

Untying the knot: marriage, the state and the case for their divorce

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Amy Watson reviews a theoretically rigorous and intellectually compelling argument for the renegotiation of the liberal state's definition of marriage, although we shouldn't expect to see David Cameron discussing the possibility anytime soon.

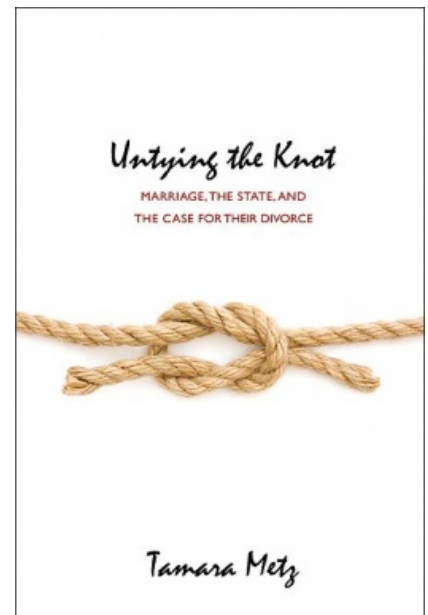
Untying the Knot: Marriage, The State and The Case for Their Divorce. Tamara Metz. Princeton University Press.

With Royal wedding fever reaching all corners of the world last year, it may be just the right time to re-assess the relationship between the state, marriage and power. In *Untying the Knot*, [Tamara Metz](#) provides an exceptional argument for a better understanding of the liberal state's relationship with marriage, aiming to challenge the "widely held and typically undefended assumption that the state should create, control, and rely upon marriage".

For Metz, marriage represents a formal, comprehensive social institution: a mix of extralegal methods, scope, character, and purpose render it more like religion than other institutions that it is commonly compared to, such as motherhood, civil unions, business partnerships.

Metz argues that this arrangement is not consistent with key values associated with liberal state: equality, diversity, freedom and stability. Considerable disagreement in society over what legitimately constitutes marriage ([civil partnerships](#), for example) flirts with violating equality, and Metz considers the state's closeness to the 'private' sphere of the family as threatening liberty. The general privileging of a singular definition of marriage as a coupling union also represents a threat to liberty, and the author sees stability as threatened through its dependence on equality and liberty.

Metz suggests that the discourse of marriage serves as a distraction from the risk and vulnerability of unpaid, unrecognised and undervalued care-giving unions often housed under the marital



banner, discussing how governments frequently privilege marriage as a means for meeting welfare aims and dispensing benefits, and fail to achieve public policy goals through less exclusionary models. Metz proposes that a recognised “intimate care-giving union” would reveal the true costs, benefits and effects of caring relationships, so that they can be addressed as justice and prudence recommend. In this way, the state would provide insurance for intimate care *wherever* it takes place – marriage would not be a condition of this insurance.

In this setting, care-giving relationships would form part of, and could further foster, the kind of continual discoveries of new and possibly better ways of living that [J. S. Mill](#) sees as developing out of free (but protected) experimentation. The vices and virtues of privacy would be recognised, and people’s living and caring arrangements could begin to more diversely respond to social, economic and technological changes. This proposition is in some ways reminiscent of [Nancy Fraser’s](#) ‘Universal Caregiver Model’, and is equally compelling.

Those approaching this text from outside the liberal political tradition may take issue with some assumptions that backdrop Metz’s argument. For example, references to the totalizing tendencies of states, and some complacency over what ‘needless’ state intervention might look like, serve to strongly situate this work within that liberalism that the author relies upon as the best and most appropriate means of governance.

This is particularly the case with regards to the liberal state’s ability to fulfil its associated values of equality and diversity, freedom and stability. There is [evidence](#) to suggest that liberal states have yet to fully translate these values into practice – or are willing to [negate](#) on them, sometimes through the invocation of [external threats](#).

Metz largely redeems herself through her acknowledgement of the need to provide insurance against the systematic vulnerabilities and disincentives associated with intimate care-giving, and through reference to feminist arguments about the mythical ideal of state non-intervention in family life often leading to inactivity when intervention is required, such as marital rape. She explicitly distances herself from libertarianism, and reasonably concludes that “the state is the appropriate source of this insurance because it is the entity charged with the task and tools of protecting citizens from physical harm and securing a framework for the just distribution of the costs and benefits of political life”.

For the most part impeccably argued, Metz’s case could hold *if* the liberal political state manifested itself in a form true to its theory. But it seems that the transition of liberal political values from the abstract to the concrete is not so straightforward, and has not universally resulted in a simultaneous balancing of liberty, equality, stability and diversity.

As such, is the liberal democratic state in its current Western manifestation capable of meeting the challenge Metz presents it with? Admittedly, this is not Metz’s responsibility – she clearly states this work to be an exercise in political theory, and is concerned with presenting an ideal-typical

view of western liberal democracies and their institutional and discursive possibilities. But in order for her argument to be practically applicable, the political context in which it would be implemented has some ground to gain. Indeed, there is little chance of this topic appearing top of David Cameron's to-do list any time soon.

An obvious strength of this work is Metz's clarity of argument, both in terms of her careful and considered analysis and her exceptionally clear writing style. Her prose is refreshingly enjoyable to read, and spells out her case at a measured pace. Whether or not you agree with the argument Metz presents, you will understand it.

This review was first published on the [British Politics and Policy at LSE blog](#) on 29th May 2011.

Amy Watson is a PhD candidate at the Department of Central and East European Studies at the University of Glasgow. She is researching gendered welfare state change and neoliberalism in the Czech Republic, including the impact of EU accession, with a focus on the everyday lives and subjectivities of women and men. She previously gained an MSc in Gender and Social Policy at the LSE, BA(Hons) in History at the University of Leeds, and has worked in a number of public and third sector organisations. [Read reviews by Amy.](#)

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