

THE REPORTER

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Looking at Love



by Sally Holterhoff

For many people, Valentine's Day draws attention to special relationships in their lives and is celebrated by the giving or receiving of chocolates, candy conversation hearts, roses, or even jewelry. In honor of the year's most romantic holiday, let's take a look at another special relationship, the one between love and the law. While it's true that taking the legal view may put a damper on romance, the two topics have been paired throughout history, since the days of Adam and Eve and their eviction from the Garden of Eden. From recent proposals of "e-marriage" to the age-old question of what happens to the engagement ring in a broken engagement, the legalities of love and romance are challenging. Here are some books, articles, and Web resources that shed some light on various aspects of this intriguing combination.

BOOKS IN THE LAW LIBRARY COLLECTION

Susan A. Bandes, ed., *The Passions of Law*.
K 346 .P37 1999

Heather Brook, *Conjugal Rites: Marriage and Marriage-like Relationships before the Law*.
K 670 .B76 2007



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Scott FitzGibbon, Lynn D. Wardle & A. Scott Loveless, eds., *The Jurisprudence of Marriage and Other Intimate Relationships*.
K 675 .J87 2010

Peter Goodrich, *Law in the Courts of Love: Literature and Other Minor Jurisprudences*.
K 150 .G66 1996

Hendrik Hartog, *Man and Wife in America: A History*.
KF 510 .H37 2000

Indiana Continuing Legal Education Forum,
The Marital Agreements Deskbook: Prenuptials, Cohabitations, Post-Nuptials & Property Settlements.
KFI 3095 .A75 M37 2003

Paul W. Kahn, *Law and Love: The Trials of King Lear*.
PR 2819 .K34 2000

Milton C. Regan, Jr., *Alone Together: Law and the Meanings of Marriage*.
KF 509 .R44 1999

LAW JOURNAL ARTICLES
(accessible via HeinOnline)

Symposium, *Conference on Law and Love*,
28 Quinnipiac L. Rev. 585 (2010).

Brooke A. Blecher, *Broken Engagements: Who Is Entitled to the Engagement Ring?*,
34 Fam. L.Q. 579 (2000).

Martha M. Ertman, *Marriage as a Trade: Bridging the Private/Private Distinction*,
36 Har. Civ. Rights-Civ. Libs. L. Rev. 79 (2001).

Alan Grant & Emily Grant, *The Bride, the Groom, and the Court: A One-Ring Circus*,
35 Cap. U. L. Rev. 743 (2007).

Suzanne A. Kim, *Marital Naming/Naming Marriage: Language and Status in Family Law*,
85 Ind. L. J. 893 (2010).

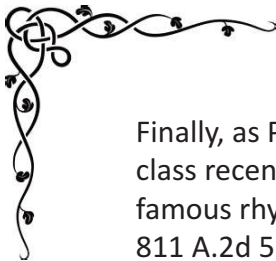
Robert E. Rains, *Marriage in the Time of Internet Ministers: I Now Pronounce You Married, But Who Am I To Do So?*,
64 U. Miami L. Rev. 809 (2010).

Barbara Stark, *Marriage Proposals: From One-Size-Fits-All to Postmodern Marriage Law*,
89 Cal. L. Rev. 1479 (2001).

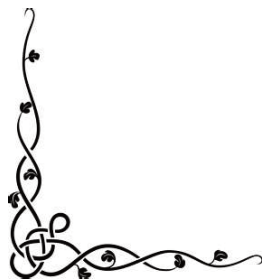
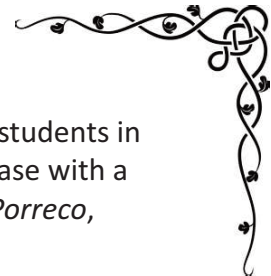
ON THE WEB

For a discussion of how the legal definition of marriage has changed over time:
www.law.cornell.edu/topics/marriage.html

For a family law professor's blog covering love and marriage:
http://lawprofessors.typepad.com/family_law/



Finally, as Professor Probst pointed out to 1-L legal research students in class recently, there is a 2002 Pennsylvania Supreme Court case with a famous rhyming dissent. Here is an excerpt from *Porreco v. Porreco*, 811 A.2d 566 (Pa. 2002):



*A groom must expect matrimonial pandemonium
when his spouse finds he's given her a cubic zirconium
instead of a diamond in her engagement band,
the one he said was worth twenty-one grand. . . .*

