives by Him, can never cease or even be dissolved.

Pius XI remarks accordingly that married Christians must never break their "conjugal life" by any legal action. Because this Sacrament is esteemed so highly in the City of our God, that is, in the Church, when women marry or are married for the purpose of procreating offspring, it is not lawful to leave a wife, even though she be sterile, to marry another who may bear children.

(2) The Roman Catholic view is summarised in a recent edition of the Catholic Encyclopedia as follows: "In Christian marriage, which implies the restoration, by Christ Himself, of marriage to its original indissolubility, there can never be an absolute divorce, at least after

1. Pope Pius XI, Encyclical Letter, Casti connubii: 3. The Sacrament, 1930 (London: Catholic Truth Society, 1959), pp. 17-19.

2. Ibid., pp. 19, 20, 22, 23, 43, 44.

marriage has been consummated."¹ This is the doctrine and practice followed by Roman Catholic churches in Singapore. They regard Christian marriage as indissoluble. Within such a contract, Canon Law lays down that once a Christian marriage is solemnly entered into, a bond is created which cannot be broken. The valid marriages of Christians, consummated by the conjugal act, cannot be dissolved by any human authority like civil law. There is only one thing, death, that can dissolve this lifelong bond.

Thus divorce cannot be contemplated by Christians, or even recognised by the Church. This has accordingly led to the elaboration of rules of nullity, whereby it may be shown in retrospect that through some defect in matters such as age, consent or consanguinity the persons concerned were never properly designated married persons.

(3) In conclusion, the same Encyclopedia lays special emphasis on the following point:-

The biblical tradition, rather than attempting to determine a priori the conditions of human existence, accepts man as he is, and at the same time it calls man to transcend the limitations of sinful humanity. Any way, to accept the impossibility of certain situations is not to succumb to the power of sin, but rather to celebrate the power of the Gospel — to transform the human reality as it really exists, as part of an unending process of the "mysterious realization" of the Kingdom of our God!²

(ii) The Anglican Church

We must now consider the position of the Anglican Church in Singapore on divorce. As with the teaching on marriage, it is in line with the views of the Anglican Church everywhere but applied by the clergy to local conditions as situations arise. In general it is a mediating

1. The Catholic Encyclopedia, ed. Charles G. Herbermann (New York: The Robert Appleton Company, 1958), Vol. V, p. 55.

2. Ibid., pp. 56-57.

point of view. The Church does not officially sanction divorce but accepts it as part of the civil law of the State. Anglican priests therefore may exceptionally allow a divorce for a communicant member. But a divorced person may not be remarried in an Anglican church.

Again in order to show the "mercy" of the Church towards such exceptions in Matthew 5:31-32 they may permit the divorced member to remarry through registration at the Registry of Marriages, as allowed by the civil law. After obtaining a lawful remarriage outside the Church, the couple may attend a service of thanksgiving which amounts to a blessing of the union. Such an action of "blessing" signifies or at least implies that the divorced person as well as being legally remarried has been tacitly "accepted" to a certain degree.

The Anglican Church's position on divorce is set out in a number of resolutions of the Lambeth Conference 1958 and in some later studies and reports:-

(1) The Lambeth Conference 1958 resolutions may be taken as reflecting the ethical discipline of Singapore Chinese Anglicans, for the Bishop of Singapore was also one of the qualified attendants of the Conference representing the See of Singapore:

Resolution 116. The Conference believes that many tensions in Christian marriage and family life are allowed to reach a breaking point, because self-righteousness or a sense of injury takes priority of forgiveness, and that marital relations also break down because those involved do not in time take counsel with a wise advisor. It affirms that no husband or wife has the right to contemplate even legal separation until every opportunity of reconciliation and forgiveness has been exhausted.

Resolution 118. The Conference recognizes that divorce is granted by the secular authority in many lands on grounds which the Church cannot acknowledge, and recognizes also that in certain cases, where a decree of divorce has been sought and may even have been granted, there may in fact have been no marital bond in the eyes of the Church. It therefore commends for further consideration by the Churches and Provinces of the Anglican Communion a procedure for defining marital status, such as already exists in some of its Provinces (for example, Canada Province).¹

1. Lambeth Conference, 1958, Part I, pp. 57, 58; cf. also Canon XXVII in Appended Note 2 of Marriage, Divorce and the Church (London: SPCK, 1971), pp. 158-159 about Canada Province.

(2) There is much valuable and important data about divorce in the report entitled "Putting Asunder", which is the authorised report of a group appointed by the Archbishop of Canterbury in January 1964 to consider a divorce law for contemporary society. In this pamphlet many representative Anglican views are brilliantly concentrated and collected. It is probable that the report is well known to Anglican church leaders in Singapore. First of all the group of bishops express their general attitude:-

The fatal defect of the consensual principle is not that it requires both parties to agree in wanting divorce, that spouses do agree on this not infrequently is a fact that a realistic law needs to take into account, but that it subjects marriage absolutely to the joint will of the parties, so making it in essence a private contract. Since it gives the court, as representing the community, no effectual part in divorce, it virtually repudiates the community's interest in the stability of marriage

In addition to this, if the covenant that initiates marriage is to be revokable by mutual consent, its intention cannot meaningfully be called "lifelong". And provision for divorce can be reconciled with a lifelong intention only, if divorce is subject to an authority that is independent of the will of the parties. We therefore must emphatically reject divorce by mutual consent! For dissolution of marriage ought always to require a "real exercise" of judgement by the court, acting on the community's behalf.¹

The idea of Christian marriage that underlies the doctrine of "breakdown" is described by the same report, thus:-

The true significance of Christian marriage as we see it, is life-long cohabitation in the home for the family. But when the prospect of continuing cohabitation has ceased the true view as to the significance of marriage seems to require that the legal tie should be dissolved. Each empty tie — as empty ties accumulate — adds increasing harm to the community and injury to the ideal of marriage.²

There can be no doubt that this conception commends itself to the consciences of many. For instance, as the same report subsequently states, the language commonly used about marriage and its dissolution testifies

1. See Putting Asunder: A Divorce Law for Contemporary Society, the Report of a group appointed by the Archbishop of Canterbury in 1964 (London: SPCK, 1966), p. 34.

2. Ibid., p. 37.

to this. It is at least as usual to speak of a marriage being "on the rocks", or as having "come to grief", "broken down" or even "failed", as it is to use words referring to offences committed by one party or the other.

The group firmly believe that society shows more understanding of the distribution of responsibility for the ending of a marriage than does the law, with its requirement that one party should be found "guilty". And it is also evident that the group's view of the true significance of marriage is shared by a great many thoughtful and conscientious persons, both in the United Kingdom and in other countries, like Hungary, Australia and New Zealand. They are quite clear that marriage is meant to be for life. But if a particular marriage breaks down beyond repair, so that the common life which they believe to be the substance of the marriage comes unmistakably and irreversibly to an end, they regard the surviving legal bond as "empty" and meaningless.

It is pretty true that when they call for reform of the law, they are not asking for "easy divorce", but that the law should have regard to the empirical state of affairs, and that the court should be empowered to declare defunct de jure what in their view is already defunct de facto. Indeed, it might be said that they have in mind a concept of "superveniient nullity" of marriage.

However when events have supervened upon marriage which have in fact ended the joint life, so that the objects of its formation are frustrated, it is held that the actual tie has ceased to exist, and that the dissolution of the legal tie should follow. This view of the matter is not that which is taken by Christians as such. But the point is that it is not an "unworthy" or "improper" conception for the law of a secular society to uphold.¹

1. Putting Asunder, pp. 37-38.

Apart from this, in accordance with the Church's attitude it would be a positive improvement if the law shed the superficiality arising from concentration on verbal formulas, and came closer to the actualities of the matrimonial relationship. On the principle of breakdown, it would no longer be necessary to give artificial prominence to arbitrarily selected actions, or to posit the fiction that in divorce proceedings one party's interests are necessarily adverse to the interests of the other. Instead the actual state of the marriage relationship would fall to be considered, and if both parties agreed that divorce was the "only solution" of their problems, that would not be a potential bar to their obtaining it. All this, truly, should make it easier for husband and wife to reach agreement, before coming to court, on such vital matters as maintenance and provision for any children of their marriage.

The report goes on to suggest that when a decree came to be made, it would not be made "in favour" of either party. There would still be cases in which the parties could not help regarding the decree as a triumph for one, and defeat for the other, but the notions of winning and losing (like those of innocence and guilt) would no longer be integral to the law. Another point is that a decree would in principle be the legal recognition of an "unhappy failure" in which both parties however unequal their responsibility were together involved, and in the long run this new principle might have the effect of changing the general attitude to divorce very considerably.

Here the same group of bishops turn our attention to an essential aspect. They warn us that the "freedom" of the Church in the exercise of its ministrations should be fully secured in all legislation with regard to divorce, and that in particular the Church should be free (a) to forbid the use of its buildings for any marriage, when one of the

parties has a former partner in marriage still living, and (b) to make its own regulations concerning the admission of such persons to the Sacraments, and other privileges of the Church.

The report recognises that any divorce law is a secular law and that Christians cannot and need not insist that the laws of the State, in regard to marriage (or even in regard to anything else), shall conform exactly to Christian teaching. Not all the subjects of the State are Christian, and the State must legislate for all kinds of subjects. A Christian is none the less bound to use his Christian illumination for ascertaining what is naturally just. Again he is no less bound to ensure peace by endeavouring to bring the law into such a frame that it will not actually conflict with his obligations to the Church.¹

"Christian wedlock is functionally dependent on the family," the appointed group argues —

Despite the enormous relativity of the devices for sexual regulation, children-rearing, and kinship obligations, the nuclear family of biological parents and children is de facto nearly universal. Where polygamy or polygyny occurs, it is most often confined to the rich, and the monogamous family is usually the statistically dominant form.²

Far from declining, the popularity of marriage increases, and the social stability of families is probably growing as the role of the husband (and father) in the life or work of the home steadily increases in all classes.

The bishops hence conclude:-

Divorce statistics can mislead, if the greater life-expectancy of marriage is forgotten, and the fact that ~~that~~ the termination of marriage is now in all classes de jure, and not just a de facto rupture unremarked by law. Alarm about divorce as a social phenomenon seems therefore singularly ill based³

There is in fact no over-all study of these matters, but every relevant social investigation seems to validate further the enormous

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1. Putting Asunder, p. 89.
 2. Ibid., p. 90.
 3. Ibid., p. 163 (Appendix F).

strength and growing solidity of marriage as an institution ramifying into every other sphere of life.

Many of these suggestions and recommendations are relevant to Singapore which is going through a period of social change and where traditional religion almost certainly provides fewer and weaker sanctions than in the past, but where the obligations laid on the individual are tending to grow rather than diminish. And, as the report says, "society", not the positive laws, is its own strongest sanction for the permanence of marriages.¹

What "grounds of petition" for divorce does the group affirm in the report? It refers to **Section 1** of the British Matrimonial Causes Act of 1965. This act allows at least four grounds (adultery, desertion, cruelty, and incurable unsoundness of mind) on which either party may petition for divorce. And it also lists a further three grounds (rape, sodomy, and bestiality) on which a wife may petition for divorce.²

The report subsequently states:-

If the law were refounded on the principle we recommend, this Section 1 would be replaced by a single provision, to the effect that a petition for divorce might be presented by the husband or the wife on the ground that the marriage had broken down irreparably, so that no reasonable probability remained of such reconciliation between the parties as would enable them to cohabit as husband and wife.³

The report also refers to Section 14 of the same Act about the "presumption of death and dissolution of marriage". This Section enables the court, when satisfied that reasonable grounds exist for supposing that a party to a marriage is dead, to make a decree presuming death and dissolving the marriage. The group comments:-

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1. Putting Asunder, pp. 165-166 (Appendix F).
 2. Ibid., p. 115 (Appendix C).
 3. Ibid., pp. 115-116 (Appendix C).

We think that this provision should remain, and that the court should be enabled to entertain petitions pleading grounds for presuming death or breakdown of marriage as alternatives. It might also be an advantage, where certain questions of maintenance, pension, and so forth, are concerned, if either party to a marriage already dissolved could in appropriate circumstances apply to the court to have the death of the other party presumed.¹

(3) The remarriage of divorced persons is a very difficult ethical issue. The Anglican practice of not allowing remarriage in Church is well known but it does not solve the problem of whether there is to be a remarriage at all. This issue is not one that the Church can solve effectively just by certain rules or resolutions. For while upholding the "standard" of lifelong marriage, the ecclesiastical law cannot fruitfully solve the moral problems of individual cases. Just as there are cases where divorce is necessary, there may be cases where remarriage is essential too! So the attitude that says "Remarriage after divorce is always wrong!" will not help here.

The Church cannot face a personal moral issue with an "immovable" or "unique" universal law. But from the other angle, the Church also cannot allow her members "complete" and "boundless" freedom in the field of marriage as well as of divorce. It is vital that the Church should make plain to the possible partners of a second marriage that the reason why they cannot be married in Church is so that the Church may continue the maintenance of lifelong marriage as an ideal.

(iii) The Reformed Church

In speaking about the Reformed tradition on marriage we have referred to the importance of the Westminster Confession and of the Constitution of the Presbyterian Church in Singapore. The same documents set out this Church's views on divorce.

1. Putting Asunder, p. 127 (Appendix C).

Like marriage, divorce is also dealt with in Chapter XXIV of the Westminster Confession, which teaches mainly these two concepts:-

a. Adultery or fornication committed after a contract, being detected before marriage, giveth just occasion to the innocent party to dissolve that contract. In the case of adultery after marriage, it is lawful for the innocent party to sue out a divorce, and, after the divorce, to marry another, as if the offending party were dead.

(Chap. XXIV, Par. V; scriptural proofs cited from Matthew 1:18-20, 5:31-32, 19:9, and Romans 7:2-3)

b. Although the corruption of man be such as is apt to study argument, unduly to put asunder those whom God hath joined together in marriage; yet nothing but adultery, or such wilful desertion as can no way be remedied by the Church or civil magistrate, is cause sufficient of dissolving the bond of marriage: wherein a publick and orderly course of proceeding is to be observed, and the persons concerned in it not left to their own wills and discretion in their own case.¹

(Chap. XXIV, Par. VI; scriptural proofs cited from Matthew 19:6,8, I Corinthians 15, Deuteronomy 24:1-4)

In the Constitution of the Presbyterian Church in Singapore and Malaysia, the problem of divorce is dealt with in Section 62. There are two regulations:-

Regulation d. Those who have been divorced and wish to marry again, cannot be married by the Church except in the case of the innocent party who wishes to remarry; this may be conducted by the minister if the church committee is satisfied that he or she is innocent.

Regulation e. According to the teaching of the Scripture, all who already have a wife or husband and marry again break the law, or who marries someone who already has a wife or husband breaks the law. The church committee must discipline them according to the Regulations.²

This Section 62 does not legislate directly on the question of divorce. It has five regulations: nos. a, b and c deal with marriage, and d and e are as given above. The conclusion is that the Church accepts the civil law of the State on divorce and does not attempt to set out regulations

1. The Confession of Faith (The Larger and Shorter Catechisms) (1872), Chap. XXIV, Pars. V and VI, p. 85.

2. The Constitution of the Presbyterian Church in Singapore and Malaysia (as revised by the 124th Meeting of the Synod, April 1966), Section 62, Regulations d and e, p. 42.

of its own which in any case would not be legally valid. The only matter which comes within the sphere of the Church is the remarriage of divorced persons in church, for which the civil law naturally makes no provision. Regulation d is in fact slightly ambiguous because it could in some cases be argued that a person who is technically or legally "guilty" because of having been sued for divorce is morally the more innocent of the two.

With further reference to the position of the Presbyterian Church in Singapore, the Reverend Dr. Frank Balchin, the Moderator of Synod 1972-73, has offered the following statement:-

Divorce is permissible by law in Singapore, but the Presbyterian Church has not felt it necessary to legislate about it in any way. Christian marriage is regarded as in intention the union of one man and one woman for life and no Presbyterian minister would marry a couple if he had any reason to suppose they were not completely sincere in that intention. But marriages do sometimes break down and a Presbyterian minister is free in most circumstances to marry a divorced person in church if he thinks it right. That is, there is nothing in the Constitution of the Church to prevent him.

In what follows the writer is giving his own opinion at the request of the writer of this thesis and not speaking for the Presbyterian Church in Singapore. Divorce is not an open option but a last resort. A Christian should not contemplate divorce unless all ways of effecting reconciliation and making the marriage work have been sincerely attempted. Legal grounds for divorce do not have to be acted on by the Christian unless there is no other way out. But if the personal relationships of the husband and wife have collapsed without hope of recovery, if there is really no love, friendship or companionship, then the relationship is only a marriage in name and not in fact and it would be a greater evil to continue it than to dissolve it. Divorce is of course more acceptable in marriages where there are no children because the greatest evil of divorce is its effects on the children. If divorce is accepted in special circumstances as the lesser of two evils, then the remarriage of divorced persons should be accepted too. The law distinguishes between "guilty" and "innocent" parties in a divorce and although there are probably some faults in the innocent party as well as virtues in the guilty party, the distinction can usually be accepted as valid. There should be few problems about the remarriage of an innocent party and in fact this is permitted by the Synod's Constitution Section 62. With regard to the guilty party it should be recognized that in other spheres of life a person can make atonement for wrongdoing and can be forgiven. These are not situations that can be decided by laws and rules but the minister who finds himself having to decide whether he can remarry a divorced person must make his decision according to the circumstances and his conscience. If

he feels prohibited by the Church Constitution from remarrying such a person in Church, a religious service can be held immediately after the formal ceremony at the Registry of Marriages.¹

(b) Other indigenous Christian views on divorce

Apart from the position of the main traditions of Christianity in Singapore there are a number of Chinese pastors and preachers in South East Asia who by their books and evangelism have made their views on divorce fairly widely known among the churches. Mostly they take up a very conservative position, but in many Chinese-speaking churches their writings are the only literature available on this subject. The arguments they bring forward are such as the following:-

(1) Many traditional Chinese Christians in Singapore still persist in a belief that the marriage union was originally founded by God Himself (see Genesis 2:20-25). And since this wedlock was instituted and sanctified by God Himself, no man therefore can break it. In a word, marriage should be literally indissoluble!

(2) For those who hold this viewpoint this truth is also confirmed by the prophets in the Old Testament, for they regard these prophets as authorised spokesmen or even representatives of God in every sense. The prophet Malachi, for instance, highly esteems the "indissolubility" of marriage, so he blames those contemporary but "adulterous" countrymen of his thus:-

Because the Lord hath been witness between thee and the wife of thy youth [i.e. primary wife in legal terminology], against whom thou hast dealt treacherously: yet is she thy companion, and the wife of thy covenant. And did not He make one? that He might seek a godly seed. Therefore take heed to your spirit, and let none deal treacherously against the wife of his youth. For the Lord, the God

1. Opinions expressed by Dr. F.K. Balchin in conversation with the writer on a visit to U.K. in June 1972.

of Israel, saith that He hateth putting away: for one covereth violence with his garment, saith the Lord of hosts: therefore, take heed to your spirit, that ye deal not treacherously!

(Malachi 2:13-16)

They very often cite this passage to support their own interpretation. Under the "authority" of such scriptures, they would reply to those who argue against them, "You see! The scripture is perfectly clear in prohibiting any desertion, abandonment, separation, or divorce. Because God Himself hates these sorts of 'actions' as well as other kinds of 'sins'. If you intend to put aside your original partner in despite of such a commandment, then you are totally a sinner under the wrath of God!"

(3) Again, for them, this principle is also consecrated by Christ Himself in the New Testament. He (the Son of the same God, and the same Lord of those prophets in the Old Testament age) proclaims the same command even much more surely to all His contemporary people: "What therefore God hath joined together, let no man put asunder!" (Matthew 19:6 and Mark 10:9). Relying on this divine order as an authority for their argument, they therefore take their stand on the interpretation that all Christians have no reason to desert, abandon, separate from or divorce their primary partners during their lifetime, whether or not adequate grounds are felt to exist.

(4) This general rule is further reiterated by St. Paul who represents the authority of the New Testament Church. His declarations can be easily found in his Epistles, for example Romans 7:1-3, I Corinthians 7:1-51 and 11:3-12, Ephesians 5:22-32, Colossians 3:18-21, I Timothy 3:1-5 and 5:9, Titus 1:6, Hebrews 13:4, and so forth.

The local traditionalists often like to quote these scriptures of the Apostle to justify the rightfulness of their own position. For instance, the Reverend Princeton S. Hsu (徐松石), born 1903, a thoughtful but "very orthodox" minister and writer, cites all these scriptures as a "foundation" of argument in his book Marriage in

Christ (基督裡的婚姻)。 In emphasising the theory of indissolubility, he regards himself as representing the position of all Chinese Christians as he writes:-

The above Epistolary passages of St. Paul all manifest the truth that Christian marriage is very honourable in all. So we must not seek any divorce or separation even though we have adequate grounds. After reading through all these texts, we may not discover any literal expression like "A Christian cannot divorce!", yet St. Paul obviously shows us as a spiritual principle that he teaches lifelong union. He at least has an attitude of disliking such a legal action to end marriages throughout the mood of his Epistles.¹

This type of orthodox interpretation is not only found in Hsu's book, but also can be seen in other conservative Chinese ministers' writings. Two more examples may be given: (i) Reverend Wu Enn Poo (吳恩溥) says in his book Divorce and the Christian (離婚對於基督徒): "If a Christian takes legal divorce, he will certainly lose the superior emblem in his God-made marriage, and become just an "ordinary" man of this secular world!"² And (ii) Reverend Chen Lim Fong (曾霖芳) expresses a very subjective manner of opposing such a legal system in his book A Christian Cannot Divorce! (基督徒不可離婚!), saying: "Divorce is the fruit of Adultery which is altogether hated by our Lord. Why do we Christians still commit it? Stop, and return now to reconciliation with your lifelong partner under Christ's love!"³

All these three conservative Chinese Christian writers unanimously repeat many times in their books the dictum that indissolubility is the essence of every Christian marriage. For they believe such an

1. Princeton S. Hsu, Marriage in Christ (Christian Witness Press, first edn. 1965), p. 109; cf. also pp. 110-135.

2. Wu Enn Poo, Divorce and the Christian (Baptist Press, third edn. 1963) p. 34; cf. also pp. 35-97.

3. Chen Lim Fong, A Christian Cannot Divorce! (Christian Witness Press, second edn. 1964), p. 45 and cf. pp. 87-95.

indissoluble union to be not merely established by God, esteemed by prophets, strengthened by Jesus, solemnised by St. Paul, but also hallowed by all saints and godly believers throughout every generation. They believe that in spite of divorce now being more permissible than in the past Christians should still maintain the traditional attitude and not be led astray by the temptation of legal divorce.

There is however another point of view. A minority of Chinese ministers and laymen in Singapore who have been more influenced by Western culture hold a view which may be regarded as an amalgam of Eastern and Western ideas with a local flavour derived from experience in the Singapore situation. This view may be summed up in **two** points as follows:-

(1) Most of the "advanced" Chinese pastors rather sensibly accept the "exception" of divorce (written in Deuteronomy 24:1-4 as well as in Matthew 5:31-32) to be their pastoral policy. They believe the existence of these two passages to be proof that Moses and Jesus never completely rejected divorce as a wicked thing, and so they claim that like other things in the Bible a limited form of divorce was allowed by the mercy of God because of the weakness of man. It exists until now without any correction or cancellation, and has been accepted by ecclesiastical authority as part of the text of Scripture throughout every generation. So how can the conservative critics so easily judge that it was added by the later scribes? If they have no historical proofs, then the traditional claim that the saying is an addition is merely a guess, a supposition or an imagination, and nothing else. Taking this reflection further, if Matthew 5:31-32 is just "the word of man" added by man, then how can it have been accepted by all orthodox scribes, scholars, canonists, critics and all godly Christians as "the word of God" for almost twenty centuries? In a word, the constant "acceptance" itself is perfectly

clear testimony that Matthew 5:31-32 must be the genuine text of the New Testament. They claim reasonably that this exception never opposes the anti-divorce principle of the whole Bible, but is merely a kind of "way out" granted "for the hardness of men's hearts". If the traditionalists wish to be honoured as "Bible Christians", meaning those who accept the "whole Bible" as the unchangeable standard for faith and morality, how can they reject these two passages of the Bible? Those who have this more advanced outlook also argue that if the traditionalists use their icy hands to shut this merciful door (i.e. the exception of divorce) to Christian couples whose marriages have broken down, then they are more cruel than the standard of cruelty defined by law. Why do they force them to endure affliction, hostility and conflict unwillingly throughout the rest of their "grey" life?

(2) "It is not wrong for a Christian to sue for legal divorce" — in making this proposal, these pastors seek to convince their congregations that Christianity is part of our human culture, and Christians are also part of our human society. With this inseparable relationship, we cannot live apart from the secular world and its civil law. And civil law which includes marriage and divorce law is part of our culture and civilisation too. So while we still live in this world of legal systems, we cannot escape from their influence, power and control. Above all, Christians must be normal and loyal citizens, therefore we should accept all civil law just as St. Paul advises us in I Timothy 2:1-2 and Titus 3:1-2 to be subject to the principalities and powers.

They also urge that Christians must not be inconsistent. If on the one hand they follow the Marriage Law for contracting marriage lawfully in the Registry of Marriages, why can they not also follow the Divorce Law (a part of civil law too) for dissolving, through the Supreme Court, a marriage that has become meaningless? The various

parts of the same law must be treated with impartiality.

The divorce law not only releases a hostile couple from one another, but also permits them to remarry openly, to produce offspring legitimately, and to rebuild family happiness. All these are helpful in increasing the stability and prosperity of society. In the light of these advantages, a divorce system is a reasonable solution to Christian marital breakdown also.

CHAPTER III

III

A CHRISTIAN CRITIQUE OF MARRIAGE AND DIVORCE IN THE CHINESE CHRISTIAN CHURCHES OF SINGAPORE

Having surveyed marriage and divorce in Singapore by outlining the situation in secular society and in the main traditions of Christianity represented there together with various local emphases within the tradition, it now remains to attempt a constructive Christian critique of these positions. Any critique must be written from a particular point of view and the point of view of this writer is that of a young preacher in the Presbyterian Church in Singapore who is convinced of the basic soundness of the Reformed tradition but who after some study of this complicated subject realises that dogmatic pronouncements and inflexible judgements will not help to reconcile opposing views and will not bring the problems of marriage and divorce any nearer to a solution.

1. Marriage

Traditional ethics, particularly on the subject of Christian marriage, are widely and openly discussed and even questioned in present-day Reformed theology. Emil Brunner, for instance, in his great work The Divine Imperative, insists on the need for a "new interpretation" of such ethical issues. This so-called "new interpretation" is a challenge to a legalistic concept of Scripture, and to any theology that is out of sympathy with our human situation.

In his book Brunner lays stress on a few essential ideas often expressed in paradoxical form, as for example his statement that when Christian marriage is based on love, all is lost from the very outset! For Brunner, the Christian faith bases its demand for monogamy on the divine order of creation, i.e. the indication of the will of God the Creator in something which already exists. What is wrong is the severance of the sex element from personal union in fidelity. Marriage is therefore the school of community.¹

Continuing his principle, Brunner further reminds all Christians of another fundamental point. What Jesus said of the "lustful glance" in Matthew 5:28, as the absolute law about adultery, makes every one of us an adulterer. Recognition of universal sinfulness must modify the problem of marriage, morally speaking. Here above all the ways of an evangelical ethic, and of all legalistic systems, must for ever diverge.²

Taking this further, this author suggests two modifications which we ought to learn: (a) the view of marriage as a remedium concupiscentiae — i.e. monogamous union is the optimum between the free functioning of the erotic impulse, with its potentialities destructive of personal life, and the drastic denial of it which is asceticism; (b) the difference between the different orders of the sex relation (legal and irregular marriage, etc.) becomes relative — we are all "below the line", for we are all in a manner of speaking adulterers, some within legitimate marriage and others outside it. But the difference is not therefore unimportant.³

Above all, this Reformed ethic holds that the order of creation (i.e. life-long monogamy) is the Divine Law. But paradoxically, the

1. Emil Brunner, The Divine Imperative (1932; references to English translation, Lutterworth Press, 1937 first edn., and 1958): cf. in particular pp. 341, 344.

2. Ibid., pp. 350-351.

3. Ibid., pp. 352-353.

command of God in a particular case may be to act against this law, and to dissolve a marriage. This possibility does not exist for a legalistic casuistic ethic, for on this view the law is the highest court of appeal. In effect, it does not know that the knowledge of the commandment of love (and this means the knowledge of grace) in a concrete case, within the sinful reality, is able to break through what is required in a general way in the law formulated as a universal rule, for instance, in the order of creation or the idea of marriage.

Further, even in matters of marriage, God is more merciful than the usual theological ethic, and to learn to know this mercy of God aright would be a surer means of defence against libertinism than the legalism which so proudly plumes itself upon its "seriousness" and its "freedom from compromise". It is the curse of "Christian morality" that it always regards the most legalistic view as the "most serious". Thus, the divine command can be known only through the law, but stands always above it!¹

Following on this attitude, the same ethic goes on to express a deeper idea of this moral topic. Marriage springs from love, but its stability is based not on love but on fidelity! Fidelity is the "unique" quality and element which can guarantee the permanency of the marriage relation.

Nevertheless, as Brunner does not neglect to say, legal and social custom is still important, since marriage concerns the community as a whole. But as everyone understands, law and custom can never create a true marriage. Again and again, the State may give the "name" of marriage to a union which in its inner quality is not a real marriage. Apparently, this legal action does not make such marriages any more real. And we also recognise that a true marriage cannot be annulled by the law

1. Ibid., pp. 354-355.

of the State, or by social custom and power.¹ (Brunner strongly defends the "secular" character of marriage against any attempt to regard it as a sacrament.)

Last of all, he sums up by stating that the spiritual and personal sense of being bound causes natural love, which is in itself unstable, to become stable. He strongly repeats a truth: a marriage without love (and this means also without sexual attraction) should never be contracted. If, in spite of this, such a marriage is contracted, it bears within itself the seeds of its dissolution. For the sake of the love of our neighbour, the sole moral thing to do is to dissolve a marriage of this kind. Anyhow, the general definitions of principle will never determine when this is the only right line of action.²

We would like also to mention Karl Barth's comments on Christian marriage from the viewpoint of the Reformed Church. Focusing on the ethical argument, Karl Barth suggests that marriage is not a matter of personal caprice, nor of obligation or necessity, but of vocation to the special life-partnership established between a particular man and a particular woman. And this life partnership becomes for the couple a "task" in which they labour at the work of art of their common being.³

He above all affirms that the love, which is at the basis of marriage, willis total and all-embracing fellowship, and in marriage this complete togetherness is made possible, in so far as it is true marriage. Nevertheless, this does not mean a kind of equation. It is man as man, and woman as woman, that are together in marriage, freeing and being freed by one another.⁴

1. Ibid., pp. 357, 358, 359.

2. Ibid., pp. 360, 361, 362.

3. Karl Barth, Church Dogmatics (1951; reference to English translation, T. & T. Clark, 1961), vol. III, Part 4, pp. 186, 187, 188.

4. Ibid., pp. 189-190.

In the light of the divine command of the freely-electing God, i.e. the God of the Covenant, marriage is seen to be essentially monogamous. While the faithfulness of God gives content to the divine command of the permanence of marriage, the fully exclusive union of a man and a woman for the whole of the time which lies before them is given them in common.¹

Following on from this, Barth asserts that Christian marriage and its obligations are not infinite, but finite, just as life itself is finite. Its duration expires with the death of one of the partners. It may well be the case that a first marriage is of such a kind as to preclude a second for the surviving partner, that he is in fact so bound up with the first partner that, although marriage with the latter is terminated and therefore its exclusive character annulled, he is not free to allow a second partner to step in.

However, the question at least of whether the exclusive partner of yesterday is still this in spite of his or her decease will always be an apposite and even a necessary one in cases of bereavement, though there must be evangelical freedom in the answer given to it.

Karl Barth also maintains a fairly notable interpretation concerning the precepts of the New Testament: the New Testament witnesses speak for the permanence and against the dissolution of marriage, from the standpoint not of a terribly sharpened law but of the revealed Gospel. It would be perverse to see the prohibition of divorce alone among the sayings of the Sermon on the Mount as part of a Christian legal code, rather than as an evangelical offer of freedom.³

"But, even in the very best of cases, a real standing in a marriage

1. Ibid., pp. 197, 198, 203.

2. Ibid., pp. 202, 206.

3. Ibid., pp. 202, 206.

constituted by God can be only a standing in faith!" Karl Barth clarifies his viewpoint as meaning that we cannot sufficiently realise that by no means every human striving, coming and being together of two partners in love and marriage automatically implies and indicates that God has joined them together; and that permanence and indissolubility attach to their union. That God joins any couple together must always remain a matter of faith. Thus Barth maintains that we have no right to expect or to require from every such human couple that under no circumstances can they be separated. For, whatever the appearances, it may be that God has not called a specific couple to marriage, that the divine basis and constitution are lacking from the very outset, that in the judgement of God, and according to His will and command, the two have never become a married couple and lived as such.¹

These views of Brunner and Barth come to grips with the question of what Christian marriage is. We may say that Brunner views marriage as ordained by the God of Creation and so essentially a divine institution, while Barth looks on marriage as a "vocation" standing under the judgement and mercy of the hidden transcendent God whose will is absolute. Both take their stand on faith but Brunner sees the hand of God somewhat more clearly than Barth in marriage as a universal social institution.

If we accept these views of Brunner and Barth we will accept marriage, both what we may call secular marriage and Christian marriage, as an order of creation; but we will take Christian marriage as a special form of marriage, that is as secular marriage transformed, as indeed all life is transformed, by the Christian understanding of God and the experience of salvation.

What then is marriage and what is Christian marriage? The

1. Ibid., pp. 208-209.

Christian understanding of marriage is based on the Christian understanding of sex. Sex is obviously even more basic in life than marriage if only because there is a choice about participation in marriage, but everybody must be either male or female. Marriage from any point of view is a way of dealing with the problem of sexual relationships and procreation. It may do more than that and certainly a Christian marriage does, but at least it does that. The Christian view of life draws its inspiration from Biblical teaching and Christian tradition applied to the social and cultural background of the age and the Christian view of sex is no exception. Thus from the Old Testament we see sex as a normal aspect of human activity and are saved from the false asceticism which regards anything physical as inherently bad. From the teaching of Jesus we see that although he was outstandingly kind and merciful to those guilty of sexual offences he set before men the absolute standard of sexual purity that the transcendent perfection of God required. From the teachings of Paul we see that exhortations and warnings were required in the early Christian churches, particularly for those Christians who had been brought up in paganism, in order to maintain the standards of sexual morality that the early apostolic church had taken over from Judaism and refined through their understanding of the Gospel. In the early centuries and even up to today the Church, probably fearing the excesses of libertinism, has tended to be too ascetic, strict and repressive in its attitude to sex. The greater freedom in matters of sex as well as in many other aspects of life that has come from social developments in recent decades is therefore not entirely unacceptable and is indeed a rediscovery of some Christian values neglected in the past, particularly the value of Christian love as the guide of life.

This brief outline of a Christian view of sex gives a basis for developing a Christian view of marriage. Brunner provides a useful

starting-point with his conviction that God is the God of Creation and Redemption. God has ordered the world so that we come into it as men and women, we have to work for food, clothing and shelter and we have to organise society in an orderly manner to make a common life possible. So marriage is an order of creation because every child born can only be born by having one mother and one father, and can only be brought up if they stay together and make a home. Even though it can be said that other people can adopt the child or the State can bring up all babies, as Plato suggested, this is a strong argument. It may not logically rule out polygamy or polyandry as possible forms of marriage, but it certainly points to monogamy as the form most in line with the intention of God the Creator.

Brunner recognises that the orders of creation have been marred by human sinfulness, so that while it is humanly possible to achieve life-long monogamous marriage and indeed, in spite of increases in the number of divorces, the majority of marriages are still of this nature, yet a perfect marriage does not exist if the highest standards of the New Testament are applied. This is the point of Barth's saying that it is only by faith that any couple can believe that their marriage is ordained by God. But God is the God of redemption as well as creation and He forgives our failure to make marriage what it ought to be. Here as elsewhere the Christian must live by God's forgiveness. A Christian couple's acknowledgement of failure and re-affirmation of faith in God's intention for their marriage is the way to overcome failure and to make the perfecting of their marriage the sort of impossible possibility that Reinhold Niebuhr has applied to all moral questions.

So the Christian view of marriage must be the union of one man and one woman in complete fellowship and equality, without regard to changes in their social or financial or other circumstances and their sincere

intention when they marry must be that it is to be a life-long union. That this is not asking the impossible is shown by the fact that it is the common law of many countries including Singapore.

Christian marriage is the transformation of secular marriage in the light of the revelation and redemption in the Gospel. Therefore a true Christian marriage is only possible between Christians because it presupposes the Christian faith. It is not a different kind of marriage but ordinary marriage transformed and lifted to new levels of possibility through the aid and inspiration of the Holy Spirit. In particular Christianity transforms the meaning and power of love in life. As Berdyaev says, "Love is the ontological basis of the marriage union."¹

D.S. Bailey points out that there are three kinds of love in a complete love-relationship and they are all essential ingredients of a Christian marriage.² Since English only has the one word "love", these kinds of love are more clearly expressed in the Greek. There is the love of desire and passion represented by the word eros; there is the love of friendship and common interests and ideals represented by the word philia; and most of all, there is the unselfish sacrificing love and constant concern for the other represented by the Biblical word agape. When Brunner says that a marriage based on love alone will fail, he is thinking only of eros and forgetting that love in Christian marriage is more broad and deep than this.

Dr. Roland Bainton, in a short but extremely valuable survey of the Christian tradition,³ describes three views of Christian marriage that have been very influential in Christianity through the ages. The first is the sacramental view which held sway until the Middle Ages. This is

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1. N. Berdyaev, The Destiny of Man (London, second edn. 1945), p. 239.
 2. D.S. Bailey, The Mystery of Love and Marriage (New York, 1952), pp. 25 ff.
 3. Roland H. Bainton, Sex, Love and Marriage (Fontana Books, 1958).

still the Roman Catholic view and it is found in Protestantism wherever emphasis is laid on the aspect of marriage viewed as a divine ordinance. In brief, it is the view that marriage is a sacrament. In the later Middle Ages and through the Renaissance the romantic view of marriage predominated. This reflected the views of chivalry. It regarded romantic love, known in Chinese as lien-ai (戀愛) as supreme. The idea of "falling in love" was idealised and even sentimentalised. In the West this was taken up into the view of marriage and became the inspiration for many poems and novels; in the Chinese tradition, however, marriage and romantic love remained two distinct things, and the theme of many Chinese novels is of young people dutifully accepting an unwelcome marriage whilst romantically attached to another with whom marriage is impossible for social or other reasons. The third view is marriage as a partnership. The partners in marriage are companions for life. Dr. Bainton associates this view with the Reformers and in particular with the Calvinistic English Puritans. In summing up, he says, "Each of the three concepts has its validity. The sacramental view makes for stability, the romantic and the companionable for refinement. They can be combined in a union which commences alike in mutual love and loyalty to God and continues in life-long fidelity and common labour in the work of the Lord."¹

Is Christian marriage then a sacrament? The answer must be both yes and no. If we accept the views of the Reformers that sacraments are acts directly linked with salvation in the Church and instituted or approved by Jesus Christ, then marriage cannot be a sacrament of the Church. Only baptism and communion representing entry into the Church and continuing in the fellowship of the Church fulfil the requirements

1. Bainton, Sex, Love and Marriage, p. 113.

of a sacrament. As Calvin pointed out, marriage acquired the status of a sacrament through a mistranslation of Ephesians 5:32 where mysterion was translated by sacramentum in the Vulgate.¹

But on the other hand there is undoubtedly a sacramental aspect to Christian marriage. Civil marriage may be regarded as a legal contract between a man and a woman as part of the arrangements for justice in society. More cannot be demanded of those who make no religious professions. But Christian marriage is the making of solemn vows and promises before God and in the presence of the congregation. There is an obvious analogy with the promises of baptism and often the ceremony is followed by a celebration of communion. Also the ideal relationship in marriage according to the teaching of Ephesians is patterned on the relation of Christ to the Church. Christians also acknowledge that they stand in need of the grace of God to preserve the stability and purity of their marriage.

Emphasis on the sacramental nature of marriage should not however lead to the idea that the religious ceremony has any magical power about it. This is really a pagan idea, but some simple Christians who come from a non-Christian background very easily carry over these ideas that there is a magical power about what is sacred into Christianity. In the Chinese Church it is often necessary to secularise religious concepts in order to avoid superstitious accretions. That is why many Chinese ministers like to make the wedding ceremony as simple as possible so as to emphasise the difference from customary Chinese wedding ceremonies. The Reformers' emphasis on companionship in marriage fits in well with this approach. It encourages the couple to build a Christian life together. We can in fact say that marriage is not so much an end in

1. John Calvin, Institutes, IV, ch. viii, 24-27.

itself as a means to the fulfilment of life and the full development of personality through the family. In other words marriage was made for man and not man for marriage.

Marriage does not take place in a vacuum but in a social context and in a cultural environment. So in our Christian critique of marriage we must seek to apply our conclusions to the culture and circumstances of Singapore. Singapore is an independent developing nation of over two million people. **Most** are of Chinese descent but there are considerable minorities of Malays and Indians, and some others of mixed or European ancestry. Consequently the society of Singapore is not only multi-racial but also multi-lingual and multi-religious. The dominant influence in the Singapore way of life is the modern, democratic, developing urban-industrial culture of the West. This puts a tremendous strain on traditional patterns of marriage. The Government has responded to the challenge by promulgating an enlightened monogamous marriage-law which is binding on everybody except the Malay Islamic community, which has its own law and its own courts. Apart from the Registrar of Marriages and in the Registry Office marriages may be solemnised by persons licensed to do so in buildings registered for this purpose. Thus Christian churches and Buddhist and Indian temples can be registered for marriages and Christian ministers and even laymen, and Buddhist and Hindu priests, can be licensed to perform marriages. The ceremony can be conducted in any language but the marriage certificate must be written in English.

A Christian wedding in Singapore is thus basically the same as a wedding in England or America but a good deal of Chinese or, in some cases, Indian family background and customs are associated with it. Thus, a marriage is much more an association of two families than it is in the West and a bride is more under the control of her husband's family.

In most marriages too there is a bigger element of "arrangement" than in the West. Parents look for a suitable partner for their son or daughter and seek the assistance of **friends** in introducing someone likely to be suitable. Engagements are arranged and the association ripens into love afterwards. It can be said that these marriages are at least as stable as the whirlwind courtship marriages that often take place in Western culture. The Christian minister in Singapore must therefore seek to understand the culture he is living in as he applies the Christian teaching on marriage to life. Whilst proclaiming the Christian standards of monogamy and equality in the marriage relationship he will meet with all sorts of customs and life-styles that cannot easily be classified as good or bad and all sorts of problems to which no clear answer can be given. Some things he may wish to change, but it will need tact and skill to show clearly where they conflict with the Christian view. Some things he will realise will change or pass away by themselves because Singapore is a rapidly changing society. There are probably few other places in the world where cultural traditions are in such ferment. Some things that are passing away he may wish to preserve. There is however one group of problems he will meet very often. These are the problems of differences between the couple wishing to get married. Differences of language are very common. In the past people tended to keep within their own language group but now there is a great deal of mixing and although the older generation may disapprove, the younger generation can soon overcome these problems. In the same way differences of Chinese group are no longer a problem; in the past it was somewhat rare for a Hokkien to marry a Cantonese, or a Hakka, or some from Foochow, but now it is only the older generation that takes much notice of this and certainly there can be no great objection on Christian grounds.

Inter-racial marriages are a more difficult matter. They are still

not very common but are increasing in number. When both parties are Christians, grounds for disapproval, if raised, would have to be based on particular problems in specific cases rather than on any Christian principles. But marriages of Christians and non-Christians are a very sensitive issue in the church, even marriages between Protestants and Catholics. Certainly experience in Singapore and Malaysia has shown that it is better for Christians to marry Christians but since Christians are a small minority of the population and since different religious groups now mix more freely in society, which surely is a good thing, this is not always attainable. It is even more important that a person should not be pressurised into marrying against their will, whether it is a Christian or a non-Christian who is involved. When a suitable partner cannot be found in the church or when a man or woman has developed a relationship with a non-Christian that is likely to lead to marriage then the question of the non-Christian becoming a Christian should be raised. If the non-Christian is not willing then the Christian must ask for freedom to continue the practice of Christianity after marriage. Because of the stronger influence of the husband's family in Singapore society this is generally easier when a Christian man marries a non-Christian woman, but there have been cases where a Christian woman has converted her husband and sometimes even his family as well. Obviously everything depends on the character of the parties concerned in a mixed marriage of this nature and on the depth and strength of their relationship.

Marriages in the Christian church in Singapore and Malaysia have generally been highly successful if we can go by the very small number of desertions, extra-marital liaisons and divorces and the high proportion of couples who have celebrated silver, golden or even diamond weddings. This is partly due to the tradition of stability in Chinese family life,

but it also owes something to the influence of Christianity in the whole sphere of love, marriage and the family.

One final question is whether everyone ought to marry. In Chinese tradition the greatest sin against filial piety was not to have a son to carry on the family line, and this was undoubtedly a big factor in making it a moral fault not to marry where marriage was possible. It also meant that there was really no place in Chinese society for the celibate unless he or she became a monk or a nun. This tradition is also partly responsible for the system of concubinage. One result of Western influence and to a considerable extent of Christian influence is that the unmarried woman who has a career is now socially acceptable and respected in Singapore society. There are obvious social advantages in encouraging people to marry and settle down, but from the Christian point of view the decisive argument against attaching a moral stigma to failure to marry is that since marriage is such an intimate life-long personal relationship it must be entered into only by free choice and without any compulsion whatever. Christianity also has a place for special callings that may require celibacy for their fulfilment. It is probable however that most people who do not get married have not made a vow of celibacy, but for physical, psychological or social reasons, or by sheer chance or unfortunate circumstances, have not found a suitable partner. Marriage is therefore the normal way of life for men and women but there should be no social disapproval for the unmarried. Rather the Church should be especially solicitous for them as often they are people particularly in need of fellowship. The same applies to widows and traditionally from the earliest days this has been one of the important concerns of the Church. On the other hand there is no reason why virginity or celibacy should be regarded as more virtuous than marriage. This view is derived from a false asceticism that regards sexual intercourse as inherently sinful.

To sum up, then, we regard marriage as the living together of a man and a woman by mutual agreement, entered into at a public ceremony, legitimized by the State, in a form of contract requiring witnesses, which is binding for life. Christian marriage is this same marriage, entered into by Christians at a ceremony in church or, exceptionally, in the home, implying a life lived together in Christian love and dependent on the grace and mercy of God. It is not a sacrament in the theological sense, but it should be regarded as sacramental. Its purpose is not solely or even primarily the procreation of children but rather to be a means to the full development of two personalities in mutual love and companionship. The other traditional purpose of marriage as "a remedy for sin" which is a very negative view, although based on a realistic estimate of fallen human nature, should be subordinated to the positive view that the highest sexual fulfilment is found in marriage. Marriage is thus the normal way of life but cannot be regarded as absolutely essential to the good life.

2. Divorce

The view of marriage stated above, with emphasis on the lifelong nature of the union, would seem logically to leave no room for divorce in any circumstances. This is the Roman Catholic view. The Biblical basis of this attitude is the word of Jesus in Mark 10:1-12 and the parallel in Matthew 19:1-9, and in Luke 16:18 with the parallel in Matthew 5:31-32, in the context of the Sermon on the Mount.

In Mark and Luke the prohibition of divorce is absolute but in Matthew there is the addition of "for any cause other than unchastity", and on this basis the law of many countries has accepted adultery as grounds for divorce from the time of the Reformation. But many scholars

now regard this Matthean exception as an interpolation by the Early Church. This is the view of Brunner, who in any case opposes the use of Scripture to establish any legal view whether to allow for divorce or to prevent it, and who warns that the difficulty of finding definite reasons for divorce is precisely the ethically dangerous point:-

Neither adultery in the crude meaning of the word, nor impotence, nor sterility, nor a serious defect or crime constitutes in itself an ethical "reason for divorce". A human being of strong faith can, under some circumstances, inwardly rise above all this, and can maintain the marriage in spite of all these extra-ordinary burdens. On the other hand, for people of a certain delicacy of feeling some less crudely disturbing elements constitute a far more intolerable burden. The moral presuppositions of divorce, in contradistinction to the legal presuppositions, can be codified in no law.

Here above all the judgement of the Christian believers must shake off all the trammels of civil law; above all it must free itself from the view that the maintenance of marriage under all circumstances is what God requires, and that divorce is forbidden by Him, so that divorce can only be considered at all as a concession to weakness, and as a specially clear indication that we are an "adulterous generation". But cases are possible where not to divorce might be a sign of greater weakness, and might be a still greater offence against the divine order.¹

What is the chief emphasis of a Christian ethic? Brunner retains a possibility that it will be on the indissoluble character of marriage; but he also notices that

... the legalistic misuse of the idea of marriage by Christian ethics, custom, and ecclesiastical practice makes it necessary today to call attention to the other side of the question, to the moral right of the exceptional case which indeed is not a rare exception. But it is the height of blindness and inhumanity when the Christian Church urges that the indissolubility of marriage should be made a civil legal statute....

It cannot, however, be said that the Church is right when she supports the view that divorce should be made as difficult as possible. For in such cases, Brunner goes on to explain:-

We are not dealing with marriage in the Christian sense of the word at all, but with the question whether it is or is not possible to force people to live a nominal married life. When two people propose divorce, to all intents and purposes, in the ethical sense,

1. Brunner, The Divine Imperative, p. 362.

the marriage is already dissolved: whether the action of the State in refusing to grant a divorce has any ethical value is a question which cannot be answered directly by "Yes" or "No". The value of a "strict" marriage law, however, is all the more questionable as it leads to untruthfulness or even to the deliberate commission of those acts which are recognized as reasons for divorce. The worth of a law is to be measured not by its "strictness" in the abstract sense, but by the wisdom with which the legislation is adjusted to reality, in order to attain a maximum of social health and decency.¹

Karl Barth also refers to divorce in his massive Church Dogmatics. In Barth's sight, it is the fidelity in which God as Creator co-exists with the whole world, and the guarantee of permanence thereby assured to His creation, that gives the basis for Christian marriage to be a lasting life-partnership. And the permanence of marriage is the content of the divine command. Where this divine fidelity and the resultant stability of its creaturely partner is manifest and recognised, we can appreciate the majestic decision in regard to marriage recorded in Mark 10:9 and Matthew 19:6, saying: "What therefore God hath joined together, let no man put asunder!"

The idea of a trial marriage or provisional association, and therefore the whole idea of a temporary marriage, can never do justice to this inherent feature of every such relationship. If we take such ideas seriously, and if we work out all their implications, we shall certainly come up against the fact that against them there stands as the essential truth the idea of permanent fellowship.

Yet Barth goes on at once to clarify the matter authoritatively:-

This is not a general decision for its necessary dissolution. The saying of Jesus cannot be reversed: "What God hath joined together, let man put asunder!" It merely implies, but does not actually say, that man can, and perhaps in certain situations must, dissolve it, because without the divine foundation which alone could make it indissoluble it lacks genuine and essential permanence, because it is not in the judgement of God a tenable marriage. Even as an insight of faith, for faith must always cling primarily to God's promise and "YES", this decision can emerge only

1. Brunner, The Divine Imperative, p. 363.

as a highly extraordinary decision, as an ultima ratio. It can arise only as an extreme case.¹

If we accept this interpretation, we must not deny that it can ever arise at all. Even this negative decision, the acceptance of a condemnation of a marriage recognised to be final, can be possible and necessary in the freedom and therefore in the obedience of faith.

Karl Barth thus expresses objectively that

... the legal dissolution of marriage is the extreme practical consequence of a marriage which has not been made by God, and is not undertaken and lived out in obedience to the divine command. ... The New Testament saying against divorce is Gospel and therefore an offer of freedom and not part of a Christian law. ... The recognition that a certain marriage has no divine basis and constitution may well have as its final implication a decision formally to dissolve it. Legal divorce is no part of the divine command concerning marriage; for this proclaims and requires its indissolubility. It belongs only to the institution of marriage. The human institution takes into account the possibility of marriages which have no divine foundation and constitution, which are not contracted and lived out in obedience to God's command, and which can therefore be dissolved. The institution of marriage reckons with the old hardness of heart. ... But the possibility of divorce, which on these grounds is an essential part of the institution, coincides with the insight which can force itself upon even a believer that his marriage is condemned by God.²

At the same time, he affirms that the attitude of the Christian community in regard to the possibility of the legal dissolution of a marriage cannot be a purely negative one:-

It will not presume to assert that man can never legitimately go the way of divorce. In any case, it will not regard the divorced as polluted, or even scandalously (in the worst sense of the word) refuse them the Church's benediction in the cases of a second marriage. The human aspect of the calling and gift of God, which is the true basis of marriage, is the mutual recognition, choice, and love of a man and a woman.³

In the eyes of this great theologian, the equation of marriage with the wedding ceremony is a dreadful and deep-rooted error. He subsequently

1. Karl Barth, Church Dogmatics (1951; references to English translation, T. & T. Clark, 1961), Vol. III, Part 4, p. 211; cf. also pp. 204, 206.

2. Ibid., pp. 211-212.

3. Ibid., p. 213 ff.

explains the matter:-

Two people can be formally married and yet fail to live a life which can seriously be regarded as married life. And it may happen that two people are not married and yet in their precarious way live under the law of marriage. A wedding is only the regulative confirmation and legitimation of a marriage before and by society. It does not constitute marriage! Yet the act of marriage is necessarily public, and has a domestic, a legal and an ecclesiastical aspect. But a Church wedding is not unconditionally demanded. The so-called Marriage Altar is a free invention of the flowery speech of modern religion. In its present-day form and constitution, it is no less questionable, both from the Christian and the general standpoint, than other occasional offices, such as confirmation and burial.¹

"Who keeps the command of God?" Answering this complex and theoretical question, Karl Barth shows us two principal probabilities: (a) he who acknowledges its validity, not weakening or modifying it in favour of his own self-will; and (b) he who allows it to be said of himself that in any event he is at fault in relation to it, that he is its transgressor and an adulterer in the strict Biblical sense of the term.

What we must accordingly agree is, a man is free and righteous when he permits himself to be raised up and directed by the wonderful judgement of Grace.² Hence Barth deduces:-

If there is no perfect marriage, there are marriages which for all their imperfection can be and are maintained and carried through, and in the last resort not without promise and joyfulness, arising with a certain necessity, and fragmentarily, at least, undertaken in all sincerity as a work of free life-fellowship. There is also loyalty even in the midst of disloyalty and constancy amid open inconstancy. And, let it not be forgotten, there is genuine, strong and whole-hearted love even in relationships which cannot flower in regular marriage, but which in all their fragmentariness are not mere sin and shame, and do not wholly lack the character of marriage. There is here no one who is not struck by the divine judgement, but also there is no one who is not reached by the divine mercy and in his own way held and comforted. Thus even where man does not keep the command, the command keeps man!³

So we see how Karl Barth concurs, generally speaking, with the view of Emil Brunner when he says that it would be perverse to see the

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1. Barth, Church Dogmatics, Vol. III, Part 4, pp. 225-8, and cf. 214-224.
 2. Ibid., pp. 231-236.
 3. Ibid., pp. 239-240.

prohibition of divorce alone among the sayings of the Sermon on the Mount (Matthew 5:31-32) as part of a Christian legal code, rather than as an evangelical offer of freedom.¹

Following up the foregoing ideas, we conclude that Karl Barth and Emil Brunner in considering the problem of divorce both fundamentally agree that a wedding-ceremony is only the regulative confirmation and legitimation of a marriage by our society. They also both believe the wedding-ceremony as such does not constitute a "real" marriage, although the act of marriage is required to be performed in public, and has a domestic, a legal, and even an ecclesiastical aspect.²

On the whole, we think, Barth and Brunner are actually confronted by an aspect of the problem which both Roman Catholic and Protestant ethics of marriage and divorce have often treated for the most part with "remarkable" casualness or even heedlessness, as though the command of God only became urgent and worthy of attention in such matters when the participants have the civil ceremony and the marriage altar behind them and are thus married; as though the teaching of the Church about marriage as a life-partnership, and especially about its exclusiveness and permanence, could be intelligible and credible when the question of its "inner genesis" seems to be denied serious consideration; as though lack of moral analysis at this point did not leave everything else **hanging** in the air.

Regarding this, Karl Barth expresses authoritatively that the failure of most, if not of all, unhappy marriages is to be traced back to a mistake in their inner composition, to an error and misunderstanding in the process of mutual recognition, choice, and love. Challenging us to face this fact, Barth asks four penetrating and urgent questions:

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1. Barth, Church Dogmatics, Vol. III, Part 4, pp. 206, 225.
 2. Ibid., pp. 227, 228.

(1) Where do we ever see the timely reproof and advice of the Church concerning the innumerable and sometimes quite shameless inhuman marriages for money, position and advantage, and the equally innumerable and no less inhuman marriages of wantonness which it has seen contracted under its authority, and which it has unthinkingly blessed and accepted as Christian marriages, only to be excited and enraged later, when it is too late, that they cannot be carried through as Christian marriages?

(2) Why has it been so lax at first, and then so stern?

(3) Why has Christian ethics so largely evaded the problem of "love" as if everybody already knew all about it, and as if it could be left, not too confidently of course, to men of letters and more recently to psychologists to give people the instruction lacking at this point?

(4) Why does it present here so cold and hard and indifferent a countenance, as though this question, complaint, and accusation did not apply to it no less and perhaps more than to other bars of judgement; and particularly, as though it were not committed by its own concern to give this matter far closer attention; as though it had not also and primarily to seek the command of God in relation to the love between man and woman?¹

Barth, in his prophetic way, does not answer these questions, but the implied answer is that the Church should take a much firmer stand on the Christian nature of marriage. Barth is writing out of a European background where a minister is regarded almost as a civil servant on matters of marriage and is expected to marry people who come to him without asking too many questions. In Singapore the Christian minister has complete freedom of decision as to whether he will solemnise a marriage or not. He should therefore be quite clear in his own mind

1. Barth, Church Dogmatics, Vol. III, Part 4, pp. 229-230.

that so far as he knows there is nothing to prevent the marriage from being a true and happy one. If the opportunity for counselling is taken some unwise marriages, almost doomed from the start, might be prevented and thus in those cases the problem of divorce would not arise. Barth's advice really is that prevention is better than cure.

As to the Church being so lax and then so stern, it is perfectly true that because of the secularisation of marriage people have often gone to be married in church as a formality because they like the wedding to be a big show, and the Church has often condoned this and married people who are personally quite unknown to the pastor or the congregation. Then when problems arise in the marriage the Church takes its stand on a ruling that was really only meant for people brought up in the church fellowship who would understand the purpose of the ruling. Thus the church law of no divorce appears unduly harsh and stern when applied in this context of a lax and secularised marriage.

Barth is also right in drawing attention to the failure of traditional Christian ethics to make love the basis of Christian life and practice, so that most people get their idea of love from the cinema or from novels or, if they are more highly educated, from poetry and psychology. Since Barth, the situation has been remedied somewhat and there are now a number of popularly written books dealing with the Christian view of sex, love and marriage. In raising the question, however, Barth was really concerned less with popular instruction, important as it is, than with the vital question of what the foundation of Christian ethics is. There can be no doubt that it is the love of God in creation and redemption, and so all questions of marriage and divorce must be viewed in this context.

Finally, Barth is also right in insisting that the problem of divorce is an existential question for the Church. The Church cannot

legislate about this problem like an impartial judge who is not, and indeed ought not to be, personally concerned in the case. The Church cannot be objective in that sense because the Church too stands under the judgement of God in this as in all other matters.

So the implied answer to these questions is that the Church dare not argue that divorce is always against the divine command for fear of being thereby guilty of breaking the greater divine command of love.

Another helpful Reformed tradition viewpoint is set out in the official Report of Divorce Law Reform called Whom God Hath Joined, and presented to the Secretary of State for Scotland by the Church of Scotland (Social and Moral Welfare Board) in December 1967. When we study this report thoroughly we can see that it starts from two essential points of interpretation:

(1) The report first makes clear that our understanding of New Testament teaching on divorce plainly hinges on our interpretation of the categorical statement of Jesus, recorded in the Books of St. Matthew (19:6) and St. Mark (10:9) regarding marriage, "What God has joined together, man must not separate!" (see NEB version).

(2) The report then maintains, following the spirit of the Westminster Confession, that a man and woman on entering marriage must fully intend it as a lifelong relationship. It also takes the position that apart from any questions of "nullity", there are exceptional cases in which there is cause sufficient to dissolve the bond of marriage. It is noted further that once any ground has been admitted as cause sufficient for the dissolution of marriage, other grounds tend to be put forward. Thus the report reiterates that the Christian ideal for marriage stability is "chastity before marriage and fidelity within it".¹

1. Cf. Whom God Hath Joined: Divorce Law Reform — a Report presented to the Secretary of State for Scotland by the Church of Scotland Social and Moral Welfare Board (December 1967), pp. 2, 3 and 8.

When the writers of the report turn to the legal issue, they offer this opinion:-

Of course, any law which caters for divorce at all is unsatisfactory as far as the ideal of Christian marriage is concerned. Marriage for the Christian is instituted by God Himself, and meant to be a life-long union based on love, loyalty, and service, and held together, strengthened, and increasingly enriched by faith in Him and the grace which this provides. Moreover, its "holy estate" is something which both partners must recognize, and reverence, and seek to preserve. Consequently, if one or both of the partners fail in this respect, the marriage tends to become in measure more vulnerable. The situation can reach such a pass that the marriage becomes dead in all but name.¹

It is indeed very true that human sin and frailty and unbelief may have defied or even denied God, and destroyed the marriage, so that the institutional and legal form of it becomes but an empty shell. It is only honest and realistic to acknowledge this, and even give opportunity for the lifeless body to be decently buried; so freeing the parties concerned from an intolerable situation.

But the immediate question at issue is whether the present grounds for divorce can and ought to be changed. It is claimed that they are inadequate and unsatisfactory, for three principal reasons:

(1) Because the matrimonial offences listed as "grounds" can be more the results than the "causes" of marriage breakdown. So it is unfair to use such offences as hard and fast proof that one partner is guilty and the other innocent, insofar as legal guilt may not adequately reflect the moral realities of the situation.

(2) Because the application of an accusatorial principle such as this lends itself to, and is in many cases manipulated for, all kinds of insincerities and dishonesties. It incites one party to distort or exaggerate the conduct of the other, and tends to deepen the bitterness between them, and minimise the possibilities of reconciliation. It can even lead to an actual matrimonial offence, which otherwise might not be

1. Whom God Hath Joined, pp. 1-2.

contemplated or embarked on, because this would be the only way in which a person could provide evidence for a divorce which both parties wished, and can thereby bring the law into disrepute.

(3) Because it requires an action at law to be taken by the legally innocent party, and if that party refuses to sue for divorce this so-called "living lie", as far as the heart and essence of the marriage are concerned, is being perpetuated, leading to all sorts of frustrations and hardships. For example, where an illicit union with someone else has been entered into by the offending party, and there is a family from that relationship, the children are denied a legitimate status. And the whole sordid nature of the situation brings great tension and even hardship. Where a divorce is granted it is important that the law should have provisions to safeguard those concerned and in particular any children.

The report concurs with this: "The stress on practical safeguards to protect the interests of parties consequent to the divorce, we completely support!"¹

This outline of some representative Reformed views on marriage and divorce has opened the way for a discussion of a few specific problems. The first is, whether marriage really is a lifelong union or a dissoluble contract.

(i) Lifelong or dissoluble?

The Roman Catholic Church regards marriage as a lifelong, completely indissoluble union. This view appears to be based on the teaching of the Bible and in particular the saying of Jesus, "Whom God hath joined together, let no man put asunder," and it is congruous with the Catholic view of marriage as a sacrament. It could be argued that, like ordination

1. Whom God Hath Joined, pp. 5, 6.

which is for celibates only and has the character of indelibility and so cannot be repeated, so matrimony, which is for the rest of mankind, makes a permanent difference to the parties and so cannot be repealed or repeated. The only sacraments which are repeated are the Eucharist and penance and it would be difficult to class matrimony with these on the basis of repeatability. But anyway the real basis of the Catholic position is the Biblical basis and this is also the ground on which many Protestant churches and particularly Chinese Protestants oppose divorce. This Biblical basis depends on a literal interpretation of Scripture and especially on five "proof texts". These are Genesis 2:24, Matthew 19:3-6, Mark 10:2-12, Luke 16:18 and John 4:16-19. It is questionable whether in fact these texts can bear the weight put upon them. Since Jesus quotes Genesis 2:24 in Matthew and Mark the problem can be regarded as a problem of interpreting the teaching of Jesus. John 4:16-19 is a condemnation of repeated adultery rather than a statement of the indissolubility of marriage. The problem is therefore narrowed down to the three texts in the Synoptic Gospels. These three are really one, because Matthew 19:3-6 is the parallel to Mark 10:2-12, and Luke 16:18 simply repeats Mark 10:11-12. It is then a question of interpreting Mark 10:2-12.

It is arguable that in this as in many other matters Jesus is stating the unconditional will of God and the divine intention for human life rather than legislating. We know that in general Jesus always refused to legislate. Certainly a literal interpretation of the Sermon on the Mount leads to all sorts of inconsistencies. Closer examination of this passage shows that the real subject of debate is the Mosaic law of adultery. What Jesus is doing is to safeguard the position of women in marriage by saving her from being divorced simply by the decision of her husband. Also according to Jewish law, adultery is always intercourse between a married woman and a man other than her husband and thus

while a woman can commit adultery against her husband, thus allowing him to divorce her, a man cannot commit adultery against his wife, so she cannot divorce him. Jesus puts them both on an equal footing.

We therefore see that although divorce is contrary to the divine intention in marriage so too is lust, adultery, revenge and hatred, and in all things we are to be perfect as our heavenly Father is perfect. But who is sufficient for these things? Since acts of lust, adultery, revenge and hatred and many other things do in fact occur, and even among Christians, the law must make provision so that all these acts of injustice may be remedied by justice as far as possible. But it was never Jesus' task or intention to say whether there should be such laws or what sort of laws they should be. His whole life and energy were taken up with the task of man's salvation.

Also the term "lifelong" needs to be redefined. We rarely, if ever, think that any superficially lifelong union such as a life insurance or a business partnership must necessarily be better than an honestly dissoluble contract. The marriage contract, just like other worldly contracts (e.g. business contract, military contract, and so forth), needs to be mutually kept and performed, and its obligations fulfilled by both parties. We can be perfectly sure that if one of the two intends to break it down, such a contract will become null and void. Thenceforth the other one of the two has no obligation to keep it. The contract loses its power constantly to bind the parties if it has been annulled by either one of its own contractors. The parties can separate from one another during their lifetime; and then they regain their personal freedom to re-sign a new contract with another faithful partner. The second contract can be also regarded as rightful and available when the first one has totally failed. This, however, is not to say that the marriage contract is not unique. There is no other contract in which

two people commit themselves to each other intentionally for life. No other contract involves the whole person and his whole life. But nevertheless the logic of the mutuality of the validity of the contract still holds and so a wise Church may not deny this necessary alternative which is humane to even Christian marital hardship.

Thus, on grounds of Scripture and experience, although marriage must be regarded intentionally as lifelong, the law must make provision for cases of actual breakdown of marriage. Even in Christian marriage divorce must be regarded as a possibility if it appears that continuation of the association would be more against the will of God than a divorce would be. This is a very difficult question to decide but if Christian marriage is life together in Christian love and fidelity, then where the reality of marriage has been destroyed beyond hope of reconciliation a divorce would appear to be simply a recognition of the realities of the situation.

If a broken Christian marriage has no hope of reconciliation, and if both partners feel it impossible to maintain their union, then the Church has no reason to command that it "must be indissoluble".

We do not deny that Christian marriage ideally has the character of being "lifelong". Yet ideals will not always become facts. There is a tremendous gap between them.

We suggest that when the union has been degraded from "lifelong" to "lifeless", this must be the time for us to reconsider and to revise the old tradition of "indissolubility". The law in many countries, including England and Singapore, has already done this. The Church must recognise the situation. If the Church can wisely release the suffering couples from that "ideal" and grant the dissolution of their empty-shell relationship through divorce, and even help them to establish another and more "sound" contract with another more congenial companion, this it may be

hoped will make their second marriage much more effective and satisfying than before.

In conclusion, if we simply accept the fact that this lifelong union sometimes may have to become a dissoluble contract, then this will simplify the matter of our marital perplexity. If we do not insist on a legal and literal interpretation of Christ's words and if we do not regard marriage as a sacrament then we are able to accept its dissolubility in certain definable circumstances. We believe that such a dissoluble contract brings modern Christians less harm and more advantage.

(ii) Divorce or desertion?

In Singapore, a traditional Chinese Christian may proudly claim to dislike the conception of legal divorce. He may further express his pride and say he would never think of taking divorce proceedings against his partner in the court. The regrettable point is that even while hiding behind the curtain of these "anti-divorce" sentiments he may well forsake his spouse in private, seeing himself meanwhile as magnanimous in not putting her away in public, and unaware that he is being just as hypocritical as any Pharisee.

The motives for perpetrating his desertion in secret are (a) to avoid conflict with the orthodox doctrine of his Church which objects to legal divorce; (b) to save his own face (not hers) in order to be in agreement with respectable Chinese society which despises legal divorce; and (c) to magnify his family's fame (not hers) by having no "shameful record" of legal divorce. By these safeguards he is enabled selfishly to claim the status of a "never-divorced gentleman" in Church. And his Church can claim to be a "no-divorce Church" too. Actually he may be living apart from his wife in a state of real though not legal divorce — a kind of desertion that is worse than a legal divorce since it causes greater loss to the deserted woman by cutting her off from legal redress.

A woman suffering such secret desertion cannot plead for monthly maintenance from her husband because it is very difficult to prove that the husband has deserted her; nor, moreover, will she usually dare to seek legal aid. Since she is not a "regular divorcee" she has no right to legal remarriage, and in any case, because she is not seen to be divorced, others will naturally think she is still the wife of the husband and no-one will ask for her hand in marriage. Again if she has no skill or capacity to live by herself, or if she still has a strong sex desire, she may be bold enough to "marry" a new partner; but the civil law will certainly condemn her for committing bigamy as her legal husband is still alive. When she fails both in her original marriage and in achieving a second marriage, what will happen to this desperate woman? Probably she will be driven to become somebody's mistress or to follow some doubtful occupation such as that of dancing-girl, bar-girl or even prostitute. There are at least five deserted Christian wives in Singapore Chinese churches who have become mistresses of pagans, three who have become dancing-girls, four who are bar-girls and two who are prostitutes. These unfortunate fourteen have been cast out of their churches condemned as "sinners". Another course of action would have been more humane to the women concerned. If such churches could be reasonable enough to allow divorce in cases where a marriage has ceased to be a real union, such women would be more secure and safe in their future.

Once the ethical possibility of divorce, within limits, has been admitted, in spite of the fact that indissolubility belongs to the essence of marriage, the question of the remarriage of divorced persons is raised afresh. It cannot be gainsaid that all second marriages contradict the character of marriage as something which can only take place once.

.....
That is really true, in itself, of widows and widowers no less than of divorced persons, and every one who has refined feelings will admit (in any case, at least for himself) the dubious element in a second marriage.

So Karl Barth sets out the problem of second marriages. It would seem

that he is not really happy about remarriage, but in the end he agrees that in some cases it is the best thing. "For in spite of our fundamental scruples, actually in most cases remarriage is the more decent solution. And the one which corresponds more closely to the ideal than to remain unmarried, not merely for the widowed, but also for the divorced!"¹

But not everyone would agree with Barth. Certainly not the Roman Catholic Church, nor indeed the conservative Protestants. Roman Catholics dissent because they do not admit divorce at all — a doctrine which attempts to bind the purpose of God to the same kind of rigid legal code as that from which Jesus came to set men free; and a doctrine, furthermore, whose effect is to identify the spiritual Gospel with the external law, which can only lead to all sorts of complicated inconsistencies. It above all compels people to remain bound nominally when they are disunited in every other sense, and thus results in unreality and artificiality. The Catholic Church takes the view that the institution of Christian marriage is of such importance that it must take precedence over personal interests as well as individual desires, and the institution of marriage must be preserved at all costs. It is, in other words, the common interpretation of the Roman Catholic Church that individuals who have entered into an unsatisfactory marriage must unconditionally endure their afflictions. Why? Their main reason always is: Christians should keep their marriage "perfect" as an indissoluble contract throughout the lifetime of their partner; but as we have seen this is a view that refuses to face facts.

To sum up, we hold that marriage is in intention indissoluble and that Christian marriages can call on resources of divine grace to weather the storms of life. But where the breakdown of marriage is a fact, the fact should be faced and recognised and provision made for divorce in

1. Barth, Church Dogmatics, Vol. III, Part 4, pp. 236 ff.

order to prevent greater moral and spiritual harm being done. We agree with the grounds for divorce allowed by Singapore law: that is, adultery in the sense of living with another man or woman, desertion without cause and without maintenance for at least three years, persistent cruelty, or that husband or wife is incurably of unsound mind and has been under treatment for five years; also that except in most unusual circumstances of hardship no petition for divorce can be made within three years of the marriage. This of course does not mean that we advocate divorce on these grounds. Every case should be treated on its merits. Adultery, desertion and cruelty can be forgiven and permanent reconciliation sometimes achieved in apparently hopeless cases. Divorce is a last resort, but Christian charity can never close this door.

3. Some Practical Suggestions

(a) On Christian marriage

(i) The Church should regularly and systematically offer young people lectures and counselling concerning preparation for marriage, including choosing a partner, getting betrothed, wedding preparations, sex, procreation and contraception, and domestic affairs, etc. The Church should invite experts like doctors, psychologists, psychiatrists, sociologists, successful parents, and others, to contribute their opinions on this important issue of Christian marriage.

(ii) The Church should open more youth centres for providing members with constructive social activities, at the same time preventing them from falling into evil ways. By joining various meetings, adapted to different age groups and needs, they can also be helped to find suitable partners.

(iii) The churches should publish more material and give more preaching on how to achieve successful marriage.

(iv) The Church should have a marriage counselling committee as one of its permanent organisations. Its duties would include:

- guiding those who are ready for marriage to achieve a successful marriage;
- encouraging young widows, widowers and divorced persons who wish to remarry and helping them to success;
- assisting those who need help with their legal registration in the Registry of Marriage;
- advising on methods of wedding preparation and the wedding itself;
- helping engaged couples to solve their financial, physical and mental difficulties for the coming marriage.

(v) The establishment of an Institute for the Family, on the lines suggested by Dr. J. Dominian in an Appended Note to his paper on "Marital Breakdown",¹ might well be considered. He suggests that such an institute would be of immense value in researching into the problems of marriage and family life and in offering practical advice and assistance. He explains:-

The ideal composition for such an institute would be the combination of a research and a service team. The research team would be composed of psychologists, sociologists, and other experts whose task will be to study the evolving pattern of marriage as a relationship and as an institution. The sociologists would have the responsibility of examining the significance and impact of changing social factors. For example, within the last fifty years the trends towards earlier marriage, an increase in longevity, changes in fertility patterns, and the significant alteration of the status of women, have all made a vital impact on the nature and stability of marriage. It will be the task of the sociologists to examine and identify these changes both in global and more specific terms such as economic, social, class, education, work factors operating for or against marital stability.

Within these broad social changes there is taking place a large-scale psychological revolution in our understanding of man.

1. J. Dominian, "Marital Breakdown," in Marriage, Divorce and the Church (London: SPCK, 1971), pp. 150-151: Appended Note: An Institute for the Family.

The factors which contribute to the psychological stability of an intimate relationship will become increasingly the crucial elements in the success of marriage. Only the most refined understanding of the needs and expectations of individual couples will allow the resolution of conflict. Here longitudinal and cross-sectional studies will be required to examine in detail the factors in the personality which act positively or negatively in initiating and maintaining a conjugal relationship. The psychological studies will have to draw their terms of reference widely both from dynamic and behavioural psychology.

Such detailed scientific information will not stand in a vacuum. It will be used to achieve something highly desirable and virtually non-existent at present, namely, the ability to anticipate and, if possible, to predict vulnerable marriages, thus offering effective help at the earliest possible moment.

The means of offering help have to develop further. Here the parish, the parishioners and its ministers, will have to act as a caring community that can identify and support those that cannot solve their problems for themselves. Infinite tact and understanding will be required, coupled with efficient and prompt professional support where needed.

This should be available from the second element in the Institute, namely, its service and teaching work. Here the Institute will actually be serving its own surrounding community and developing techniques of how such service can be developed in different settings. It will also be a teaching centre to communicate and spread such specialised knowledge.

This is a magnificent conception and it could be implemented in a global city like Singapore where resources of finance and personnel are available. In fact elements of such an institute are already in being in various social and cultural activities of the churches and Government. With proper co-ordination, such an institute would be of inestimable value in the future.

(b) On divorce

(i) We first need to eliminate a possible misunderstanding here. To advocate divorce in exceptional circumstances does not imply the active encouragement of easy divorce for "problem couples". That is to say, if there are still hopes of reconciling their conjugal relationship they should above all be advised to avoid precipitate recourse to legal proceedings. Where conflict is limited to minor outbursts in the form of quarrels, insults, stealing, scolding, cheating, bad temper, fighting or the

like, it would be wrong to suggest immediate legal action, for a case like this has almost certainly not yet reached the stage of irreversible breakdown when the couple have no choice but to separate from one another for ever. So they should be advised at this stage to keep together until their wrath has ceased.

If in spite of all efforts the worst comes to the worst, their marriage is completely broken and no love remains — when their love (the essence of marriage) has already flown away and their wedlock has become but an "empty shell" — it is then of no use to maintain it.

(ii) Most orthodox Chinese clergymen in Singapore would refuse to re-marry a divorced Christian in church. They regard divorce as a wicked practice, and they treat all divorced people as sinners and adulterers. Accordingly a second marriage is regarded as equally sinful, if not cursed: how can the Church, by any ecclesiastical ceremony, accept such a sin and such a sinner? The marriage is in the eyes of orthodox clergy completely unworthy of solemnisation and benediction. They believe that if they let a divorced Christian formally re-marry before the altar of the church, it is equivalent to profaning God's holy temple with uncleanness (cf. Matthew 21:12-13).

Because the divorced Christian has been doctrinally judged by them as a heathen, since he has involved himself in "fleshly" law, the only way he can hope for re-marriage is through the Registry of Marriages under the secular power. He has no more right to participate in the ecclesiastical blessings. No pastor can be allowed to act as a performer or witness to such an abnormal wedding!

Recently all churches have been doing a good deal of re-thinking about this problem of the re-marriage of divorced persons. The Lambeth Conference of 1968 was deliberately more vague in its pronouncements than was the Conference of 1958, and called on each province of the Anglican

Church to re-examine its discipline on such problems in consultation with other provinces in a similar situation. This has started a ferment and it seems as if many independent churches of the Anglican Communion will gradually abandon the rigid discipline of the past. Already in 1967 the Anglican Church of Canada passed resolutions permitting under certain circumstances the re-marriage in church of a divorced person whose former partner is living.¹ This lead has been followed by the Anglican churches in New Zealand and Australia, and the Church in Central Africa has adopted new rules on nullity which also affect this question. In England the Free Churches, that is the churches without relations with the State, like the Methodist, Congregational, Baptist and Presbyterian Churches, which from the time of their founding at the Reformation broke with traditional canon law, have always given ministers discretion to re-marry divorced persons, taking each case on its merits and taking into account all relevant facts and denominational issues. Several of these churches have made recent enactments on such lines. The "established" Church in Scotland, too, issued a Report on the Remarriage of Divorced Persons in 1957, and another report entitled "Why Marriage?" was issued by its Social and Moral Welfare Board in 1970. These show that this Church is very much concerned with the problem. A minister of the Church of Scotland may solemnise the marriage of a person whose former marriage has been dissolved by divorce and whose former spouse is still alive. This of course is subject to general pastoral considerations and no minister can be forced to solemnise any marriage against his conscience.

It may reasonably be concluded, then, that there is a relaxing of rigid positions on this issue in all branches of the Christian Church.

1. The details are given in an appended note to Appendix 7 of Marriage, Divorce and the Church, pp. 162 f.

This will surely affect Singapore. Already the Presbyterian Church there is in line with the Reformed tradition which allows the re-marriage in church of divorced persons, although some old traditionalists would oppose it. The Methodist and Lutheran Churches hold much the same position and it is likely that the Anglican Church there will follow the example of some other independent Anglican churches when it becomes part of an independent Province. As the appended note in the Anglican Report, Marriage, Divorce and the Church, already quoted, says: "There is a growing opinion among Christians that marriage and remarriage ought to be considered first as a matter of personal relationships of those most nearly concerned, and that the rules which are adopted ought to reflect this priority."¹

(iii) The Church should organise a permanent body as a Divorce Consultation Department. It would have these four functions:-

— Hearing cases of marital dispute and attempting reconciliation. If the reasons are grave enough for a couple to consider divorce, the Department will give them guidance in the legal procedure necessary to free them from their situation of intractable hostility.

— Supporting divorcees who wish to contract a second lawful marriage for the purpose of regaining a normal conjugal life.

— Helping re-married Christians to overcome all sorts of troubles derived from the unfriendly surroundings they live in as well as those they work in.

— Doing research into the extent and causes of divorce in Singapore, particularly among Christians.

1. Op. cit., p. 158.

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