

Bill as
Introduced

HB 587 - AS INTRODUCED

2011 SESSION

11-0580
05/09

HOUSE BILL **587**

AN ACT relative to grounds for divorce for persons with minor children.

SPONSORS: Rep. G. Hopper, Hills 7; Rep. Groen, Straf 1; Rep. Comerford, Rock 9;
Rep. Ingbretson, Graf 5

COMMITTEE: Children and Family Law

ANALYSIS

This bill permits no fault divorce based on irreconcilable differences only if the parties do not have minor children.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eleven

AN ACT relative to grounds for divorce for persons with minor children.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Causes for Divorce; Irreconcilable Differences; Limited to Cases Without Minor Children.

2 Amend RSA 458:7-a to read as follows:

3 458:7-a Absolute Divorce, Irreconcilable Differences. A divorce from the bonds of matrimony
4 shall be decreed, irrespective of the fault of either party, on the ground of irreconcilable differences
5 which have caused the irremediable breakdown of the marriage *only if there are no minor*
6 *children of the parties*. In any pleading or hearing of a petition for divorce under this section,
7 allegations or evidence of specific acts of misconduct shall be improper and inadmissible, except
8 ~~[where parental rights and responsibilities are an issue and such evidence is relevant to establish~~
9 ~~that a particular allocation of parental rights and responsibilities would be detrimental to the child~~
10 ~~er]~~ at a hearing where it is determined by the court to be necessary to establish the existence of
11 irreconcilable differences. If, upon hearing of an action for divorce under this section, both parties
12 are found to have committed an act or acts which justify a finding of irreconcilable differences, a
13 divorce shall be decreed and the acts of one party shall not negate the acts of the other nor bar the
14 divorce decree. The court's findings and decree may be based on oral testimony or written
15 stipulations of the parties.

16 2 Effective Date. This act shall take effect January 1, 2012.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

PUBLIC HEARING ON HB 587

BILL TITLE: relative to grounds for divorce for persons with minor children.
DATE: March 3, 2011
LOB ROOM: 206 **Time Public Hearing Called to Order:** 9:30 am
Time Adjourned: 11:30 am

(please circle if present)

Committee Members: Reps. Moran, Hogan, J. Brown, Gargas, Dowling, J. Johnson, DeSimone, Katsakiores, Sapienza, Soucy, Perkins, Oligny, Robbins, Grassie, Gould, Lovejoy and Porter.

Bill Sponsors: Rep. G. Hopper, Hills 7; Rep. Groen, Straf 1; Rep. Comerford, Rock 9; Rep. Ingbretson, Graf 5

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Hopper, sponsor

Introduced the bill. Was first introduced in 2001, 1970's no-fault divorce. Function of responsibility reason for bill. Budget, money spent in family courts, Department of Health and Human Service cases from broken homes. Expenses profound. Reset bar re marriage and divorce with better protection.

Rep. Julie Brown: Identical bill to Inexpedient to Legislate bill from last year. Committee voted 15-3.

Rep. Robbins: Fiscal note???? Cost more to state for litigation. (Hopper never had a fiscal note on previous bills).

Rep. Gould: Q. What ramification of the bill re costs to parents. Example: longer litigation, longer effects on children.

Rep. Hopper: Bill sets bar higher for divorce.

Rep. O'Brien, Speaker – supports

It's for the children vs. it's for the growth of government. Frivolous reasons now for divorce.

Rep. Oligny: Bill would provide only those with children.

Rep. O'Brien: Divorce shortens life span of effected children, antisocial, mental health and economic impact.

Rep. Robbins: Q. If two parents agree to irremediable breakdown and don't want a cause or label, can they?

Rep. O'Brien: Ans. Rare, classic: doesn't simply want marriage.

Rep. Porter: 1) eligible for grounds, neglect, adultery, abuse, desertion. 2) Child of the 60's – no no-fault divorce.

Rep. DeSimone: The issue is really the effects of divorce on minor children. Blaming is not any better. Wants an amendment requiring parent's mediations, counseling.

15% in 1960's when fault based to 60% when changed.

Rep. Oigny: Really no-fault, do you create a fault? Increased conduct and litigation forcing parents to stay together, conflict within the family.

Rep. Robbins: RSA 458: F, absolute divorce, perjury.

Rep. Hopper: Current perjury abuse, sexual abuse to get leg up in court.

Rep. Lovejoy: Children better in an unhappy marriage? Parents stay together better off (No)?????

Howard Zibel, New Hampshire Supreme Court – opposes
Judicial branch opposes because of Fiscal Note. (Judicial doesn't identify bills in this committee).
6,600 per year.

Rep. Soucy: Not working now: alternative? Divorce rate is accelerating.

Howard Zibel: Respectfully, denies answering.

Clare Ebel, New Hampshire Civil Liberties Union, opposes
29 years --- "As angry as I am, I will try not to yell." 1960's, beaten kids, her divorce on a sealed, no-fault. Pleads to kill the bill, "Children will suffer."

Mike Geanoulis, New Castle, New Hampshire – supports
Is a member of the Committee on Status of Men, Add counseling and mediation? Hard on kids to lose a parent. Questions fiscal impact on bill. Feels more costly to state of father absence, biological father too important.

Kevin Smith, Cornerstone Action – opposes
Bill too far, too fast though current system is broken. 50% divorce rate, 2008 – 99 million dollars because of broken home. Four years, deputy director juvenile service, majority from broken homes. Amend to form study committee for divorce reform. Mandatory mediation or financial classes; how to curb divorce or make marriages better.

Rep. Porter: Statistics of Department of Children, Youth and Families, broken homes, single parent homes.

Rep. Brown: Q. Widow? Lumping all families with problems.

Rep. Robbins: Idea of getting more information and studying is appealing.

Pastor Garret Lear, The Well of Living Water Church, Sanbornville, NH
The bible is not silent on marriage. State got involved in marriage opened Pandora's Box. Marriage not just happily, also holy. Marriages can be healed, pre-marital counseling. Please don't defer responsibility. Most important bills.

Rep. Oligny: I don't even know what his question was.

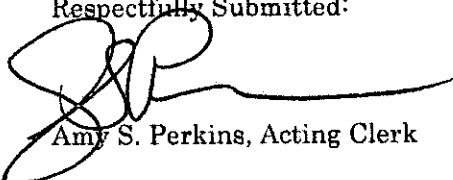
Pastor Garret Lear: Covenant marriage vs. traditional marriage. Cannot get divorce without intervention. Complex, would be glad to work with committee to help marriage.

Dave Johnson, supports

"Talked about Gould's?" Blaming of one parent, (child not present, fact finding is necessary. Custody hearing, pcp-went to court; therapist went to court. Marital master determined irreconcilable differences divorce. No-responsibility, no- accountability, no blame typically end up with custody. "Always going to be wiggle room, judges have latitude."

Committee of Men shows the state is harming the fathers. Family division 33% more complaints. Needs tougher language in the bill. Level perjury so high, county attorney even knows. Rare, amicable divorce. Single parent homes 85% more likely to experience pregnancy, incarceration.

Respectfully Submitted:



Amy S. Perkins, Acting Clerk

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

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TESTIMONY

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* Rep Hopper - introduced bill
Speaker O'Brien - supports bill
Howard Zibel - Supreme Court opposes
Clair Ebel - opposes
Mike Geanglis - supports bill
Kevin Smith - Cornerstone (for; against)
Pastor Greet Lear - support bill
Dave Johnson - supports.

Respectfully Submitted:
Jane B. Johnson, Clerk

Amy Teubner

Bill 587

3/3/2011

Rep Hopper introduced bill (first introduced in 2001)
1970's introduced no fault divorce.

* Function of liability reason for bill
function of responsibility.

Budget = \$ spent family courts, DHS, case
from broken homes. Expenses profound.

Reset BAR re: marriage's divorce, better
protection.

Rep Brown - identical bill to ATR bill
last year 15-3.

Rep Robbins - Fiscal ?? Cost more to state for
litigation. (Hopper, never had FH,
previous bills)

Rep Gould What ramifications of bill re: costs to
PARENTS. ex: longer litigation, longer effects kids ^{on}.

Hopper: Bill sets BAR higher for divorce.

Speaker O'Brien:

As for the Children vs As for the
Growth of Government

This bill is "For the Children."

* Frivolous Reasons now for divorce

Obliging - bill would ^{provide only} require only those w/ children

O'Brien { Anti social
Mental health
Economic

} divorce shortens life span of affected
children.

Rep Robbins - asked O'Brien, If two parents agree to irremedial break down, don't want a cause or label, can they??

O'Brien: RARE, classic: doesn't simply want marriage.

Rep Porter: ① Eligible for grounds, neglect, adultery, abuse, desertion,
② Child of the 60's - NO NOFAULT DIVORCE.

Rep DeSimone: The issue is really the effects of divorce on minor children. Blaming is not any better. Wants amendment requiring parents mediation, counseling,

Hopper: ~~no~~ fault based divorce, children do better, they don't blame themselves. Shows consequences.

* 15% 60's when fault based to 60% when changed.

Oligny: Really no fault, do you create a fault? Increase of conduct? Detachment. Forcing parents to stay together, conflict within the family.

Robbins: RSA 458:7, Absolute divorce, Perjury.

Hopper: current perjury abuse, sexual abuse to get leg up in court.

Com't HB 587

Rep Lovejoy: Children better in a unhappy marriage??
Parents stay together better off (NO)??

Howard Zibel - Supreme Court, judicial branch
opposed because of FN., (Judicial dignity)
Identify bills in this committee.
6600, PER YEAR.

Soucy: Not working now: alternative??
divorce rate accelerating

Zibel: respectfully denys, to answer.

Clare Ebel: 29 yrs. -

as angry as I am, = will try not to yell
60's, beaten kids.

her divorce on a sealed no fault
Pleads to kill the bill, "Children will suffer"

Mike Hean is - member status of Comm of
Men; add counseling & mediation.

Hard on kids to ~~lose~~ lose a parent.

Questions fiscal impact on bill, feels
more costly to state of father absence
bio father to important

Kevin Smith - Cornerstone.

bill to far to fast though
current system is broken
50% divorce rate, 2008 99 million dollars
because of broken home.

Airs deputy director juvenile service, majority broken homes.
amend to Study Committee for divorce
reform. Mandatory mediation or
financial classes, how to curb divorce or make
marriages better,

Bates: Statistics of DYF, broken homes, single
parent homes.

Brown: "Widow ???" lumping all families
w/ problems.

Robbins: idea of getting more info:
studying is appealing.

Paster Garet Lear: bible not silent on marriage.
state got involved in marriage opened Pandora's box.
marriage not just happy, also holy. Marriages
can be healed, pre marital counseling. Please
don't defu responsibility. Most important basis.

O'Leary:

I don't even know what his question
was !!!

Cont. Bill 587

(3/3/2011)

Paster Garnet LEAR.

Covenant marriage vs. traditional marriage.

cannot get divorce w/o intervention.

complex, would be glad to work w/ committee to help marriage.

Dave Johnson - "talked about Gould's?"

longer it takes.

blaming of one parent, (child not present)

fact finding is necessary.

Custody hearing { pop - went to court
therapist - went to court

Marital master determined irrecondiff divorce.

x No-responsibility

x No-accountability.

No blame typically end up w/ custody.

"always going to be wiggle room, judges latitude."

Committee of Men shows the State is harmful to the fathers.

Family division 33% more complaints.

Needs tougher language in bill.

level perjury so high, County Atty even know

Johnson:

Rare - amicable divorce:

Single parent homes * 85% more likely

pregnancy
* incarceration

Sub-Committee Actions

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW
SUBCOMMITTEE WORK SESSION ON HB 587

BILL TITLE: relative to grounds for divorce for persons with minor children.

DATE: October 19, 2011

Subcommittee Members: Reps. Lovejoy, Dowling, and Robbins

Comments and Recommendations:

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Robbins

Seconded by Rep. Lovejoy

Vote: 2-0

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Lovejoy
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW
SUBCOMMITTEE WORK SESSION ON HB 587

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Sponsor: Rep.	OLS Document #:
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Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. R4

Seconded by Rep. Lynn

Vote: 2-0

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. [Signature]
Subcommittee Chairman/Clerk

[Signature]

Children and Family Law Sub-Committee Meeting

October 19, 2011

HB 587 – Relative to grounds for divorce for persons with minor children

Sub-Committee members present – Patty Lovejoy, David Robbins

The sub-committee reviewed notes from May 25th and further discussed the merits of the bill.

A unanimous vote was taken to recommend that the bill be ITL

Sub-Committee Minutes

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW
SUBCOMMITTEE WORK SESSION ON HB 587

BILL TITLE: relative to grounds for divorce for persons with minor children.

DATE: May 25, 2011

Subcommittee Members: Reps. P. Lovejoy, Dowling, and Robbins

Comments and Recommendations: Meet again in the fall.

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Lovejoy
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW
SUBCOMMITTEE WORK SESSION ON HB 587

BILL TITLE: relative to grounds for divorce for persons with minor children.

DATE: 2011 5.25.11

Subcommittee Members: Reps. P. Lovejoy, Chairman, Dowling and Robbins

Comments and Recommendations:

*see minutes - Meet again
in the fall.*

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. 
Subcommittee Chairman/Clerk

Children and Family Law Sub-Committee Meeting

HB 587 - relative to grounds for divorce for persons with minor children.

Sub-Committee Members Present – Patty Lovejoy, David Robbins

The sub-committee reviewed statistics for the past 10 years related to divorces in New Hampshire including those involving children less than 18 years of age and those for all divorces. In both instances slightly over 98% of all divorces are for irreconcilable differences. Over the last 10 year period there were 24,343 divorces for irreconcilable differences that involved children less than 18 years of age.

This bill did not have a fiscal note but information from the courts suggests that there would be a fiscal impact. The average divorce trial lasted 364 minutes and incurred \$661 in Judge costs – this does not include the cost of clerk time and other related court costs.

Extrapolating only the cost of the judge time for the average number of cases would amount to \$160,900 per year.

This bill would force parents to “blame” one another in order to obtain a divorce or to force couples with minor children to remain married even though the marriage may be irretrievably broken.

The committee was concerned about the negative consequences that could arise from the implementation of this bill most notably being the effect on children of forcing one parent to be labeled “The bad parent”, or conversely what are the effects of trauma on the child of continuing to live in a household with two parents who do not want to be together.

The committee was also concerned about the effect a divorce for fault would have on the awarding of alimony – evidence of fault can effect alimony according to 458:7II 34.

The committee supports the goal of strengthening marriages for the sake of all involved especially the minor children but we believe the unintended consequences of this bill are not in the best interest of children and that the bill should be ITL.

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

SUBCOMMITTEE WORK SESSION ON HB 587

BILL TITLE: relative to grounds for divorce for persons with minor children.

DATE: September 14, 2011

Subcommittee Members: Reps. Moran, Hogan, Brown, Gargas, Dowling, Johnson, DeSimone, Katsakiores, Sapienza, Soucy, Perkins, Oigny, Robbins, Grassie, Gould, Lovejoy, and Porter

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep.
Subcommittee Chairman/Clerk

Testimony



Background

Executive Summary

No. 1373

June 5, 2000

THE EFFECTS OF DIVORCE ON AMERICA

PATRICK F. FAGAN AND ROBERT RECTOR

Each year, over 1 million American children suffer the divorce of their parents; moreover, half of the children born this year to parents who are married will see their parents divorce before they turn 18. Mounting evidence in social science journals demonstrates that the devastating physical, emotional, and financial effects that divorce is having on these children will last well into adulthood and affect future generations. Among these broad and damaging effects are the following:

- Children whose parents have divorced are increasingly the victims of abuse. They exhibit more health, behavioral, and emotional problems, are involved more frequently in crime and drug abuse, and have higher rates of suicide.
- Children of divorced parents perform more poorly in reading, spelling, and math. They also are more likely to repeat a grade and to have higher drop-out rates and lower rates of college graduation.
- Families with children that were not poor before the divorce see their income drop as much as 50 percent. Almost 50 percent of the parents with children that are going through a divorce move into poverty after the divorce.

- Religious worship, which has been linked to better health, longer marriages, and better family life, drops after the parents divorce.

The divorce of parents, even if it is amicable, tears apart the fundamental unit of American society. Today, according to the Federal Reserve Board's 1995 *Survey of Consumer Finance*, only 42 percent of children aged 14 to 18 live in a "first marriage" family—an intact two-parent married family. It should be no surprise to find that divorce is having such profound effects on society.

Restoring the importance of marriage to society and the welfare of children will require politicians and civic leaders to make this one of their most important tasks. It also will require a modest commitment of resources to pro-marriage programs. Fiscal conservatives should realize that federal and state governments spend \$150 billion per year to

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This paper, in its entirety, can
be found at: [www.heritage.org/
library/backgrounder/bg1373.html](http://www.heritage.org/library/backgrounder/bg1373.html)

subsidize and sustain single-parent families. By contrast, only \$150 million is spent to strengthen marriage. Thus, for every \$1,000 spent to deal with the effects of family disintegration, only \$1 is spent to prevent that disintegration. Refocusing funds to preserve marriage by reducing divorce and illegitimacy not only will be good for children and society, but in the long run will save money.

Among its efforts, the federal government should:

- Establish, by resolution, a national goal of reducing divorce among families with children by one-third over the next decade.
- Establish pro-marriage demonstration programs by diverting sufficient funds from existing federal social programs into programs that provide training in marriage skills.
- Mandate that surplus welfare funds be used to strengthen marriages and slow the increase in family disintegration.
- Rebuild the federal-state system for gathering statistics on marriage and divorce, which ended in 1993. Without such data, the nation cannot assess the true impact of divorce on the family, the schools, the community, and the taxpayer.
- Create a public health campaign to inform Americans of the risks associated with divorce and of the long-term benefits of marriage.
- Give a one-time tax credit to always-married couples when their youngest children reach 18. This small reward for committing one's marriage to nurturing the next generation into adulthood would help to offset the current marriage penalty in the tax code.

State laws govern marriage. Among their efforts, the states should:

- Establish a goal to reduce the divorce rate among parents with children by one-third over

the next decade and establish pro-marriage education and mentoring programs to teach couples how to develop skills to handle conflict and enhance the marital relationship.

- Require married couples with minor children to complete divorce education and a mediated co-partnering plan before filing for divorce.
- Promote community-wide marriage programs for couples planning to get married and marriage-mentoring programs for couples in troubled marriages.
- End "no-fault" divorce for parents with children under age 18, requiring them to prove that grave harm will be visited upon the children by having the marriage continue.
- Make the Covenant Marriage option available to engaged couples as a way to bind them to a marriage contract that lengthens the process for obtaining of a divorce by two years.

If the family is the building block of society, then marriage is the foundation of the family. However, this foundation is growing weaker, with fewer adults entering into marriage, more adults leaving it in divorce, and more and more adults eschewing it altogether for single parenthood or cohabitation.

American society, through its institutions, must teach core principles: that marriage is the best environment in which to raise healthy, happy children who can achieve their potential and that the family is the most important institution for social well-being. To set about the task of rebuilding a culture of family based on marriage and providing it with all the protections and supports necessary to make intact marriages commonplace, federal, state, and local officials must have the will to act.

—Patrick F. Fagan is William H. G. FitzGerald Senior Fellow in Family and Cultural Issues and Robert Rector is Senior Research Fellow in Domestic Policy Studies at The Heritage Foundation.



The Heritage Foundation Backgrounder

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No. 1373

June 5, 2000

THE EFFECTS OF DIVORCE ON AMERICA

PATRICK F. FAGAN AND ROBERT RECTOR

American society may have erased the stigma that once accompanied divorce, but it can no longer ignore its massive effects. As social scientists track successive generations of American children whose parents have ended their marriages, the data are leading even some of the once-staunchest supporters of divorce to conclude that divorce is hurting American society and devastating the lives of children. Its effects are obvious in family life, educational attainment, job stability, income potential, physical and emotional health, drug use, and crime.

Each year, over 1 million American children suffer the divorce of their parents (see Chart 1). Moreover, half of all children born to married parents this year will experience the divorce of their parents before they reach their 18th birthday. This fact alone should give policymakers and those whose careers focus on children reason to pause.

But the social science research also is showing that the effects of divorce continue into adulthood and affect the next generation of children as well. If the effects are indeed demonstrable, grave, and long-lasting, then something must be done to protect children and the nation from these consequences. Reversing the effects of divorce will entail nothing less than a cultural shift in attitude, if not a cultural revolution, because society still embraces divorce in its laws and popular culture, sending out myriad messages that "It's okay."

It is not. Mounting evidence in the annals of scientific journals details the plight of the children of divorce and clearly indicates not only that divorce has lasting effects, but that these effects spill over into every aspect of life. For example:

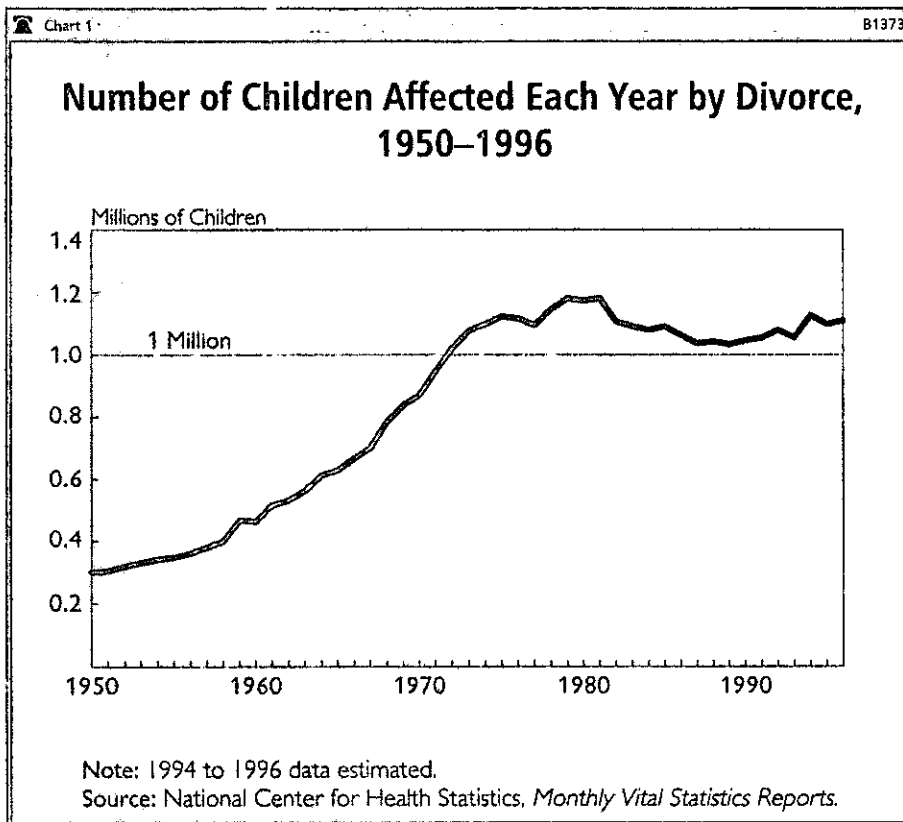
- Children whose parents have divorced are increasingly the victims of abuse and neglect. They exhibit more health problems, as well as behavioral and emotional problems, are involved more frequently in crime and drug abuse, and have higher rates of suicide.
- Children of divorced parents more frequently demonstrate a diminished learning capacity, performing more poorly than their peers from intact two-parent families in reading, spelling, and math. They also are more likely to repeat a

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The effects of divorce are immense. The research shows not only that it permanently weakens the relationship between a child and his or her parents, but also that it leads to destructive ways of handling conflict and a poorer self-image. Children of divorce demonstrate an earlier loss of virginity, more cohabitation, higher expectations of divorce, higher divorce rates later in life, and less desire to have children. These effects on future family life perpetuate the downward spiral of family breakdown.

The effects of divorce on children can range from mild to severe and from short-term to long-term. Though none of the effects necessarily

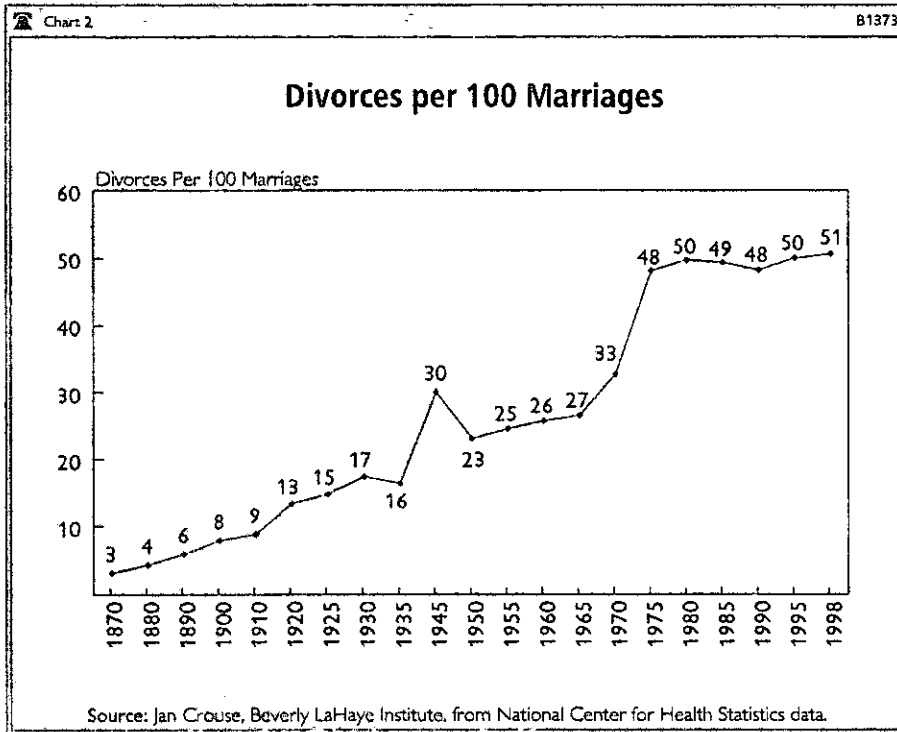
grade and to have higher drop-out rates and lower rates of college graduation.

- Divorce generally reduces the income of the child's primary household and seriously diminishes the potential of every member of the household to accumulate wealth. For families that were not poor before the divorce, the drop in income can be as much as 50 percent. Moreover, decline in income is intergenerational, since children whose parents divorce are likely to earn less as adults than children raised in intact families.
- Religious worship, which has been linked to health and happiness as well as longer marriages and better family life, is less prevalent in divorced families.

Such evidence should give all Americans reason to speak out on this problem. If nothing is done, America will continue the downward spiral into social decay.

applies to every child of divorced parents, millions of children who see their parents divorce are nonetheless affected in serious ways by that act of rejection. There is no way to predict how each individual child will be affected or to what extent, but it is possible to demonstrate and predict the numerous and serious effects that divorce is having on society. Thus, the issue for researchers is no longer to determine what divorce's ill effects are, but rather to understand the depth and persistence of these effects on children, their children, and even their grandchildren.

Policymakers at the federal and state levels have ample evidence to lend weight to efforts to change the culture of divorce. Even the legal system seriously neglects the interests of children. State officials should greatly expand effective marriage education and divorce prevention programs. They also should end the legal status of "no fault" divorce for parents who have children under the age of 18.



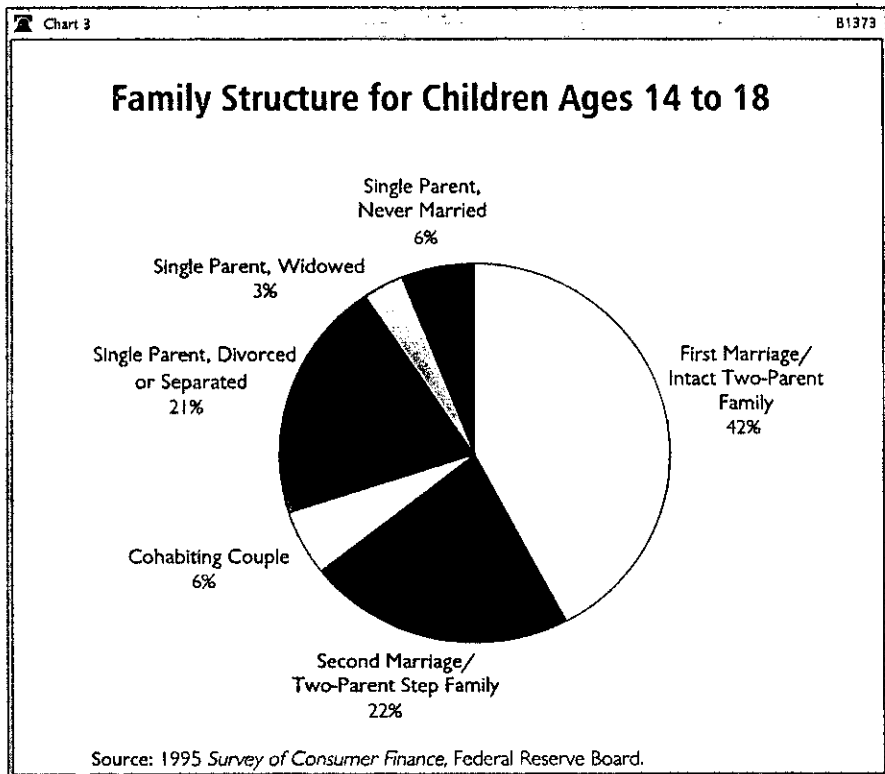
who can achieve their potential, and that the family is the most important institution for social well-being.

THE GROWTH OF DIVORCE

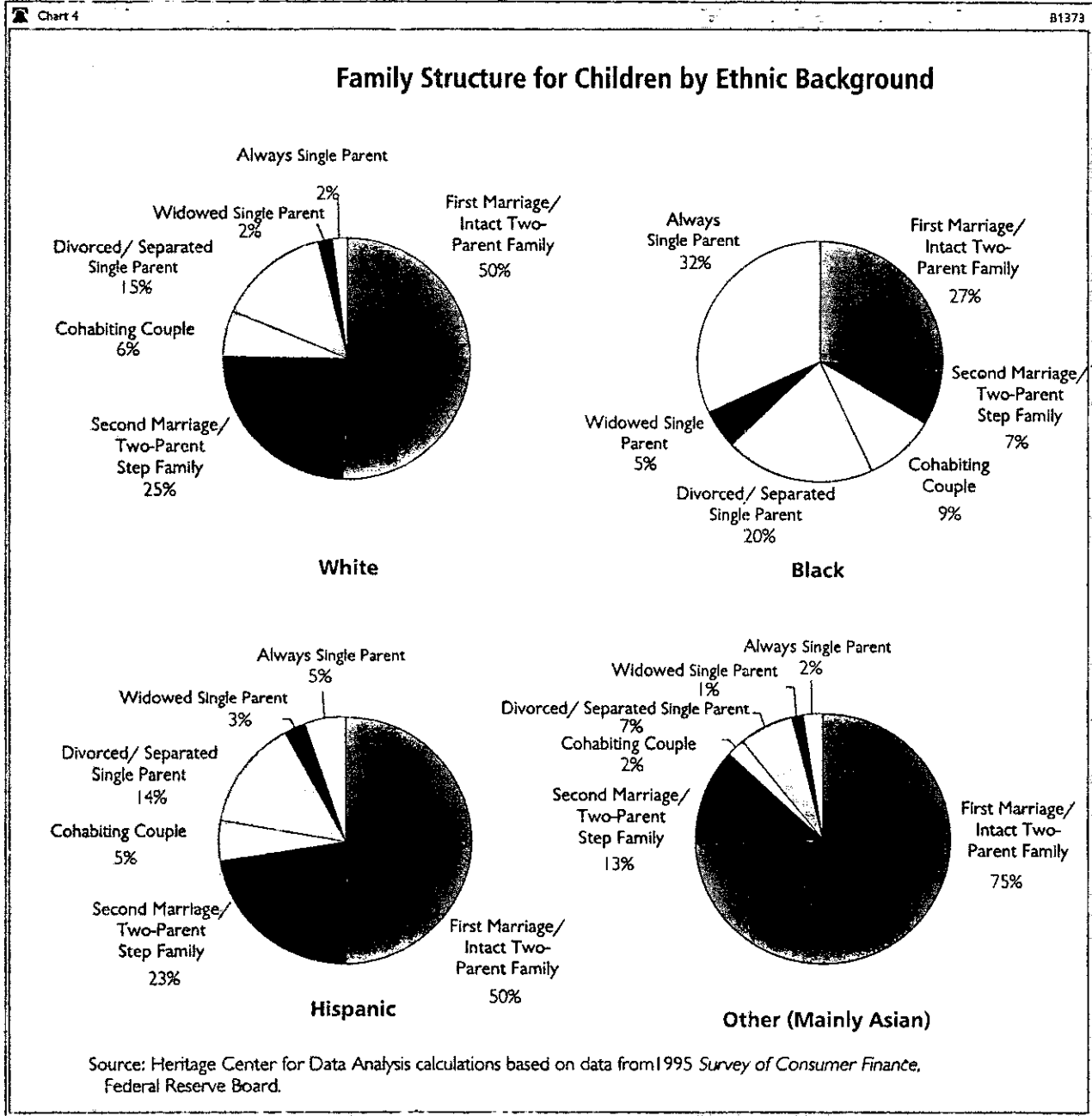
Divorce has grown significantly over the past half century, as Chart 2 shows. In 1935, there were 16 divorces for each 100 marriages. By 1998, the number had risen to 51 divorces per 100 marriages. As noted previously, over 1 million children experience parental divorce each year, and over 8 million children currently live with a divorced single parent.

Federal officials can assist them in this effort by establishing the importance of marriage in federal policies and programs. For example, Washington could require the states to collect and provide accurate data on marriages and divorces, noting in each case the ages of the children involved. Congress could create demonstration grants, by diverting existing funding, to enable local community groups to provide marriage education and divorce prevention programs. Finally, Congress could establish a one-time tax credit for married parents who keep their marriage intact at least until their youngest child reaches age 18.

The combined effect of divorce and out-of-wedlock childbearing means that more than half of America's children will spend all or part of their



American society, through its institutions, must teach core principles: that marriage is the best environment in which to raise healthy, happy children



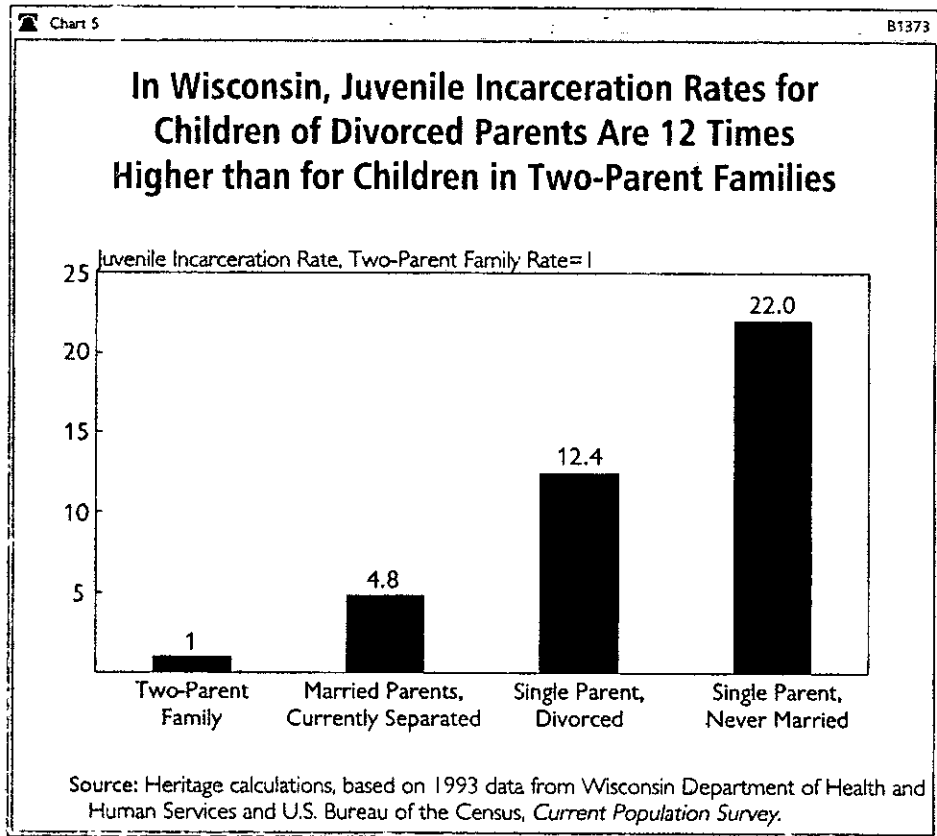
childhood living in a single-parent, divorced, or remarried family. The Federal Reserve Board's 1995 *Survey of Consumer Finance* shows that only

42 percent of children aged 14 to 18 live in a "first marriage" family, generally an intact two-parent married family with both biological parents.¹

1. Due to the impreciseness of *Survey of Consumer Finance* definitions, these figures must be treated as rough estimates only. The *Survey of Consumer Finance* divides married-couple households into first- and second-marriage households. Although we have counted all children in first-marriage households as living with both biological parents, a small number of these children may have been born out of wedlock before the mother's marriage to another man; such children would not be residing with both biological parents.

Some 21 percent of teenage children live with a single parent who is divorced or separated, while 22 percent live in a two-parent household with one step-parent.² The remaining teenagers live with a never-married single parent (6 percent), a widowed single parent (3 percent), or cohabiting adults (6 percent).³ (See Chart 3.)

Chart 4 shows that family structure varies considerably by ethnic group. Three-fourths of Asian-American teenagers live in an intact-married-couple family with both biological parents. Among whites and Hispanics, the number is 50 percent; among blacks, it is 25 percent.



HOW DIVORCE AFFECTS SOCIETY

The divorce of parents, even if it is an amicable decision, tears apart a family—the fundamental unit of American society. It should be no surprise to find, then, that the prevalence of divorce is having profound effects on society. What may surprise many policymakers and other Americans is how strong the relationship is between family background and such problems as crime, abuse and neglect, and addictions.

Divorce and Crime

To understand the significant relationship between the rate of crime in a community and family background, one need only look at the evidence. For example, Robert Sampson, professor of sociology at the University of Chicago, found that the divorce rate predicted the rate of robbery in any given area, regardless of economic and racial composition. Sampson studied 171 U.S. cities with populations of more than 100,000. In these communities, he found that the lower the rates of divorce, the higher the formal and informal social controls (such as the supervision of children) and the lower the crime rate.⁴

2. These figures treat all children in "second marriage" families as residing in stepparent families; however, some of these children will have been born during the second marriage and actually be residing with both biological parents.
3. Generally, these cohabiting families will consist of the biological mother cohabiting with a boyfriend who is not related to the child.
4. Robert J. Sampson, "Crime in Cities: The Effects of Formal and Informal Social Control," in Michael Tonry and Norval Morris, eds., *Crime and Justice* (Chicago: University of Chicago Press, 1992), pp. 271–301.

Moreover, data from Wisconsin dramatically illustrate that the rates of incarceration for its juvenile delinquents are 12 times higher for children of divorce than for children living with married parents.⁵ (See Chart 5.)

Different studies confirm the general conclusions from the Wisconsin data. For example:

- Children of divorced parents are significantly more likely to become delinquent by age 15, regardless of when the divorce took place, than are children whose own parents are married.⁶
- A 1985 study tracked 1,000 families with children aged 6 to 18 for six years and found that children living in intact married families exhibited the least delinquency, while children with stepfathers were more likely to demonstrate the most disruptive behaviors.⁷
- In a British longitudinal study of males aged 8 to 32, David P. Farrington, professor of criminology at Cambridge University, found that the divorce of parents before a child reached age

10 is a major predictor of adolescent delinquency and adult criminality.⁸

- A recent U.S. longitudinal study which tracked over 6,400 boys over a period of 20 years (well into their adult years) found that children without biological fathers in the home are roughly three times more likely to commit a crime that leads to incarceration than are children from intact families.⁹

Moreover, as a major review of literature on divorce conducted by the government of Australia found, divorce increases the likelihood that a child will feel hostility and rejection.¹⁰ Further research on the relationship between family background and crime indicates that rejection by peers can lead hostile children to join delinquent gangs.¹¹ It is worth noting that these findings on delinquency are not confined to boys: Among adolescent girls, there is a strong correlation between family structure, delinquency,¹² hostile behavior,¹³ drug use, larceny, skipping school,¹⁴ and alcohol abuse.¹⁵

5. Wisconsin Department of Health and Social Services, Division of Youth Services, "Family Status of Delinquents in Juvenile Correctional Facilities in Wisconsin," April 1994. The data were merged with data from the Current Population Survey on family structure in Wisconsin for that year to derive rates of incarceration by family structure.
6. Abbie K. Frost and Bilge Pakiz, "The Effects of Marital Disruption on Adolescents: Time as a Dynamic," *American Journal of Orthopsychiatry*, Vol. 60 (1990), pp. 544-555. Others have found that children of divorced parents are up to six times more likely to be delinquent than children from intact families. See David B. Larson, James P. Swyers, and Susan S. Larson, *The Costly Consequences of Divorce* (Rockville, Md.: National Institute for Healthcare Research, 1995), p. 123.
7. Annette U. Rickel and Thomas S. Langer, "Short-Term and Long-Term Effects of Marital Disruption on Children," *American Journal of Community Psychology*, Vol. 13 (1985), pp. 599-661. (In this study, children of single parents fell between these two groups in delinquency.)
8. David P. Farrington, "Implications of Criminal Career Research for the Prevention of Offending," *Journal of Adolescence*, Vol. 13 (1990), pp. 93-113.
9. Cynthia Harper and Sara S. McLanahan, "Father Absence and Youth Incarceration," presented at the annual meeting of the American Sociological Association, 1998.
10. Standing Committee on Legal and Constitutional Affairs, House of Representatives, Parliament of the Commonwealth of Australia, *To Have and To Hold* (Canberra: Parliament of Australia, 1998), p. 36.
11. Patrick F. Fagan, "The Real Root Causes of Violent Crime: The Breakdown of Marriage, Family, and Community," Heritage Foundation *Backgrounder* No. 1026, March 17, 1995.
12. Karen Heimer, "Gender, Interaction, and Delinquency: Testing a Theory of Differential Social Control," *Social Psychology Quarterly*, Vol. 59 (1996), pp. 39-61.
13. Bilge Pakiz, Helen Z. Reinherz, and Rose M. Giaconia, "Early Risk Factors for Serious Antisocial Behavior at Age 21: A Longitudinal Community Study," *American Journal of Orthopsychiatry*, Vol. 67 (1997), pp. 92-100.

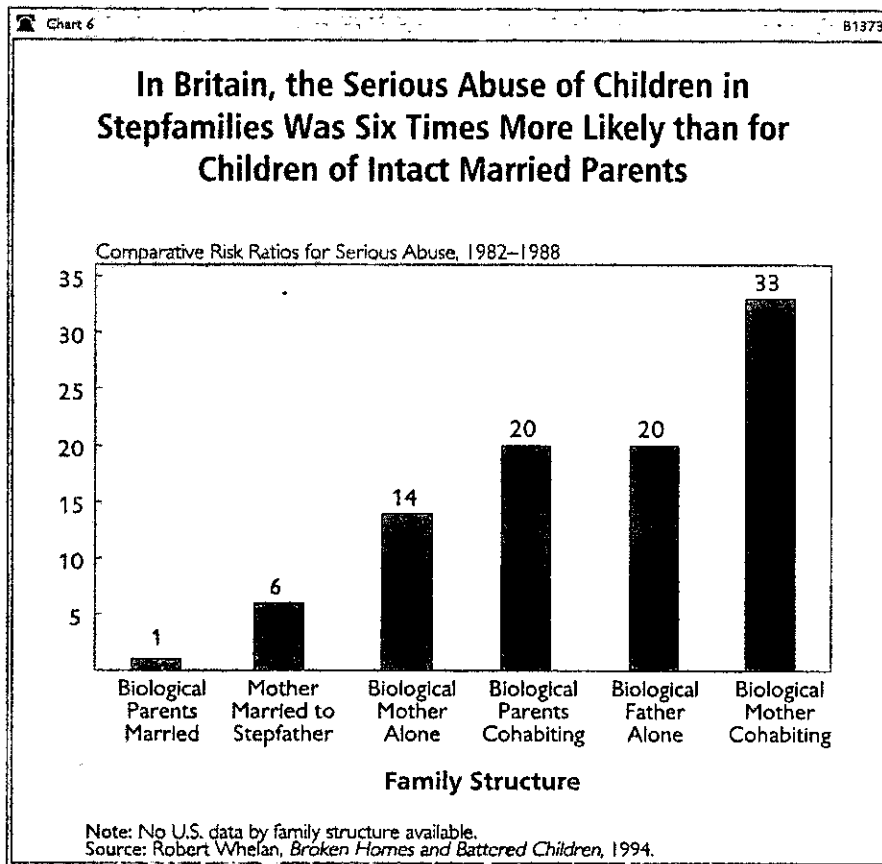


Chart 6.) Sadly, huge differences in the rates of fatal child abuse accompany family structure. After a divorce, mothers may marry again or acquire new boyfriends, but the presence of a stepfather or a boyfriend increases the risk of abuse, though at significantly different rates.

- Serious abuse is much higher among stepchildren than among children of intact families, and adults who were sexually abused as children are more likely to have been raised in stepfamilies than in intact married families.¹⁷
- The rate of sexual abuse of girls by their stepfathers is at least six or seven times higher,¹⁸ and may be as much as 40 times greater,¹⁹ than sexual abuse of daughters by their biological fathers who remain in intact families.

Divorce and Abuse

Child abuse is closely related to delinquency and violent crime, and divorce is a relevant factor in an abused child's background.¹⁶ Not only do higher levels of divorce accompany higher levels of child abuse, but remarriage does not reduce the level of child abuse and may even add to it. (See

- Margo Wilson and Martin Daly, professors of psychology at McMaster University in Canada, report that children two years of age and

- Neil Kalter, B. Reimer, A. Brickman, and J. W. Chen, "Implications of Parental Divorce for Female Development," *Journal of the American Academy of Child Psychiatry*, Vol. 25 (1986), pp. 538-544.
- Frost and Pakiz, "The Effects of Marital Disruption on Adolescents," pp. 544-555.
- Patrick F. Fagan, "The Child Abuse Crisis: The Disintegration of Marriage, Family, and the American Community," *Heritage Foundation Backgrounder* No. 1115, June 3, 1997.
- David M. Fergusson, Michael T. Lynskey, and L. John Horwood, "Childhood Sexual Abuse and Psychiatric Disorders in Young Adulthood: I. Prevalence of Sexual Abuse and Factors Associated with Sexual Abuse," *Journal of the American Academy of Child and Adolescent Psychiatry*, Vol. 34 (1996), pp. 1355-1364.
- Diana E. H. Russell, "The Prevalence and Seriousness of Incestuous Abuse: Stepfathers vs. Biological Fathers," *Child Abuse and Neglect*, Vol. 8 (1984), pp. 15-22.
- Margo Wilson and Martin Daly, "The Risk of Maltreatment of Children Living with Stepparents," in Richard J. Gelles and Jane B. Lancaster, eds., *Child Abuse and Neglect: Biosocial Dimensions, Foundations of Human Behavior* (New York: Aldine de Gruyter, 1987), p. 228.

younger are 70 to 100 times more likely to be killed at the hands of their stepparents than by their biological parents.²⁰ (Younger children, because of their small size, are much more vulnerable.)

- The data from Britain predict a smaller risk, but this research is not as rigorous as the Canadian study. The British study reports that fatal abuse of children of all ages occurs three times more frequently in stepfamilies than in intact married families.²¹

When parents divorce, most children suffer. For some, this suffering turns into long-lasting psychological damage. Neglect of children, which can be psychologically more damaging than physical abuse,²² is twice as high among separated and divorced parents.²³

Stepparents have a difficult time establishing close bonds with their stepchildren—a common theme in literature that is confirmed in the research literature. The rate of bonding between stepparents and stepchildren is rather low. One study found that only 53 percent of stepfathers and 25 percent of stepmothers have “parental feelings” toward their stepchildren, and still fewer report having “love” for them.²⁴

Divorce and Addiction

Children who use drugs and abuse alcohol are more likely to come from family backgrounds characterized by parental conflict and parental

rejection. Because divorce increases these factors, it increases the likelihood that children will abuse alcohol and begin using drugs. Adolescents whose parents recently divorced are found to abuse drugs and alcohol much more often than do adolescents whose parents divorced during their early childhood. When they are compared with children whose parents are still married, the difference grows even greater.²⁵ Comparing all family structures, drug use in children is lowest in the intact married family.²⁶

HOW DIVORCE AFFECTS EDUCATIONAL ACHIEVEMENT

Throughout a child's educational experience, the divorce of parents has an impact on learning and achievement.

Divorce and the Capacity to Learn

Divorce impedes learning by disrupting productive study patterns as children are forced to move between domiciles, and by increasing anxiety and depression in both parents and children. Because of its impact on stable home life, divorce can diminish the capacity to learn—a principle demonstrated by the fact that children whose parents divorce have lower rates of graduation from high school and college and also complete fewer college courses.

- In the “Impact of Divorce Project,” a survey of 699 elementary students nationwide con-

20. *Ibid.*, pp. 215–232.

21. Fagan, “The Child Abuse Crisis.”

22. Richard Emery, “Abused and Neglected Children,” *The American Psychologist*, Vol. 44, No. 2 (1989), pp. 321–328.

23. Yuriko Egami, “Psychiatric Profile and Sociodemographic Characteristics of Adults Who Report Physically Abusing or Neglecting Children,” *American Journal of Psychiatry*, Vol. 153 (1996), pp. 921–928.

24. David Popenoe, *Life Without Father* (New York: Martin Kessler Books, 1995), p. 57, quoting Lucile Duberman, *The Reconstituted Family: A Study of Remarried Couples and Their Children* (Chicago: Nelson-Hall, 1975).

25. William J. Doherty and R. H. Needle, “Psychological Adjustment and Substance Use Among Adolescents Before and After a Parental Divorce,” *Child Development*, Vol. 62 (1991), pp. 328–337.

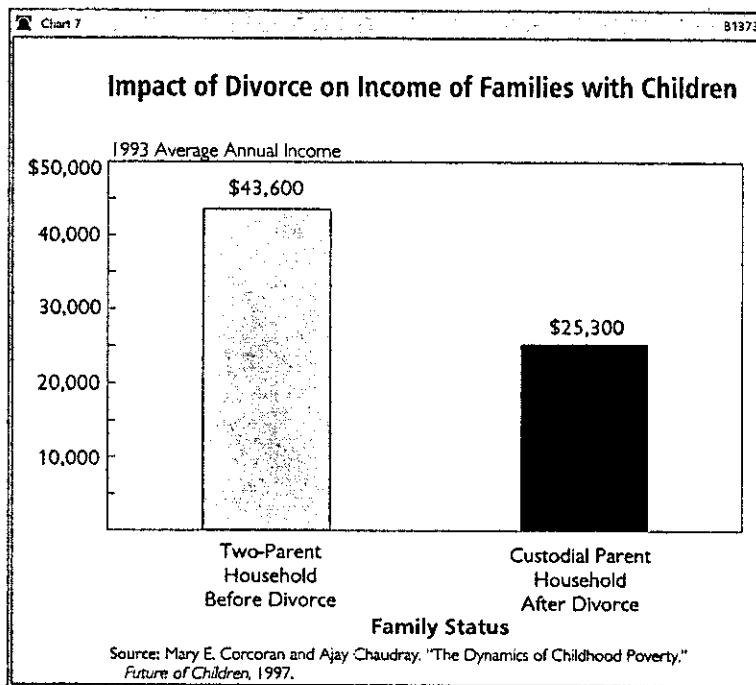
26. John P. Hoffman and Robert A. Johnson, “A National Portrait of Family Structure and Adolescent Drug Use,” *Journal of Marriage and the Family*, Vol. 60, No. 3 (1998), pp. 633–645; Robert L. Flewing and K. E. Baumann, “Family Structure as a Predictor of Initial Substance Use and Sexual Intercourse in Early Adolescence,” *Journal of Marriage and the Family*, Vol. 52 (1990), pp. 171–181.

ducted by Kent State University in Ohio, children from divorced homes performed more poorly in reading, spelling, and math and repeated a grade more frequently than did children from intact two-parent families.²⁷

The absence of the father lowers cognitive test scores for young children in general,²⁸ especially the math scores of daughters.²⁹ By comparison, a girl's verbal capacities increase when the father is present, especially when he reads aloud to her when she is young.³⁰ By age 13, there is an average difference of half a year in reading abilities between children of divorced parents and those who have intact families.³¹ Even the most effective preventive work on reading and math skills does not eliminate the drop in performance at school among children of divorce.³²

Frequent relocation of these children appears to play a large role in their poorer performance, regardless of family background.³³ Compared with children of intact families, children of broken

families—whether they have divorced parents or stepparents, or even an always-single parent—move about much more frequently.³⁴ Such moves tend to increase the incidence of behavioral, emotional, and academic problems for all adolescents, regardless of family structure.³⁵ Very young chil-



27. Popenoe, *Life Without Father*, p. 57. June O'Neill and Anne Hill, professors of business and government at Baruch College, City University of New York, also found that growing up with a divorced parent has a significant, negative effect on children's test scores. See M. Anne Hill and June O'Neill, "Family Endowments and the Achievement of Young Children with Special Reference to the Underclass," *Journal of Human Resources*, Vol. 29 (1994), pp. 1064-1100.

28. Mary Ann Powell and Toby L. Parcel, "Effects of Family Structure on the Earnings Attainment Process: Differences by Gender," *Journal of Marriage and the Family*, Vol. 59 (1997), p. 419, reporting on unpublished research by Frank Mott (1993), prepared for NIH/NICHHD.

29. Popenoe, *Life Without Father*, p. 148, reporting on the findings of Goldstein (1982).

30. *Ibid.*, reporting on the findings of Bing (1963).

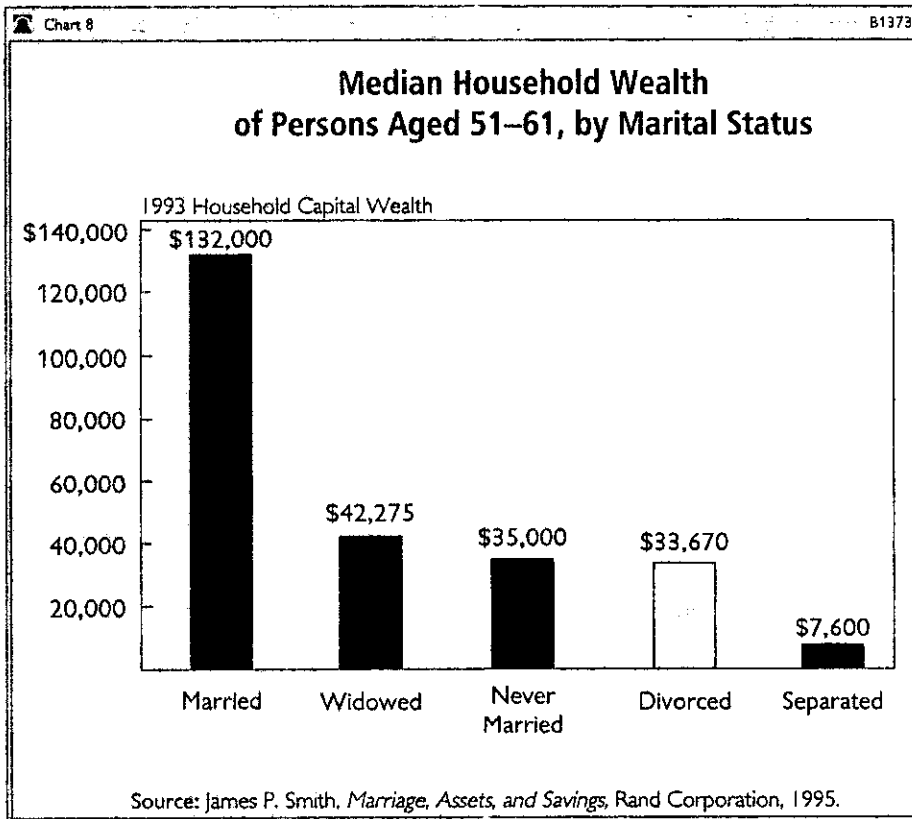
31. Jim Stevenson and Glenda Fredman, "The Social Correlates of Reading Ability," *Journal of Child Psychology and Psychiatry*, Vol. 31 (1990), pp. 689-690.

32. Linda J. Alpert-Gillis, JoAnne L. Pedro-Carroll, and Emory L. Cowen, "The Children of Divorce Intervention Program: Development, Implementation, and Evaluation of a Program for Young Urban Children," *Journal of Consulting and Clinical Psychology*, Vol. 57 (1989), pp. 583-589.

33. See William S. Aquilino, "The Life Course of Children Born to Unmarried Mothers: Childhood Living Arrangements and Young Adult Outcomes," *Journal of Marriage and the Family*, Vol. 58 (1996), pp. 293-310.

34. Frances K. Goldscheider and Calvin Goldscheider, "The Effects of Childhood Family Structure on Leaving and Returning Home," *Journal of Marriage and the Family*, Vol. 60 (1998), p. 751.

35. Hoffman and Johnson, "A National Portrait of Family Structure and Adolescent Drug Use," p. 635.



Divorce and Graduation Rates

Divorce affects the grade level that children attain: High school dropout rates are much higher among children of divorced parents than among children of always-married parents.³⁷ Even if the children's primary parent remarries, step-family life does not wipe out the educational losses generally experienced by these children. Schools may expel as many as one in four stepchildren,³⁸ though this ratio can fall to one in 10 if step-parents are highly involved in their children's school.³⁹ Children raised in intact families complete more total years of education and have

children are especially susceptible, since they are usually more attached to their home than older children are. Leaving their family home for another after their parents' divorce becomes even more traumatic because they tend to become more attached to their home during the breakup of their parents.³⁶

higher earnings than children from other family structures.⁴⁰ The advantage given by an intact family also holds for children in poor inner-city communities.⁴¹

The divorce of parents also reduces the likelihood that a child will attain a college education. The college attendance rate is about 60 percent lower among children of divorced parents compared with children of intact families.⁴²

36. Ruth Stirtzinger and Lorraine Cholvat, "Preschool Age Children of Divorce: Transitional Phenomena and the Mourning Process," *Canadian Journal of Psychiatry*, Vol. 35 (1990), pp. 506–514.

37. Sara McLanahan and Gary D. Sandefur, *Growing Up With a Single Parent: What Hurts, What Helps* (Cambridge, Mass.: Harvard University Press, 1994), p. 67.

38. Deborah A. Dawson, "Family Structure and Children's Health and Well Being: Data from the 1988 National Survey of Child Health," *Journal of Marriage and the Family*, Vol. 53 (1991), pp. 573–584.

39. Larson *et al.*, *The Costly Consequences of Divorce*, p. 167, reporting on the findings of Zill and Nord (1994) and Lee (1993).

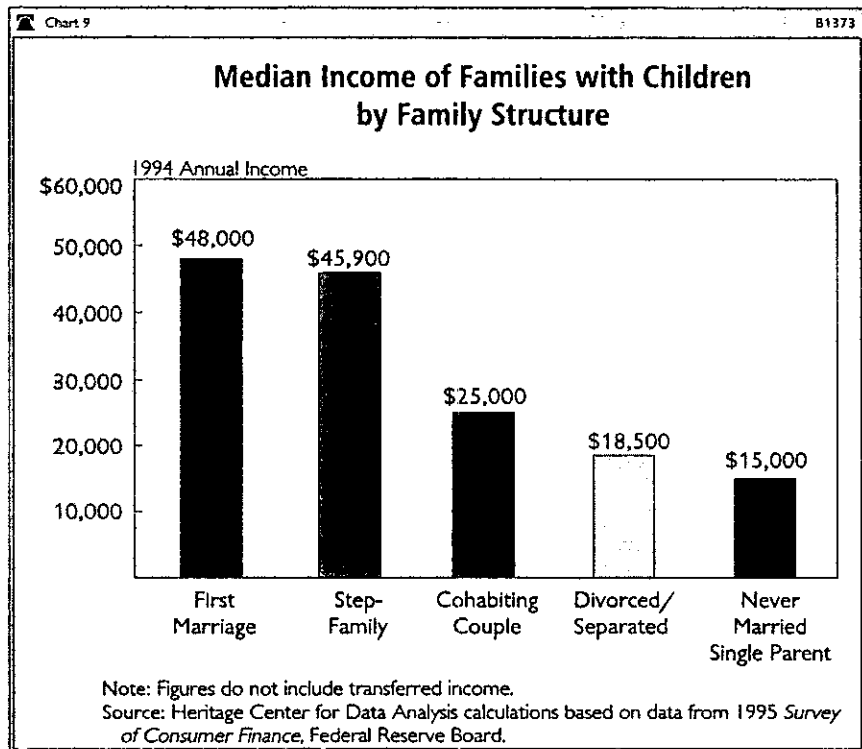
40. Powell and Parcel, "Effects of Family Structure on the Earnings Attainment Process," p. 425.

41. Janet B. Hardy *et al.*, "Self-Sufficiency at Ages 27–33 Years: Factors Present Between Birth and 18 Years that Predict Educational Attainment Among Children Born to Inner-City Families," *Pediatrics*, Vol. 99 (1997), pp. 80–87.

42. Hillevi M. Aro and Ulla K. Palosaari, "Parental Divorce, Adolescence, and Transition to Young Adulthood: A Follow-Up Study," *American Journal of Orthopsychiatry*, Vol. 62, No. 3 (July 1992), pp. 421–429.

Judith Wallerstein, a clinical psychologist from San Francisco, found that of the college-age students who went to the same high schools in affluent Marin County near San Francisco, only two-thirds of children from divorced families attended college compared with 85 percent of students from intact families.⁴³ The well-known high rates of college attainment by Asian-American children illustrate this point. Asian-Americans also seem to have the highest levels of intact family life of all American ethnic groups. (See Chart 4.)

Family income may make a difference in college attendance, and income in the custodial family falls after a divorce.⁴⁴ According to data reported in 1994 by Mary Corcoran, professor of political science at the University of Michigan, "During the years children lived with two parents, their family incomes averaged \$43,600, and when these same children lived with one parent, their family incomes averaged \$25,300."⁴⁵ (See Chart 7.) In other words, the household income of a child's custodial family dropped on average about 42 percent following divorce.⁴⁶ Furthermore, parents' accumulated wealth is different across family structures and will affect the level of financial support available from parents for their children's college education. (See Chart 8 and Chart 9.)



HOW DIVORCE AFFECTS FAMILIES ECONOMICALLY

As the above information demonstrates, divorce has significant negative economic consequences for families. The breakup of families leaves one parent trying to do the work of two people—and one person cannot support a family as well as two can. Because of this, divorce has been shown to lead to decreased household income and a higher risk of poverty. It is a factor in a child's diminished level of academic achievement, which translates into lower earnings as an adult.⁴⁷

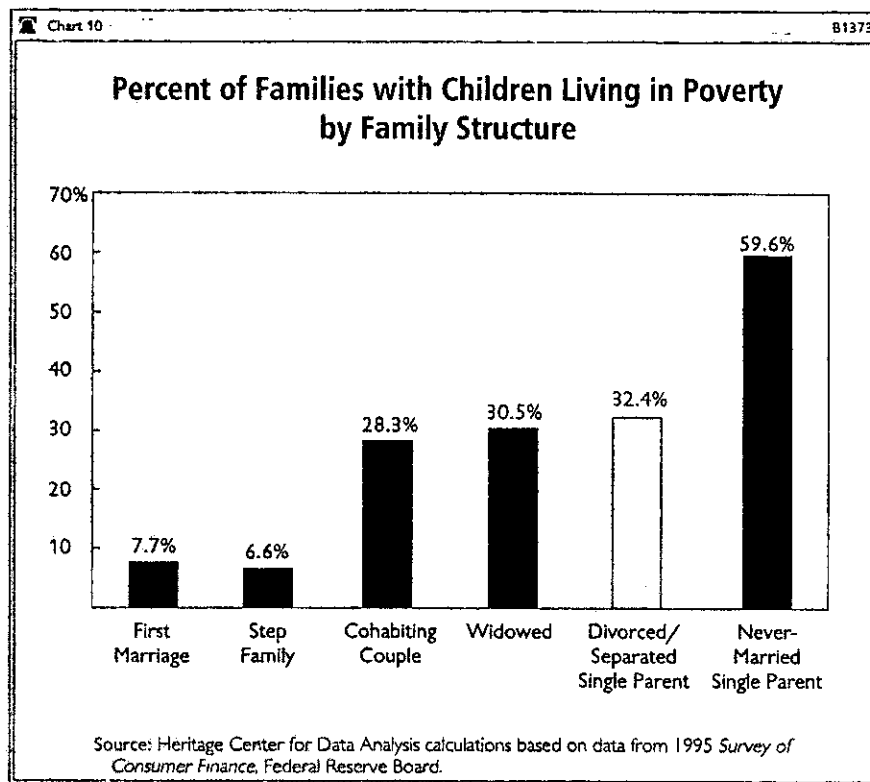
43. Judith Wallerstein, "The Long Term Effects of Divorce on Children: A Review," *Journal of the American Academy of Child Adolescent Psychiatry*, Vol. 30 (1991), pp. 349–360.

44. Powell and Parcel, "Effects of Family Structure on the Earnings Attainment Process," p. 419, reporting on the findings of Steelman and Powell (1991).

45. Mary E. Corcoran and Ajay Chaudry, "The Dynamics of Childhood Poverty," *Future of Children*, Vol. 7, No. 2 (1997), pp. 40–54, reporting on Duncan *et al.* (1994).

46. Peggy O. Corcoran, unpublished paper, Survey Research Center, University of Michigan, May 1994.

47. See Patrick F. Fagan, "How Broken Families Rob Children of Their Chances of Future Prosperity," *Heritage Foundation Backgrounder* No. 1283, June 11, 1999.



(GNP) went from \$203 billion to \$141 billion (in constant 1958 dollars).⁴⁸ Yet in each of the past 28 years, the households of over 1 million children have experienced an even greater contraction in income—with an average drop of between 28 percent to 42 percent.⁴⁹ For families that were not poor before a divorce, the drop in income can be as high as 50 percent.⁵⁰

Although the custodial parent's household after a divorce will contain fewer persons than the pre-divorce home, the income loss for the custodial parent's home is generally great enough to cause the per capita income to fall when compared with pre-divorce conditions.

Moreover, divorce causes both parents to lose the economies of scale that are implicit in the larger pre-divorce household.

Lower Income and Higher Incidences of Poverty

Divorce has a greater effect on the household income of the custodial parent than the Great Depression had on the American economy. Between 1929 and 1933, the economy contracted by 30.5 percent and the gross national product

Almost 50 percent of households with children undergoing divorce move into poverty following the divorce.⁵¹ Some 40 percent of families on Aid to Families with Dependent Children (AFDC) are divorced or separated single-parent households.⁵²

48. U.S. Department of Commerce, Bureau of the Census, *Historical Statistics of the United States, Bicentennial Edition, Colonial Times to 1970, Part I* (Washington, D.C., 1976), p. 228.

49. Divorce's immediate effects can be seen in data reported in 1994 by Mary Corcoran, professor of political science at the University of Michigan: "During the years children lived with two parents, their family incomes averaged \$43,600, and when these same children lived with one parent, their family incomes averaged \$25,300." In other words, the household income of a child's family dropped on average about 42 percent following divorce. See Corcoran and Chaudry, "The Dynamics of Childhood Poverty," pp. 40–54, quoting from G. J. Duncan *et al.*, "Lone-Parent Families in the United States: Dynamics, Economic Status, and Developmental Consequences," unpublished paper, Survey Research Center, University of Michigan, May 1994.

50. McLanahan and Sandefur, *Growing Up With a Single Parent*, p. 24.

51. Julia Heath, "Determinants of Spells of Poverty Following Divorce," *Review of Social Economy*, Vol. 49 (1992), pp. 305–315.

52. Committee on Ways and Means, U.S. House of Representatives, 1998 *Green Book: Background Material and Data on Programs Within the Jurisdiction of the Committee on Ways and Means*, May 19, 1998, p. 540. The AFDC program became the Temporary Assistance for Needy Families program in 1996.

As Chart 10 shows, based on data from the Federal Reserve Board's 1995 *Survey of Consumer Finance*, the differing ratios of poverty among different family structures tell the story of the impact of marriage on income.

- Compared with the poverty rate of the always-intact married family, a widowed family experiences a poverty rate that is 3.9 times higher; the cohabiting-couple household's poverty rate is 3.7 times higher; the rate for divorced single-parent families is 4.2 times higher; and the rate for always-single-parent families is 7.7 times higher. The stepfamily has a lower poverty rate, most likely because the remarriage often takes place later in the life of parents, when their incomes will be somewhat higher.⁵³

Particularly for women whose pre-divorce family income was below the median family income level, the research shows that divorce is a primary factor in determining the length of a "poverty spell."⁵⁴ Understandably, mothers who are employed at the time of a divorce are much less likely to become welfare recipients than mothers who do not work at the time of divorce. Mothers in this latter group go on welfare as frequently as single mothers who lose their jobs.⁵⁵

HOW DIVORCE AFFECTS PERSONAL WELL-BEING

Harmful Mental and Physical Health Effects

It is increasingly clear that divorce affects the health of children in broken families in many ways. Most significantly, divorce leads to:

- Increased behavioral, emotional, and psychiatric burdens;
- Increased rates of suicide; and
- Increased risks for health problems.

Divorce wreaks havoc with the psychological stability of many children.⁵⁶ Immediately upon the breakup of their families through divorce, children experience reactions ranging from anger, fear, and sadness to yearning, worry, rejection, conflicting loyalties, anger,⁵⁷ lowered self-confidence, heightened anxiety and loneliness, more depressed moods, more suicidal thoughts, and even more attempts to commit suicide.⁵⁸ Many of these feelings persist for years. For example:

- A major national survey of 20,000 adolescents found that the adolescent children of divorced parents did worse than their peers from intact families on such measures of satisfaction with life as happiness, sense of personal control, trust, and friendship.⁵⁹

53. The *Survey of Consumer Finance* underreports income in general, relative to the *Current Population Survey* of the U.S. Bureau of the Census. The undercount of income in the *Survey of Consumer Finance* yields higher overall poverty rates, but there is no reason to believe that the income undercount is biased in a manner that would significantly affect the relative probabilities of poverty by family type as represented in the text.

54. Committee on Ways and Means, *1998 Green Book*, p. 540.

55. Philip K. Robins, "Child Support, Welfare Dependency, and Poverty," *American Economic Review*, Vol. 976 (1986), pp. 768-786.

56. Peter Hill, "Recent Advances in Selected Aspects of Adolescent Development," *Journal of Child Psychology and Psychiatry*, Vol. 34 (1993), pp. 69-99.

57. Judith S. Wallerstein and Joan Berlin Kelly, *Surviving the Breakup: How Children and Parents Cope with Divorce* (New York: Basic Books, 1980).

58. Nadia Garnefski and Rene F. W. Diekstra, "Adolescents from One Parent, Stepparent and Intact Families: Emotional Problems and Suicide Attempts," *Journal of Adolescence*, Vol. 20 (1997), pp. 201-208.

59. Alan C. Acock and K. Hill Kiecolt, "Is It Family Structure or Socioeconomic Status? Family Structure During Adolescence and Adult Adjustment," *Social Forces*, Vol. 68 (1989), pp. 553-571. This held true even after taking the effects of reduced income into account.

- The National Surveys of Children, a major longitudinal federal study done in three waves during the 1980s, found that divorce was associated with a higher incidence of several mental health problems in children: depression; withdrawal from friends and family; aggressive, impulsive, or hyperactive behavior; and either withdrawing from participation in the classroom or becoming disruptive.⁶⁰
- Researchers from Johns Hopkins University and the University of Chicago found that the adult children of divorced parents experience mental health problems significantly more often than do the adult children of intact families.⁶¹
- The General Social Surveys of 1996 and 1998 show that the incidence of adults not being “too happy” varies significantly, depending on the type of family in which they grew up: Those whose parents divorced have reported being not “too happy” at twice the rate of those who grew up with both of their parents. Those who had a parent die during childhood fall halfway between these happiness rates.⁶²
- The British National Longitudinal Study, which continuously tracked a national sample of children born in 1958, has shown that divorce is associated with a substantial 39 percent increase in the risk of psychopathology.⁶³

Children younger than five years of age are found to be particularly vulnerable to the emotional conflicts occurring during the separation and divorce of their parents.⁶⁴ They cling more to their parents and regress more often to problems that are characteristic of younger children, such as bedwetting. Older children frequently withdraw from home life and seek intimacy away from home.⁶⁵

Judith Wallerstein’s study suggests that when divorce occurs in mid-childhood (between ages six and eight), a large portion of children experience persistent feelings of sadness and a need for constant reassurance about their performance in many of life’s tasks. For these children, anxieties run very high about their relationships with the opposite sex, personal commitments later in life (particularly during the late high school years), and marriage. These young adults are most acutely concerned about betrayal in romantic relationships, both present and future; they also are concerned about being hurt or abandoned by a fiancé or spouse.⁶⁶ Other studies have found the same pattern of “attachment insecurities” and low self-esteem among college students with divorced parents.⁶⁷

If divorce occurs when the children are teenagers (12 to 15 years of age), they tend to react in two very different ways: by attempting to avoid growing up or by attempting to “speed through”

60. Popenoe, *Life Without Father*, p. 62, reporting on the work of Wells, Rankin, Demo, and Acock.

61. Andrew J. Cherlin, P. Lindsay Chase-Lansdale, and Christine McRae, “Effects of Parental Divorce on Mental Health Throughout the Life Course,” *American Sociological Review*, Vol. 63 (April 1998), pp. 245–246.

62. Personal communication from Thomas Smith, Ph.D., NORC, University of Chicago, reporting on data from the General Social Survey on “not too happy,” which found that 8.8 percent lived with both parents; for 12.7 percent, a parent had died; for 15.7 percent, parents were divorced.

63. P. Lindsay Chase-Lansdale, Andrew J. Cherlin, and Kathleen E. Kiernan, “The Long-Term Effects of Parental Divorce on the Mental Health of Young Adults: A Developmental Perspective,” *Child Development*, Vol. 66 (1995), pp. 1614–1634.

64. Standing Committee on Legal and Constitutional Affairs, *To Have and To Hold*, p. 35.

65. *Ibid.*, p. 34, reporting on the research of M. P. Richards and M. Dyson.

66. Judith S. Wallerstein, “Children of Divorce: Report of a Ten-Year Follow-Up of Early Latency-Age Children,” *American Journal of Orthopsychiatry*, Vol. 57 (1987), pp. 199–211.

67. Julie J. Evans and Bernard L. Bloom, “Effects of Parental Divorce Among College Undergraduates,” *Journal of Divorce and Remarriage*, Vol. 26 (1997), pp. 69–88.

adolescence.⁶⁸ Other disturbing outcomes for teenagers include increased aggression, loss of self-confidence,⁶⁹ and particularly a sense of loneliness.⁷⁰ Boys are much more likely to be depressed than girls.⁷¹ Early sexual activity, substance abuse or dependence, hostile behavior, and depression also are more likely following a divorce. These reactions are more likely if the parents divorce before the child reaches age five, slightly less likely if they divorce after the child reaches age 10, and seemingly least likely during the years in between—a period sometimes called “the latency phase” by psychologists.⁷²

Unlike the experience of their parents, the child’s suffering does not reach its peak at the time of the divorce and then level off. Rather, the emotional effects of the parents’ divorce can be played and replayed throughout the next three decades of a child’s life.⁷³ For instance, one longitudinal study tracked children whose parents divorced in 1946 and tested them two and three decades later. Even 30 years after the divorce, negative long-term

effects were clearly present in the income, health, and behavior of many of the grown offspring.⁷⁴

These long-lasting effects are found in country after country. The British National Longitudinal Study cited above found a strong link between parental divorce during the middle and late childhood years (ages seven through 16) and significantly lower mental health status in young adulthood, with a 39 percent increase in the risk of psychopathology.⁷⁵ A large Finnish study found that at age 22, children of divorced parents experienced more frequent loss of jobs, more conflict with their bosses, and more separation and divorce; they also had more abortions.⁷⁶ A large Swedish sample (over 14,000) confirms again the negative mental health effects of parents’ divorce on children, no matter what the socioeconomic status of the family may be.⁷⁷ German research yields similar findings,⁷⁸ and a recent Australian parliamentary report reached similar conclusions.⁷⁹

68. Murray M. Kappelman, “The Impact of Divorce on Adolescents,” *American Family Physician*, Vol. 35 (1987), pp. 200–206.

69. Michael Workman and John Beer, “Aggression, Alcohol Dependency, and Self-Consciousness Among High School Students of Divorced and Non-Divorced Parents,” *Psychological Reports*, Vol. 71 (1992), pp. 279–286.

70. Randy M. Page, “Adolescent Loneliness: A Priority for School Health Education,” *Health Education Quarterly*, Vol. 15 (1988), pp. 20–23.

71. Ronald L. Simons, Khui-Hsu Lin, Leslie C. Gordon, Rand D. Conger, and Frederick O. Lorenz, “Explaining the Higher Incidence of Adjustment Problems Among Children of Divorce Compared with Those in Two-Parent Families,” *Journal of Marriage and the Family*, Vol. 61 (1999), pp. 1020–1033.

72. David M. Fergusson, John Horwood, and Michael T. Lynsky, “Parental Separation, Adolescent Psychopathology, and Problem Behaviors,” *Journal of the American Academy of Child and Adolescent Psychiatry*, Vol. 33 (1994), pp. 1122–1131.

73. Standing Committee on Legal and Constitutional Affairs, *To Have and to Hold*, p. 39.

74. *Ibid.*, p. 35.

75. Chase-Lansdale *et al.*, “The Long-Term Effects of Parental Divorce on the Mental Health of Young Adults,” pp. 1614–1634.

76. Aro and Palosaari, “Parental Divorce, Adolescence, and Transition to Young Adulthood,” pp. 421–429.

77. Popenoe, *Life Without Father*, p. 58, reporting on the findings of Duncan W. T. G. Timms, “Family Structure in Childhood and Mental Health in Adolescence,” research report, Project Metropolitan, Department of Sociology, University of Stockholm, Sweden, p. 93.

78. Hans-Christoph Steirhausen *et al.*, “Family Composition and Child Psychiatric Disorders,” *Journal of the American Academy of Child and Adolescent Psychiatry*, Vol. 26 (1987), pp. 242–246.

79. Standing Committee on Legal and Constitutional Affairs, *To Have and To Hold*, p. 35, reporting on Wadsworth (1984) and Kuh and Maclean (1990).

Increasing Rates of Suicide

Higher divorce rates in a society lead to higher suicide rates among children. As the work of Patricia McCall, a sociology professor at North Carolina State University, shows, the most frequent background characteristic among adolescents who commit suicide is the divorce of their parents.⁸⁰

This link between the rise in adolescent suicide in the past three decades and parental divorce can be found again and again in the literature,⁸¹ and in cross-cultural studies of Japan and the United States,⁸² as well as Holland, the link between divorce and the frequency of thoughts of suicide is clear.⁸³

Suicide is often triggered by the child's thoughts that his parents have rejected him⁸⁴ or lost interest in him.⁸⁵ Such a perception on the part of the child is sometimes based in reality.

Increased Health Risks

Divorce affects not only the emotional and mental life of the child, but also his physical health—

even the length of his life. According to one study, the life spans of children whose parents divorce before the children have reached their 21st birthday are shortened by an average of four years.⁸⁶

- A longitudinal study that tracked over 1,500 privileged middle-class children with high IQs over their life span found a significantly higher mortality rate for those whose parents divorced, compared with those from intact families.⁸⁷ Another study found that these mortality rates increase when the divorce occurs before the child's fourth birthday.⁸⁸

Health effects during childhood include a doubling of the risk of asthma and a significant increase in injury rates.⁸⁹ A separate study confirmed these findings and went on to note that the negative health effects of divorce did not abate when the mother remarried.⁹⁰ Swedish researchers have found that, even in early adulthood, differences in health risk and rates of hospitalization are apparent after controlling for family and social background. (They also found the increased mortality rates mentioned above.)⁹¹

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80. Patricia L. McCall and Kenneth C. Land, "Trends in White Male Adolescent, Young-Adult, and Elderly Suicide: Are There Common Underlying Structural Factors?" *Social Science Research*, Vol. 23 (1994), pp. 57–81.
81. Larson *et al.*, *The Costly Consequences of Divorce*, p. 124; Carmen Noevi Velez and Patricia Cohen, "Suicidal Behavior and Ideation in a Community Sample of Children: Maternal and Youth Reports," *Journal of the American Academy of Child and Adolescent Psychiatry*, Vol. 27, (1988), pp. 349–356; Franklyn L. Nelson *et al.*, "Youth Suicide in California: A Comparative Study of Perceived Causes and Interventions," *Community Mental Health Journal*, Vol. 24, (1988), pp. 31–42.
82. David Lester and Kazuhiko Abe, "The Regional Variation of Divorce Rates in Japan and the United States," *Journal of Divorce and Remarriage*, Vol. 18 (1993), pp. 227–230.
83. Spruijt and de Goede, "Transition in Family Structure and Adolescent Well-Being," pp. 897–911.
84. Larson *et al.*, *The Costly Consequences of Divorce*, p. 126.
85. John S. Wodarski and Pamela Harris, "Adolescent Suicide: A Review of Influences and the Means for Prevention," *Social Work*, Vol. 32 (1987), pp. 477–484.
86. Joseph E. Schwartz *et al.*, "Sociodemographic and Psychosocial Factors in Childhood as Predictors of Adult Mortality," *American Journal of Public Health*, Vol. 85 (1995), pp. 1237–1245.
87. Joan S. Tucker *et al.*, "Parental Divorce: Effects on Individual Behavior and Longevity," *Journal of Personality and Social Psychology*, Vol. 73 (1997), pp. 385–386.
88. Gopal K. Singh and Stella M. Yu, "U.S. Childhood Mortality, 1950 through 1993: Trends and Socioeconomic Differentials," *American Journal of Public Health*, Vol. 86 (1996), pp. 505–512.
89. Standing Committee on Legal and Constitutional Affairs, *To Have and To Hold*, p. 35.
90. Jane Mauldon, "The Effect of Marital Disruption on Children's Health," *Demography*, Vol. 27 (1990), p. 439.

HOW DIVORCE AFFECTS THE FAMILY

Divorce affects all the major institutions of society, but none more than the family itself and the child's capacity to sustain family life as an adult. The severing of the relationship between mother and father rends the hearts of most children, making their own capacity to have deep and trusting relationships more tenuous. For many children, the divorce of their parents is the beginning of an intergenerational cycle of family fracturing that is passed on to their children and grandchildren.

Because of the negative impacts that divorce has on educational attainment, health, community life, and (as will be shown below) religious worship, it is particularly troubling that divorce seems to perpetuate itself across successive generations. The negative impact of divorce on home life is so strong that children of divorced parents struggle as adults to create a positive, healthy family environment for their own children. All too often, adults who experienced divorce as children prove less capable of breaking the cycle and instead pass on a legacy of tragedy to their children and their children's children.

Specifically, divorce leads to the following:

- Weaker parent-child relationships;
- Destructive ways of handling conflict within the family;
- Diminished social competency with peers;
- A diminished sense of masculinity or femininity in adolescence;
- Troubled courtships;

- Increases in premarital teenage sexual activity, number of sexual partners during adolescence, and out-of-wedlock childbirths;
- Higher numbers of children leaving home earlier, as well as higher levels of cohabitation for these children; and
- Higher divorce rates for the children of divorced parents.

Weakened Parent-Child Relationships

Not only do parents divorce each other, but they in effect divorce or partially divorce their children. The primary effect of divorce (and of the conflicts that lead to divorce) is the deterioration of the relationship between the child and at least one parent.⁹² Often, a deterioration of relations occurs between the child and both the custodial and non-custodial parents. Divorced mothers, despite their best intentions, are less able than married mothers to give the same level of emotional support to their children.⁹³ Divorced fathers are less likely to have a close relationship with their children; and the younger the children are at the time of the divorce, the more likely the father is to drift away from regular contact with the children.⁹⁴

Divorce presents most parents with two sets of problems: their personal adjustment to the divorce and their adjustment to the new and different role of divorced parent. As many as 40 percent are so stressed by the divorce that their child-rearing behavior suffers.⁹⁵ They frequently change from rigid to permissive behavior, and from emotionally distant to emotionally dependent.⁹⁶

91. *Family in America Digital Archive* (Rockford, Ill.: Rockford Institute, 1996), p. 854, reporting on Anders Romelsj  *et al.* (1992).

92. Elizabeth Meneghan and Toby L. Parcel, "Social Sources of Change in Children's Home Environments: The Effects of Parental Occupational Experiences and Family Conditions," *Journal of Marriage and the Family*, Vol. 57 (1995), pp. 69-84, and Spruijt and de Goede, "Transition in Family Structure and Adolescent Well-Being," pp. 897-911.

93. Jane E. Miller and Diane Davis, "Poverty History, Marital History, and Quality of Children's Home Environments," *Journal of Marriage and the Family*, Vol. 59 (1997), pp. 996-1007.

94. Yoram Weiss and Robert J. Willis, "Children as Collective Goods and Divorce Settlements," *Journal of Labor Economics*, Vol. 3 (1985), pp. 268-292.

95. Wallerstein and Kelly, *Surviving the Breakup*, pp. 224-225.

After divorce, children tend to become more emotionally distant from both the custodial and non-custodial parent.⁹⁷ This distancing effect is stronger than the similar effect that occurs among children living with parents who are married but unhappy and quarreling with each other.⁹⁸

Compared with continuously married mothers, divorced mothers—whether custodial or non-custodial—are likely to be less affectionate and less communicative with their children and to discipline them more harshly and more inconsistently, especially in the first year after the divorce.⁹⁹ In particular, divorced mothers have problems with their sons, though their relationship is likely to improve within two years¹⁰⁰ even when some discipline problems persist up to six years after the divorce.¹⁰¹

Children's contact with their fathers does not fare well, especially for non-custodial fathers. Their contact declines over time, though this pat-

tern is less pronounced the older the child is when the divorce occurs.¹⁰²

In the late 1980s and early 1990s, the National Survey of Families and Households found that about one in five divorced fathers had not seen their children in the past year, and less than half the fathers saw their children more than a few times a year.¹⁰³ By adolescence (between the ages of 12 and 16), less than half of children living with their separated, divorced, or remarried mothers had seen their fathers at all in more than one year, and only one in six saw their fathers as often as once a week.¹⁰⁴ In addition, paternal grandparents frequently cease to see their grandchildren as their son's contact with his children diminishes.¹⁰⁵

The quality of the relationship that divorced fathers have with their sons, often troubled before the divorce, tends to become significantly worse after the breakup.¹⁰⁶ Finally, the higher the level of conflict during the divorce, the more likely the distance between father and children afterwards.¹⁰⁷

96. Robert Emery, *Marriage, Divorce, and Children's Adjustment* (Newbury Park, Cal.: Sage Publications, 1988), pp. 81–86.

97. Paul R. Amato and Alan Booth, *A Generation at Risk* (Cambridge, Mass.: Harvard University Press, 1997), p. 69, reporting the findings of Rossi and Rossi (1991).

98. *Ibid.*, p. 73. Such unhappy but married families frequently exhibit many of the effects of divorce. See Paul R. Amato and Alan Booth, "Consequences of Parental Divorce and Marital Unhappiness for Adult Well-Being," *Social Forces*, Vol. 69 (1991), pp. 895–914.

99. E. Mavis Hetherington, Roger Cox, and Martha Cox, "Effects of Divorce on Parents and Children in Nontraditional Families," in Michael E. Lamb, ed., *Parenting and Child Development* (New York: L. Erlbaum Associates, 1982), pp. 223–288. There is increasing evidence that many divorced families had these patterns long before the divorce. See Paul R. Amato and Alan Booth, "A Prospective Study of Divorce and Parent–Child Relationships," *Journal of Marriage and the Family*, Vol. 58 (1996), p. 357, and Miller and Davis, "Poverty History, Marital History, and Quality of Children's Home Environments," p. 1004.

100. Hetherington *et al.*, "Effects of Divorce on Parents and Children," pp. 223–288.

101. E. Mavis Hetherington, Roger Cox, and Martha Cox, "Long-Term Effects of Divorce and Remarriage on the Adjustment of Children," *Journal of the American Academy of Child Psychiatry*, Vol. 24 (1985), pp. 518–530.

102. Judith A. Seltzer, "Relationships Between Fathers and Children Who Live Apart: The Father's Role After Separation," *Journal of Marriage and the Family*, Vol. 53 (1991), pp. 79–102.

103. This federally funded survey of 13,000 respondents was conducted by the University of Wisconsin in 1987–1988 and again in 1992–1994. See Seltzer, "Relationships Between Fathers and Children Who Live Apart."

104. Popenoe, *Life Without Father*, p. 31, reporting on the findings of the National Survey of Children.

105. Janet Finch and Jennifer Mason, "Divorce, Remarriage and Family Obligations," *Sociological Review*, Vol. 38 (1990), pp. 231–234.

106. Nicholas Zill, Daniel Morrison, and M. J. Coiro, "Long Term Effects of Parental Divorce on Parent–Child Relationships, Adjustment, and Achievement in Young Adulthood," *Journal of Family Psychology*, Vol. 7 (1993), pp. 91–103.

These facts do not bode well for the lifetime happiness of children of divorce. Young adults who feel emotionally close to their fathers tend to be happier and more satisfied in life, regardless of their feelings toward their mothers.¹⁰⁸ These effects are somewhat mitigated the older the child is when the divorce takes place, the closer the children live to the father, and the more frequently they see him.¹⁰⁹

The relationships of father to daughter and mother to son have their own special twists: Boys, especially if they are living with their mothers, respond with more hostility to parental divorce than girls do, both immediately after the divorce and for a period of years thereafter. Girls often fare worse when living with adult men, either their father or a stepfather.¹¹⁰ By the time children—particularly daughters—attend college, their affection for their divorced father has waned significantly.¹¹¹

Stepfamily life does not solve these problems. The level of contact between the children and their natural parents is not restored to the level enjoyed

by children in intact families.¹¹² Nor does remarriage restore the enjoyment of the role of parent for most divorced parents. They have fewer enjoyable times with their children, more disagreements with them, and more altercations than intact families do.¹¹³

Moreover, children of divorced parents rate the support they receive from home much lower than do children from intact homes.¹¹⁴ These negative ratings become more pronounced by the time they are in high school¹¹⁵ and college.¹¹⁶

Even older young adults whose parents divorce report turmoil and disruption. They deeply dislike the strains and difficulties that arise in daily rituals, family celebrations, family traditions, and special occasions and see these losses as major.¹¹⁷

Grown children continue to view their parents' divorce quite differently than the parents do. Psychologist Judith Wallerstein was the first to disturb the nation with her widely reported research on the effects of divorce on children.¹¹⁸ Her research continued through many follow-up studies on the

107. Janet Johnston, "High Conflict Divorce," *The Future of Children*, Vol. 4 (1994), pp. 165–182, and Amato and Booth, *A Generation at Risk*, p. 68, reporting the findings of numerous authors.

108. Paul Amato, "Father–Child Relations, Mother–Child Relations and Offspring Psychological Well-Being in Early Adulthood," *Journal of Marriage and the Family*, Vol. 56 (1994), pp. 1031–1042.

109. Amato and Booth, *A Generation at Risk*, p. 80.

110. Martha J. Zaslow, "Sex Differences in Children's Response to Parental Divorce: Two Samples, Variables, Ages, and Sources," *American Journal of Orthopsychiatry*, Vol. 59 (1989), pp. 118–141.

111. Theresa M. Cooney, Michael A. Smyer, Gunhild O. Hagstad, and Robin Klock, "Parental Divorce in Young Adulthood: Some Preliminary Findings," *American Journal of Orthopsychiatry*, Vol. 56 (1986), pp. 470–477.

112. Diane N. Lye, Daniel H. Klepinger, Patricia Davis Hyle, and Anjanette Nelson, "Childhood Living Arrangements and Adult Children's Relations with Their Parents," *Demography*, Vol. 32 (1995), pp. 261–280.

113. Alan C. Acock and David H. Demo, *Family Diversity and Well-Being* (Thousand Oaks, Cal.: Sage Publications, 1994), Chapter 5.

114. Miller and Davis, "Poverty History, Marital History, and Quality of Children's Home Environments," p. 1002.

115. Thomas S. Parish, "Evaluations of Family by Youth: Do They Vary as a Function of Family Structure, Gender and Birth Order?" *Adolescence*, Vol. 25 (1990), pp. 354–356.

116. Thomas S. Parish, "Evaluations of Family as a Function of One's Family Structure and Sex," *Perceptual and Motor Skills*, Vol. 66 (1988), pp. 25–26.

117. Marjorie A. Pett, Nancy Long, and Anita Gander, "Late-Life Divorce: Its Impact on Family Rituals," *Journal of Family Issues*, Vol. 13 (1992), pp. 526–552.

118. From research on children from families in the affluent Marin County near San Francisco.

children. Wallerstein found that 15 years after the divorce, while 80 percent of divorced mothers and 50 percent of divorced fathers felt that the divorce was good for them, only 10 percent of the children felt positive about it.¹¹⁹

This emotional distance between children and parents lasts well into adulthood and may become permanent. As adults, children of divorced parents are half as likely to be close to their parents as are children of intact families. They have less frequent contact with the parent with whom they grew up¹²⁰ and much less contact with the divorced parent from whom they have been separated.¹²¹ The financial assistance, practical help, and emotional support between parents and children diminish more quickly than they do in intact families.¹²²

Also, children of divorce are less likely to think they should support their parents in old age.¹²³ This finding alone portends a monumental problem for the much-divorced baby-boom generation that will become the dependent generation of elderly during the first half of this new century.

Destructive Ways of Handling Conflict

Divorce diminishes the capacity of children to handle conflict. One important difference between marriages that stay intact and those that end in divorce is the couple's ability to handle conflict and move toward agreement. Children of divorced parents can acquire the same incapacity to work through conflict from their parents.

For instance, compared with students from intact families, college students from divorced families use violence more frequently to resolve conflict. They are more likely to be aggressive and physically violent with their friends, both male and female.¹²⁴ In their own marriages, children of divorced parents are more likely to be unhappy, to escalate conflicts, to reduce communication with their spouses, to argue, to shout when arguing, and to assault their spouses physically when they argue.¹²⁵ Thus, the destructive ways of handling conflict that lead to divorce can be transmitted across generations.¹²⁶

Diminished Social Competence

Adolescents who have the ability to get along with peers have acquired a significant social skill that can lead to greater happiness in their adult

119. As reported in Larson *et al.*, *The Costly Consequences of Divorce*, p. 42.

120. Amato and Booth, "Consequences of Parental Divorce and Marital Unhappiness for Adult Well-Being," pp. 895-914, and Theresa M. Cooney, "Young Adults' Relations with Parents: The Influence of Recent Parental Divorce," *Journal of Marriage and the Family*, Vol. 56 (1994), pp. 45-56.

121. Lye *et al.*, "Childhood Living Arrangements and Adult Children's Relations with Their Parents," pp. 261-280, and William S. Aquilino, "Later-Life Parental Divorce and Widowhood: Impact on Young Adults' Assessment of Parent-Child Relations," *Journal of Marriage and the Family*, Vol. 56 (1994), pp. 908-922.

122. Amato and Booth, *A Generation at Risk*, p. 69, and Teresa M. Cooney and Peter Uhlenberg, "Support from Parents over the Life Course: The Adult Child's Perspective," *Social Forces*, Vol. 71 (1991), pp. 63-83.

123. Aquilino, "Later-Life Parental Divorce and Widowhood," pp. 908-922.

124. Robert E. Billingham and Nicole L. Notebaert, "Divorce and Dating Violence Revisited: Multivariate Analyses Using Straus's Conflict Tactics Subscales," *Psychological Reports*, Vol. 73 (1993), pp. 679-684.

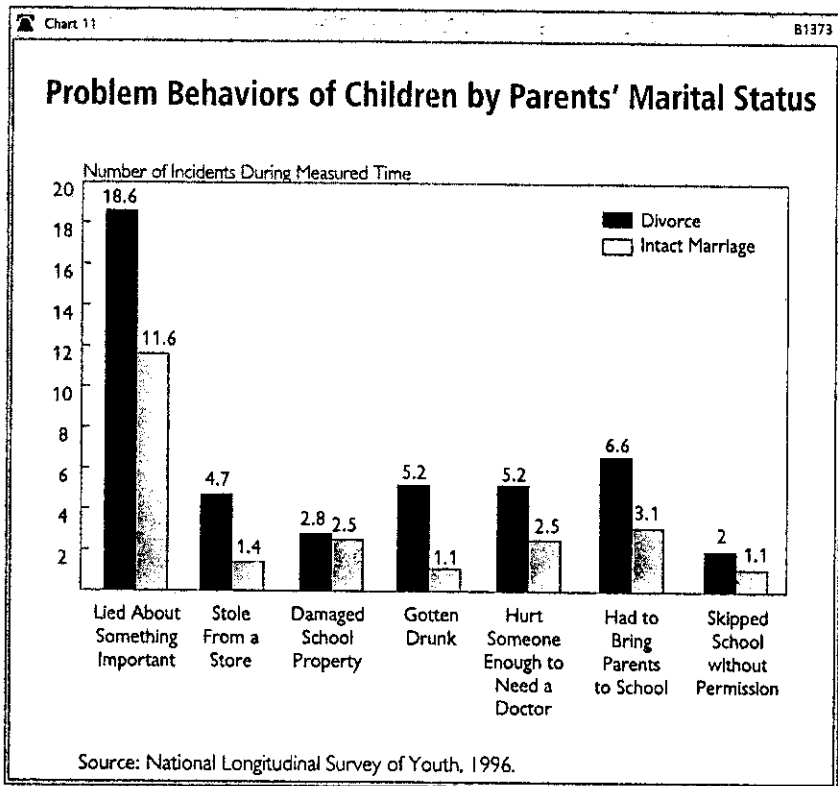
125. Pamela S. Webster, Terri L. Orbuch, and James S. House, "Effects of Childhood Family Background on Adult Marital Quality and Perceived Stability," *American Journal of Sociology*, Vol. 101 (1995), pp. 404-432.

126. Researchers have found that children of violent parents fare better in general if their parents separate rather than stay together. However, if the parents' conflict is not violent or intense, children fare better in their own marriages if the parents stay married rather than divorce. See Amato and Booth, *A Generation at Risk*, p. 115. The best solution to restore family harmony would be for parents to learn how to handle conflict and for violent spouses to become nonviolent and learn to cooperate.

family life and in the workplace. The parental conflicts that surround divorce and the social disruption that accompanies it place this competence at risk.

When parents are in the throes of a divorce, the conflict is often accompanied by less affection, less responsiveness, and more punitive acts toward the children—all of which leaves the children feeling emotionally insecure¹²⁷ and more likely to believe that their social milieu is unpredictable and uncontrollable.¹²⁸ The worst troublemaker in school, the child who engages in fighting and stealing, is far more likely to come from a broken home than is one that is well-behaved.¹²⁹ (See Chart 11.)

Gerald Patterson of the Oregon Social Learning Center says that “[p]oor social skills, characterized by aversive or coercive interaction styles, lead directly to rejection by normal peers.”¹³⁰ Fear of peer rejection is twice as likely among adolescents of divorced parents.¹³¹ They are likely to have fewer childhood friends and to complain more about the lack of support they receive from the friends they have.¹³²



The faculty at Kent State University conducted a major national study on the effects of divorce. The findings: Compared with children in intact families, the children of divorced parents do more poorly in ratings by their parents and teachers on their peer relationships, hostility toward adults,

127. Amato and Booth, *A Generation at Risk*, p. 137, reviewing the findings of Davies and Cummings (1994).

128. *Ibid.*

129. Rex Forehand, "Family Characteristics of Adolescents Who Display Overt and Covert Behavior Problems," *Journal of Behavior Therapy and Experimental Psychiatry*, Vol. 18 (1987), pp. 325–328.

130. John M. Gottman and John T. Parkhurst, "A Developmental Theory of Friendship and Acquaintanceship Processes," *Minnesota Symposium on Child Psychology*, 1978, cited in Gerald R. Patterson and Thomas J. Dishion, "Contributions of Families and Peers to Delinquency," *Criminology*, Vol. 23 (1985), pp. 63–79.

131. Dorothy Tysse Breen and Margaret Crosbie-Burnett, "Moral Dilemmas of Early Adolescents of Divorced and Intact Families: A Qualitative and Quantitative Analysis," *Journal of Early Adolescence*, Vol. 13 (1993), pp. 168–182.

132. Sylvie Drapeau and Camil Bouchard, "Support Networks and Adjustment Among 6 to 16-Year-Olds from Maritally Disrupted and Intact Families," *Journal of Divorce and Remarriage*, Vol. 19 (1993), pp. 75–94. Daughters of divorced parents in a University of Michigan study had significantly greater difficulty in having and keeping friends and were more frequently depressed when at college. See Kristen M. McCabe, "Sex Differences in the Long-Term Effects of Divorce on Children: Depression and Heterosexual Relationship Difficulties in the Young Adult Years," *Journal of Divorce and Remarriage*, Vol. 27 (1997), pp. 123–134.

anxiety, withdrawal, inattention, and aggression.¹³³

Diminished Sense of Femininity or Masculinity

Many teenagers struggle with feelings of inadequacy and frequently turn these feelings into erroneous judgments of peer rejection. Daughters of divorce find it more difficult to value their femininity or to believe that they are genuinely lovable. Sons of divorced parents frequently demonstrate less confidence in their ability to relate with women, either at work or romantically.¹³⁴

Children, especially pre-teen children (ages nine to 12), who maintain a good relationship and frequent contact with their fathers after a divorce are better able to maintain their self-confidence.¹³⁵ Attachment to their mothers alone does not suffice to build self-confidence.¹³⁶ As pointed out above, however, contact with fathers generally diminishes over time.

Increased Trouble in Courtship

The divorce of parents makes romance and courtship more difficult and tenuous for the children as they reach adulthood.¹³⁷ Older teenagers

and young adults date more often, have more failed romantic relationships, and experience a more rapid turnover of dating partners.¹³⁸ Not surprisingly, this leads to a greater number of sexual partners,¹³⁹ which in itself creates a grave risk that one will acquire an incurable sexually transmitted disease.¹⁴⁰

These effects on dating seem to be the strongest when the divorce takes place during the child's teenage years,¹⁴¹ but they also carry into adulthood. Young adult children of divorced parents trust their fiancés less (they expect them to give less and to be less committed) and tend to love their partners less altruistically (they give less and are not to be expected to give as much).¹⁴² They fear being rejected, and the lack of trust frequently hinders a deepening of their relationships.¹⁴³

The divorce of parents changes the marriage expectations of their children. Compared with children of always-married parents, children of divorced parents have more positive attitudes toward divorce,¹⁴⁴ have less favorable attitudes toward marriage,¹⁴⁵ are less likely to insist on a lifelong marital commitment,¹⁴⁶ and are less likely to think positively of themselves as potential parents.¹⁴⁷ These differences in attitudes among chil-

133. John Guidubaldi, Joseph D. Perry, and Bonnie K. Nastasi, "Growing Up in a Divorced Family: Initial and Long Term Perspectives on Children's Adjustment," *Applied Social Psychology Annual*, Vol. 7 (1987), pp. 202-237.

134. Neil Kalter, "Long-Term Effects of Divorce on Children: A Developmental Vulnerability Model," *American Journal of Orthopsychiatry*, Vol. 57 (1987), pp. 595-597.

135. See Elizabeth S. Scott, "Rational Decision Making About Marriage and Divorce," *Virginia Law Review*, Vol. 76, No. 9 (1990), pp. 28-38.

136. Susan J. McCurdy and Avraham Scherman, "Effects of Family Structure on the Adolescent Separation-Individuation Process," *Adolescence*, Vol. 31 (1996), pp. 307-318.

137. Spruijt and de Goede, "Transition in Family Structure and Adolescent Well-Being," pp. 897-911.

138. Medical Institute for Sexual Health, *Sexual Health Today* (Austin, Tex.: Medical Institute of Sexual Health, 1997), p. 105.

139. Amato and Booth, *A Generation at Risk*, p. 107, summing up the findings of Booth, Brinkerhoff, and White (1984); Furstenberg and Teitler (1994); Hetherington (1972); Newcomer and Udry (1987).

140. Institute of Medicine, *The Hidden Epidemic* (Washington, D.C.: National Academy Press, 1997), Chapter 3 and Chapter 4.

141. Amato and Booth, *A Generation at Risk*, p. 111.

142. Heather E. Sprague and Jennifer M. Kinney, "The Effects of Interparental Divorce and Conflict on College Students' Romantic Relationships," *Journal of Divorce and Remarriage*, Vol. 27 (1997), pp. 85-104.

143. Stacy Glaser Johnston and Amanda McCombs Thomas, "Divorce Versus Intact Parental Marriage and Perceived Risk and Dyadic Trust in Present Heterosexual Relationships," *Psychological Reports*, Vol. 78 (1996), pp. 387-390.

dren of divorced parents are noticeable even as early as kindergarten.¹⁴⁸

To avoid divorce,¹⁴⁹ some children of divorced parents become more selective in choosing a marriage partner, while some remain very uncertain of marriage and their own ability to handle it.¹⁵⁰ Judith Wallerstein, in studying the children of divorced parents in Marin County, California, found that even a decade after a divorce, children experienced persistent anxiety about their own chances of having a happy marriage. This anxiety interfered with their ability to form a lasting marriage; some failed to form satisfying romantic ties, while others rushed into impulsive unhappy marriages.¹⁵¹

Men whose parents have divorced are more inclined to be simultaneously hostile and a "rescuer" of the women to whom they are attracted than are the men raised by parents of an intact marriage. The latter group's style is more open,

affectionate, and cooperative.¹⁵² Women whose parents divorced are more likely to be hampered or even overwhelmed by anxiety when it comes time to decide on marriage.¹⁵³ The problem of being overly meek or overly dominant, both of which indicate a lack of capacity to arrive at consensual agreement with others, is much more prevalent in the romantic relationships and marriages of the children of divorced parents than it is among children of intact marriages.¹⁵⁴

Increase in Teen Sex, Multiple Partners, and Out-of-Wedlock Births

When parents divorce, their children's attitudes about sexual behavior change. Children's approval of premarital sex and cohabitation and divorce rises dramatically, while their endorsement of marriage and childbearing is reduced.¹⁵⁵

American¹⁵⁶ and British¹⁵⁷ studies show that daughters of divorced parents will be more likely

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144. Paul R. Amato and Alan Booth, "The Consequences of Divorce for Attitudes Toward Divorce and Gender Roles," *Journal of Family Issues*, Vol. 12 (1991), pp. 306-322.
145. A. Marlene Jennings, Connie J. Salts, and Thomas A. Smith, Jr., "Attitudes Toward Marriage: Effects of Parental Conflict, Family Structure, and Gender," *Journal of Divorce and Remarriage*, Vol. 17 (1992), pp. 67-78.
146. Kristen A. Moore and Thomas M. Stief, "Changes in Marriage and Fertility Behavior: Behavior Versus Attitudes of Young Adults," unpublished study, Child Trends, Inc., Washington, D.C., July 1989.
147. Jennifer Langhinrichsen-Rohling and Colleen Dostal, "Retrospective Reports of Family-of-Origin Divorce and Abuse and College Students' Pre-Parenthood Cognitions," *Journal of Family Violence*, Vol. 11 (1996), pp. 331-348.
148. Elizabeth Mazur, "Developmental Differences in Children's Understanding of Marriage, Divorce, and Remarriage," *Journal of Applied Developmental Psychology*, Vol. 14 (1993), pp. 191-212.
149. Paul Amato, "Explaining the Intergenerational Transmission of Divorce," *Journal of Marriage and the Family*, Vol. 58 (1996), p. 628, reviewing the findings of Amato (1987); Amato and Booth (1991); Thornton and Freedman (1982).
150. Judith Wallerstein and Sandra Blakeslee, *Second Chances: Men, Women, and Children a Decade After Divorce* (Boston: Houghton Mifflin Company, 1996), Part III.
151. *Ibid.*, pp. 169-172.
152. Silvio Silvestri, "Marital Instability in Men from Intact and Divorced Families: Interpersonal Behavior, Cognitions and Intimacy," *Journal of Divorce and Remarriage*, Vol. 18 (1992), pp. 79-106.
153. Wallerstein and Blakeslee, *Second Chances*, pp. 297-307.
154. Robert Bolgar, Hallie Zweig-Frank, and Joel Paris, "Childhood Antecedents of Interpersonal Problems in Young Adult Children of Divorce," *Journal of the American Academy of Child and Adolescent Psychiatry*, Vol. 34 (1995), pp. 143-150.
155. William G. Axinn and Arland Thornton, "The Influence of Parents' Marital Dissolutions on Children's Attitudes Toward Family Formation," *Demography*, Vol. 33 (1996), pp. 66-81.
156. Hetherington *et al.*, "Long-Term Effects of Divorce and Remarriage on the Adjustment of Children," pp. 518-530, and Larson *et al.*, *The Costly Consequences of Divorce*, p. 165, reviewing the findings of Kinnaird and Gerrard (1986).

to endorse premarital sex¹⁵⁸ and engage in early sexual intercourse outside of marriage.¹⁵⁹ According to the National Longitudinal Survey of Youth, African-American girls are 42 percent less likely to have sexual intercourse before age 18 if their biological father is present at home. For Hispanic-American girls, the stepfather's presence increases the likelihood of sexual intercourse before age 18 by 72 percent.¹⁶⁰ Furthermore, any sexual permissiveness on the part of divorced parents significantly increases permissive attitudes and behavior in both sons and daughters.¹⁶¹ As with other family behaviors, children learn sexual permissiveness from their parents.

The rate of virginity among teenagers at all ages is highly correlated with the presence or absence of married parents.¹⁶² Indeed, each change in family structure during adolescence (from married to divorced, from single to married, or from divorced to stepfamily) increases the risk of initia-

tion of sexual intercourse by one-third among the teenage children of these unions.¹⁶³ In Britain, children of divorced parents are three times as likely to have a child out of wedlock, compared with children of intact married families.¹⁶⁴

Following a divorce, most mothers have to work full-time; this combination of divorced and full-time working mothers leads to the highest levels of sexual activity¹⁶⁵ in teenage children and is significantly correlated with having multiple sexual partners after a teenager becomes an adult.¹⁶⁶

Leaving Home Earlier and Cohabiting More

The less happiness there is in their parents' marriage, the earlier children leave their parents' home to move out on their own, cohabit, or get married.¹⁶⁷ Children of divorced parents move away from their families of origin in greater proportion¹⁶⁸ and earlier¹⁶⁹ than do children of intact

157. Kathleen Kiernan, "The Impact of Family Disruptions in Childhood on Transitions Made in Young Adult Life," *Population Studies*, Vol. 46 (1992), pp. 213-234.
158. Axinn and Thornton, "The Influence of Parents' Marital Dissolutions," pp. 66-81.
159. Arland Thornton, "The Influence of the Family on Premarital Sexual Attitudes and Behavior," *Demography*, Vol. 24, 1987, pp. 329-337. These findings hold regardless of ethnic background. See Carolyn A. Smith, "Factors Associated with Early Sexual Activity Among Urban Adolescents," *Social Work*, Vol. 42 (1997), pp. 334-346.
160. Robert Day, "The Transition to First Intercourse Among Racially and Culturally Diverse Youth," *Journal of Marriage and the Family*, Vol. 54 (1992), pp. 749-762.
161. Standing Committee on Legal and Constitutional Affairs, *To Have and To Hold*, p. 36, reporting on the findings of Whitbeck, Simons, and Kao (1994).
162. Deborah M. Capaldi, Lynn Crosby, and Mike Stoolmiller, "Predicting the Timing of First Sexual Intercourse for At-Risk Adolescent Males," *Child Development*, Vol. 67 (1996), pp. 344-359, and recently found by Robert Lerner, consultant on national social surveys for The Heritage Foundation, in an unpublished analysis of the National Longitudinal Survey of Adolescent Health.
163. Brent C. Miller, "The Timing of Sexual Intercourse Among Adolescents: Family, Peer, and Other Antecedents," *Youth and Society*, Vol. 29 (1997), pp. 54-83.
164. Andrew J. Cherlin, Kathleen E. Kiernan, and P. Lindsay Chase-Lansdale, "Parental Divorce in Childhood and Demographic Outcomes in Young Adulthood," *Demography*, Vol. 32 (1995), pp. 299-316.
165. Larson *et al.*, *The Costly Consequences of Divorce*, p. 131, reviewing the findings of John O. Billy *et al.* (1994).
166. *Ibid.*, p. 131, reviewing the findings of Seidman, Mosher, and Aral (1994).
167. Powell and Parcel, "Effects of Family Structure on the Earnings Attainment Process," p. 421; Kathleen Kiernan, "Teenage Marriage and Marital Breakdown: A Longitudinal Study," *Population Studies*, Vol. 40 (1986), p. 35.
168. Cherlin *et al.*, "Parental Divorce in Childhood and Demographic Outcomes in Young Adulthood," pp. 299-316.
169. Amato and Booth, *A Generation at Risk*, p. 69, reporting the consistent findings of Aquilino (1990, 1991); Goldscheider and Goldscheider (1989, 1993); and Cooney (1994).

marriages. Stepchildren are 40 percent more likely than children of intact marriages to leave home at any particular age to get married, and about 80 percent more likely to leave home early to cohabit or to set up their own independent residence.¹⁷⁰

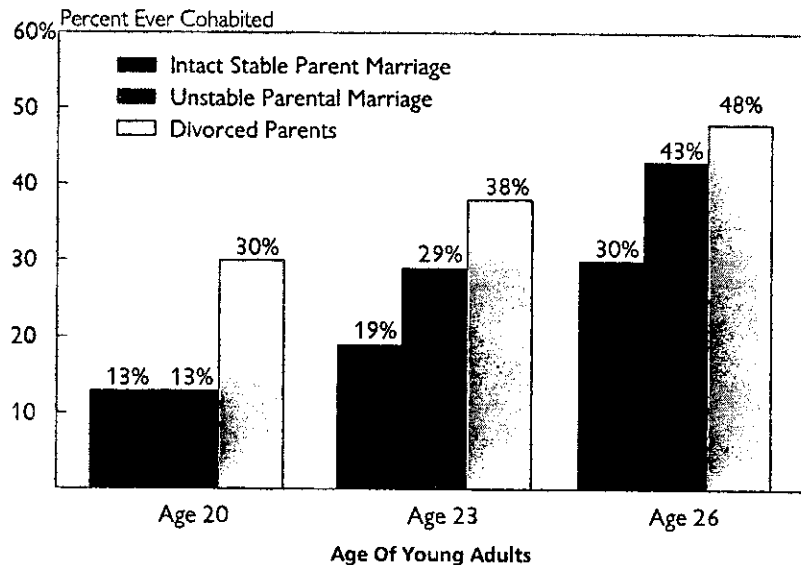
Children of divorced parents, as noted above, are more likely than children of always-married parents to have more positive attitudes toward cohabitation and more negative attitudes toward marriage.¹⁷¹ (See Chart 12.) They are twice to three times as likely to cohabit and to cohabit earlier,¹⁷² especially if their parents divorced during their teenage years.¹⁷³

However, when children of an intact marriage have a poor relationship with a parent, they often act in ways that are quite similar to children of divorced parents. In one study, for example, almost all daughters of divorced parents anticipated cohabiting before marriage, regardless of the level of affection between them and their fathers; but among daughters of intact marriages, it was those who had poor relationships with their fathers who anticipated cohabiting.¹⁷⁴

Chart 12

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Cohabitation Rates of Young Adults by Parents' Marital Status



Source: Paul Amato and Alan Booth, *A Generation at Risk*, 1997, p. 112.

Higher Probability of Divorce

From the empirical evidence, it is clear that, to a large degree, the marital instability of one generation is passed on to the next.¹⁷⁵ There are different estimates for the probability of divorce for children of divorced parents. Some have found the risk to be more than twice the risk for children of intact families.¹⁷⁶

170. Goldscheider and Goldscheider, "The Effects of Childhood Family Structure on Leaving and Returning Home," p. 752.

171. Axinn and Thornton, "The Influence of Parents' Marital Dissolutions," pp. 66-81.

172. Cherlin *et al.*, "Parental Divorce in Childhood and Demographic Outcomes in Young Adulthood," pp. 299-316, and Amato and Booth, *A Generation at Risk*, p. 112.

173. Amato and Booth, *A Generation at Risk*, p. 112.

174. Suzanne Southworth and J. Conrad Schwarz, "Post-Divorce Contact, Relationship with Father, and Heterosexual Trust in Female College Students," *American Journal of Orthopsychiatry*, Vol. 57 (1987), pp. 379-381.

175. Amato, "Explaining the Intergenerational Transmission of Divorce," p. 628, reviewing the findings of Bumpass, Martin, and Sweet (1991); Keith and Finlay (1988); Kulka and Weingarten (1979); Mueller and Pope (1977); Pope and Mueller (1976). See also Joan S. Tucker *et al.*, "Parental Divorce: Effects on Individual Behavior and Longevity," *Journal of Personality and Social Psychology*, Vol. 73 (1997), pp. 385-386.

Daughters of divorced parents tend to divorce more frequently than do the sons of divorced parents,¹⁷⁷ with the risk as much as 87 percent higher during the earlier years of marriage¹⁷⁸ for daughters of divorced parents than for those from intact marriages.¹⁷⁹ When the parents of both spouses have divorced, the risk of divorce is increased by as much as 620 percent in the early years of marriage, which declines to 20 percent by the 11th year of marriage.¹⁸⁰

Given the effects of divorce as already enumerated, this lowered quality of marriage for children of divorce should not be surprising.¹⁸¹ It is evidenced in higher levels of jealousy, moodiness, infidelity, conflicts over money, and excessive drinking and drug use.¹⁸²

Conversely, the continued presence of a married father in the home strongly predicts the happy marriage of the child. A 35-year longitudinal study found that the children of affectionate fathers were much more likely in their forties to be happily

married and mentally healthy and to report good relationships with their friends.¹⁸³ The child with a father present in the early and adolescent years is more companionable and responsible as an adult.¹⁸⁴

HOW DIVORCE AFFECTS RELIGIOUS PRACTICE

When a family breaks apart, the rhythm of family life is deeply affected, and this often means that religious practice is disrupted. The diminished practice of religion, in turn, can have negative consequences.

The data clearly show that parents and children in intact families are much more likely to worship than are members of divorced families or stepfamilies.¹⁸⁵ Moreover, following a divorce, children are more likely to stop practicing their faith.¹⁸⁶ Even when they enter a new stepfamily, their frequency of religious worship does not return to its prior level.¹⁸⁷

176. Pamela S. Webster, Terri L. Orbuch, and James S. House, "Effects of Childhood Family Background on Adult Marital Quality and Perceived Stability," *American Journal of Sociology*, Vol. 101 (1995), pp. 404-432, and Amato and Booth, *A Generation at Risk*, p. 109, summing up the findings of Amato (1995); Bumpass, Martin, and Sweet (1991); Glen and Kramer (1987); Keith and Finlay (1988); Kulka and Weingarten (1979); Pope and Mueller (1976).

177. Norval D. Glenn and Kathryn B. Kramer, "The Marriages and Divorces of the Children of Divorce," *Journal of Marriage and the Family*, Vol. 49 (1987), pp. 811-825.

178. Amato "Explaining the Intergenerational Transmission of Divorce," p. 628.

179. According to Amato and Booth's research, the risk is highest when the divorce occurs before the child reaches age 13; the risk decreases significantly when the parents' divorce takes place in the child's teen years; finally, the divorce of parents when offspring are in their twenties may keep the offspring from divorcing their spouses later in life. See Amato, "Explaining the Intergenerational Transmission of Divorce," p. 638.

180. *Ibid.*

181. *Ibid.*, p. 109, reviewing the findings of Amato and Booth (1991); Glenn and Kramer (1987); Kulka and Weingarten (1979); McLeod (1991). This effect can also be found among children of unhappy intact marriages. See Alan Booth and John N. Edwards, "Transmission of Marital and Family Quality Over the Generations: The Effects of Parental Divorce and Unhappiness," *Journal of Divorce*, Vol. 13 (1990), pp. 41-58.

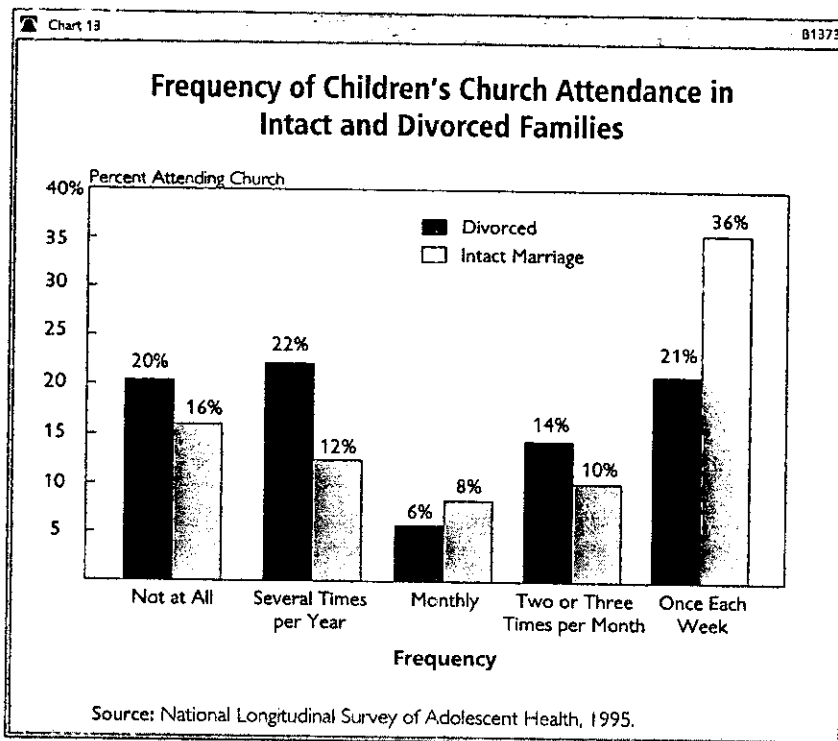
182. Paul R. Amato and Stacy Rogers, "A Longitudinal Study of Marital Problems and Subsequent Divorce," *Journal of Marriage and the Family*, Vol. 59 (1997), p. 621.

183. Carol E. Franz, David C. McClelland, and Joel Weinberger, "Childhood Antecedents of Conventional Social Accomplishments in Midlife Adults: A Thirty-Six Year Prospective Study," *Journal of Personality and Social Psychology*, Vol. 60 (1991), pp. 586-595.

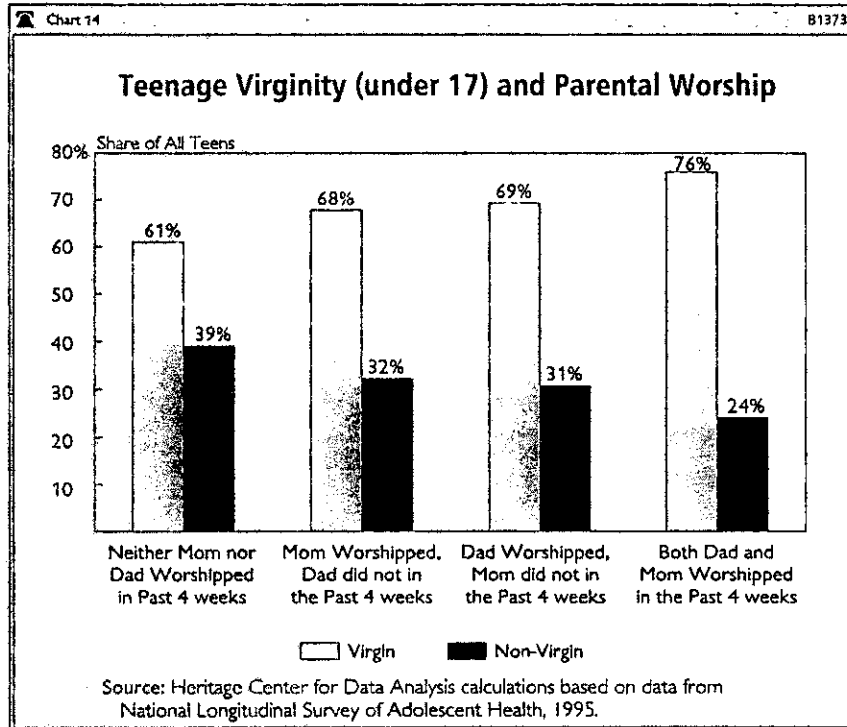
184. John Snarey, *How Fathers Care for the Next Generation* (Cambridge, Mass.: Harvard University Press, 1993), pp. 163-164.

185. Scott M. Myers, "An Interactive Model of Religiosity Inheritance: The Importance of Family Context," *American Sociological Review*, Vol. 61 (1996), pp. 858-866.

This drop-off in worship has serious consequences because religious practice has been found to have beneficial effects on such factors as physical and mental health, education level, income, virginity, marital stability, crime, addiction, and general happiness.¹⁸⁸ Church attendance is the most significant predictor of marital stability;¹⁸⁹ it is closely related to sexual restraint in adolescence,¹⁹⁰ as is the worship of an adolescent's parents.¹⁹¹ Regular religious worship, more than religious attitudes or affiliation, is associated with lower crime rates¹⁹² and lower rates of use and abuse of alcohol and illicit drugs.¹⁹³ Religious worship is associated with better health¹⁹⁴ and longevity.¹⁹⁵ And religious worship reduces the risk of suicide, both in America and abroad.¹⁹⁶



186. A team of sociologists at Nassau Community College in New York developed a profile of former believers who had stopped practicing their religions. See William Feigelman, Bernard S. Gorman, and Joseph A. Varacalli, "Americans Who Give Up Religion," *Sociology and Social Research*, Vol. 76 (1992), pp. 138-143.
187. Myers, "An Interactive Model of Religiosity Inheritance," pp. 858-866.
188. Patrick F. Fagan, "Why Religion Matters: The Impact of Religious Practice on Social Stability," *Heritage Foundation Backgrounder* No. 1064, January 25, 1996.
189. David B. Larson, Susan S. Larson, and John Gartner, "Families, Relationships and Health," in Danny Wedding, ed., *Behavior and Medicine* (Baltimore: Mosby Year Book, 1990). See also Lee G. Burchinal, "Marital Satisfaction and Religious Behavior," *American Sociological Review*, Vol. 22 (1957), pp. 306-310.
190. Michael J. Donahue, "Aggregate Religiousness and Teenage Fertility Revisited: Reanalysis of Data from the Guttmacher Institute," paper presented at Society for the Scientific Study of Religion, Chicago, Illinois, October 1988.
191. Arland D. Thornton, "Family and Institutional Factors in Adolescent Sexuality," in U.S. Department of Health and Human Services, Public Health Services, *Summaries of Completed Adolescent Family Life Research Projects on Adolescent Sexual Behavior*, internal staff summary of HHS-funded research papers, 1991.
192. John Gartner, David B. Larson, and George Allen, "Religious Commitment and Mental Health: A Review of the Empirical Literature," *Journal of Psychology and Theology*, Vol. 19 (1991), pp. 6-25.
193. *Ibid.* See also Steven R. Burkett and Mervin White, "Hellfire and Delinquency: Another Look," *Journal for the Scientific Study of Religion*, Vol. 13 (1974), pp. 455-462; Deborah Hasin, Jean Endicott, and Collins Lewis, "Alcohol and Drug Abuse in Patients with Affective Syndrome," *Comprehensive Psychiatry*, Vol. 26 (1985), pp. 283-295.
194. J. S. Levin and P. L. Schiller, "Is There a Religious Factor in Health?" *Journal of Religion and Health*, Vol. 26 (1987), pp. 9-35.
195. J. S. House, C. Robins, and H. L. Metzner, "The Association of Social Relationships and Activities with Mortality: Prospective Evidence from the Tecumseh Community Health Study," *American Journal of Epidemiology*, Vol. 114 (1984), p. 129.



Data from the National Longitudinal Survey of Adolescent Health, for example, illustrate well the effects of family members' religious worship in decreasing teenage sexual activity. (See Chart 13 and Chart 14.)

Thus, the negative consequences from a long-term decrease in religious worship after the divorce of a child's parents result in weakened families and individuals.

HOW TO REVERSE THESE TRENDS

As the available evidence shows, divorce is bad for society and very harmful for children. It weakens relationships, communities, cities, states, and the nation. The increases in the rates of child

abuse and neglect, crime, behavioral and emotional problems, health problems, cohabitation, future divorce, and out-of-wedlock births as well as the decrease in religious worship, educational attainment, and income potential should alarm every policymaker and community leader. The effects of divorce transcend generations and contribute to the all-too-evident cycle of social decay.

Senator Daniel Patrick Moynihan (D-NY) was right when he said that "Congress cannot legislate useful attitudes,"¹⁹⁷ but this does not mean that politicians cannot work to change attitudes that undermine families and society. Many great politicians, from Augustus through Ronald Reagan,

have used the podium and the gavel to do exactly that.¹⁹⁸ But changing America's attitude toward divorce will require politicians and civic leaders at the federal, state, and local levels to make this one of their most important tasks in the future if America is to protect tomorrow's children from the effects of divorce.

Moreover, restoration of marriage will require a modest commitment of resources to pro-marriage programs. While fiscal conservatives may balk at this recommendation, they should consider that federal and state governments currently spend \$150 billion per year to subsidize and sustain single-parent families. By contrast, only \$150 million is spent to strengthen marriage.

196. Charles E. Joubert, "Religious Nonaffiliation in Relation to Suicide, Murder, Rape, and Illegitimacy," *Psychological Reports*, Vol. 75 (1994), p. 10. See also Jon W. Hoelter, "Religiosity, Fear of Death and Suicide Acceptability," *Suicide and Life-Threatening Behavior*, Vol. 9 (1979), pp. 163-172.

197. *Congressional Record*, December 21, 1995, p. 291.

198. Other national leaders are beginning to address marriage stability. Australia, under the leadership of Prime Minister John Howard, is implementing a program to fund private-sector pre-marriage education projects. See <http://search.aph.gov.au/search/ParlInfo.ASP?action=view&item=1&resultsID=iOIEh>. Britain, under Prime Minister Tony Blair, is moving in a similar direction.

Thus, for every \$1,000 spent to deal with the effects of family disintegration, only \$1 is spent to prevent that disintegration. The folly of such misplaced priorities should be evident to all. Refocusing funds to preserve marriage by reducing divorce and illegitimacy will not only be good for children and society, but will save money in the long run as well.

What Congress Should Do

Specifically, Congress should:

- **Establish, by resolution, a national goal of reducing divorce among families with children by one-third over the next decade.** Setting such a goal would immediately focus national attention on the severe problems related to divorce. It would send a clear signal to parents that society values marriage and is concerned about the effects of divorce on children. In addition, setting a national goal would help to channel resources into divorce prevention and foster new approaches to strengthening marriage. Reducing the divorce rate by one-third would roll back the rate of divorce to roughly the level that existed in the early 1970s.
- **Establish pro-marriage demonstration programs.** The federal government should divert sufficient funds from existing federal social programs to establish a wide range of demonstration programs to provide training in marriage skills. Such programs should provide young people, dating couples, and married couples with the information and tools necessary to help them build and maintain a strong marriage, including an understanding of the major reasons why marriages break up. The programs also should seek to develop skills for handling conflict, dealing with change, and enhancing the marital relationship. Such pro-marriage services should be offered in a variety of venues, such as churches, community centers, courts, maternity and childbirth clinics, health centers, welfare offices, military bases, and high schools. Control over the programs should be given to pro-family community groups with historic commitments to traditional marriage rather than to indifferent government bureaucracies.
- **Use surplus welfare funds to strengthen marriage.** In 1996, the federal government reformed welfare, replacing the old AFDC program with a new program called Temporary Assistance to Needy Families (TANF). A principal goal of this reform was to strengthen marriage and slow the increase in family disintegration. Yet despite Congress's formal pro-marriage goals in enacting these changes, and despite the fact that state governments now have nearly \$6 billion in surplus TANF funds, virtually no TANF money has been spent on pro-marriage activities. Congress should require that a certain percentage of TANF funds be devoted to efforts to reduce divorce and illegitimacy.
- **Rebuild the federal-state system for gathering statistics on marriage and divorce.** Since 1993, the gathering of accurate data on divorce has stopped; and in 1995, the Clinton Administration ended federal support for this system. The gathering of data on marriage and divorce ceased with a little-noticed announcement that "NCHS [the National Center for Health Statistics] plans to discontinue payments to the States and other vital registration areas for the collection of detailed data from marriage and divorce certificates."¹⁹⁹ Half the states no longer compile data from marriage registries and divorce courts. Without such data, the nation cannot assess the true impact of marriage or divorce on the family, the schools, the community, and the taxpayer. Congress has an opportunity not only to reverse this knowledge vacuum, but also to establish the template for collecting such data in the future. Using the same data template at the local levels would make the gathering and compilation of the data simple and fast at the state and national levels.

199. From data at <http://www.cdc.gov/nchs/dataawh/datasite/frnotice.htm> (March 27, 2000).

- Direct the National Institute on Drug Abuse to estimate the direct and indirect costs to the nation since 1970 of the increase in drug and alcohol abuse among divorced parents and their children.
 - Create a public health campaign to inform Americans of the health and other risks associated with divorce and the long-term benefits of marriage. Such a campaign would fit well within the Department of Health and Human Services' Goals 2000 program.
 - Host a National Marriage Summit in conjunction with governors who are leading in this area. Governors Frank Keating of Oklahoma, Mike Leavitt of Utah, Bill Owens of Colorado, Mike Huckabee of Arkansas, Jeb Bush of Florida, and Mike Foster of Louisiana have publicly voiced their interest in reforming marriage policy. The focus of the summit should be the next steps that should be taken to restore marriage to its rightful place as the center beam of this society.²⁰⁰
 - Give a one-time tax credit to always-married couples when their youngest children reach age 18. Giving a one-time tax credit of, for example, \$500 to always-married parents would signal to Americans that an intact marriage is important and fundamental to the well-being of children and the nation. This would represent a small reward for those who commit their marriages to nurturing the next generation into adulthood, and it would begin to help offset the marriage penalty in the current tax code.
- the state by one-third over the next decade. As in the case of setting a national goal, establishing a similar goal in each state would focus attention on the problem of divorce, send a clear signal to parents that society values marriage, help to channel resources into divorce prevention, and foster new approaches to strengthening marriage.
- Establish pro-marriage education and mentoring programs. State governments should establish programs to provide young people, dating couples, and married couples with the information and tools necessary to build and maintain strong marriages. Offered in a variety of venues—churches, community centers, courts, maternity and childbirth clinics, health centers, welfare offices, and high schools—these programs should help couples develop skills for handling conflict, dealing with change, and enhancing the enjoyment and intimacy of the marital relationship. Control over the programs should be given to pro-family community groups with a historic commitment to marriage.
 - Require a married couple with minor children to complete divorce education and a mediated co-partnering plan before filing for divorce. Divorce education can help couples resolve problems and save their marriage; however, it is most effective when undertaken in the initial stages of the divorce process. Similarly, many couples have an illusory view of divorce as a cost-free escape from their current problems. Requiring a co-partnering plan enables the couple to develop a more realistic picture of what life will be like after divorce and can serve as an impetus for the couple to make renewed efforts to save their current marriage.
 - Promote community-wide marriage policies. Community-wide marriage policies provide premarital preparation and education programs for couples planning to get married, as well as marriage-mentoring programs for cou-

What States Can Do

Marriage and divorce are governed by state law. States should change their laws to reduce the impact of divorce on children. Specifically, they should:

- Establish a goal within each state to reduce the divorce rate among parents with children in

200. Australian Prime Minister John Howard has launched a National Families Strategy as part of the government's response to a major report by the Legal and Constitutional Affairs Committee of the national parliament.

ples in troubled marriages. A Community Marriage Covenant is a community-wide endeavor in which all—or most—churches in the community agree to build and rebuild solid marriages in their community. They conduct marriage preparation programs, guide couples through the first years of marriage, and help couples thinking of divorce to avoid it with the support of other couples (including couples whose marriages were threatened by drug addiction, adultery, workaholicism, gambling, violence, and depression) who once were in their shoes but learned how to rebuild their marriages. A well-executed Community Marriage Covenant project can save up to 80 percent of marriages headed toward divorce, reconcile more than half of the separated couples, and enable 80 percent of those in step-families to become successful parents and partners.²⁰¹ Many cities that have undertaken a Community Marriage Covenant project have seen divorce rates plunge.²⁰² For instance, in Modesto, California, the divorce rate has fallen 35 percent in 10 years; in Kansas City, the rate dropped 35 percent in two years. Community Marriage Covenant projects are tangible, practical, and results-oriented.

- **End “no-fault” divorce²⁰³ for parents with children under age 18.** No-fault divorce is a meaningless term for children because of the damage divorce does. Some states (Arizona, California, Georgia, Kansas, Massachusetts, Montana, Virginia, Texas, and Washington) have introduced legislation to require mutual consent for a no-fault divorce. In the absence of such a provision, the spouse petitioning for a divorce has to prove the other spouse’s “fault.” *The welfare of the children should be the*

threshold for divorce. Married couples with children under 18 should have to prove that grave harm will be visited upon the children by the continuance of the marriage. Judges who were petitioners in their own divorces should be prohibited by law from presiding over divorce cases.

- **Make the Covenant Marriage option available to couples who seek to marry.** In a Covenant Marriage, couples are bound by force of law to a marriage contract that lengthens the process for obtaining a divorce by two years, thus applying a brake on the divorce. Louisiana and Arizona have enacted Covenant Marriage laws, and three other states (Oklahoma, Oregon, and Texas) have come close. In approximately 25 states, such legislation has been introduced but has not progressed through the legislative process. Other states propose improvements on the concept.²⁰⁴
- **Make the traditional marriage vow of “till death us do part” an option in the law.** Couples who choose this option would commit themselves to remaining married until death, with legal separation as their only option if their marriage had serious problems. The effect of such a legal commitment would be salutary: The law is a great teacher, and this legal emphasis on the seriousness of the marriage commitment would encourage the ideal of marriage in society. Couples would undergo serious preparation before making such a commitment, knowing that it carried the force of law. This would make for stronger marriages, since many individuals today get married with the intention of staying married until death but find out over time that their spouse had no

201. See <http://www.marriagesavers.org/divorcerates.htm> (March 27, 2000).

202. *Ibid.*

203. In “no-fault” divorce, either partner can end the marriage simply by petitioning for the divorce. This “reform” was introduced on the grounds that assigning “fault” caused greater hostility and division in the divorce proceedings. Even some feminists had pushed for no-fault divorce.

204. The Catholic Church’s hierarchy, once opposed to Covenant Marriage laws, has withdrawn objections to an improved version. From personal communication with the author of the original and the revised versions, Katherine Spaht of the Louisiana State University School of Law.

such intention. The law and government provide virtually no protections for such individuals or for the institution of marriage, and the legal loophole of no-fault divorce undermines the meaning of the marriage commitment.

- **Follow the lead of Oklahoma, which uses Temporary Assistance to Needy Families funds to promote marriage among the poor.** Because divorce and out-of-wedlock births are the major routes into poverty, it should stand to reason that encouraging, preparing, and maintaining marriage is sound public policy. To this end, Oklahoma Governor Keating has directed the State Secretary of Health and Human Services to spend \$10 million of the TANF funds to develop strategies to increase marriage, prevent divorce, and reduce out-of-wedlock births. Other states should follow this example.
- **Take a page from the educational outreach strategy embodied in Florida's 1998 Marriage Preservation and Preparation Act.** This bill requires marriage education skills classes for all high school students and offers a marriage license fee reduction to couples who take a minimum four-hour marriage education course.

CONCLUSION

Divorce has pervasive ill effects on children and the five major institutions of society—the family,

the church, the school, the marketplace, and government itself. If the family is the building block of society, then marriage is the foundation. However, this foundation is growing weaker, with fewer adults entering into marriage, more adults leaving it in divorce, and more and more adults eschewing it altogether for single parenthood or cohabitation.²⁰⁵

Given the prevalence of divorce, American children today are becoming weaker educationally, emotionally, and physically. Yet few are willing to point to divorce as a major contributor to these problems. Few policymakers like to dwell on the effects of divorce, but ignoring the problems will do little to change the culture of divorce.

To set about the task of rebuilding a culture of family based on marriage and providing it with all the protections and supports necessary to make intact marriages commonplace again, federal, state, and local officials must begin to talk about the problem and experiment to find sound strategies. America's forefathers had to rebuff threats from outside the nation. Today's generations are called to counter threats to America from within. What is required is the will to act.

—Patrick F. Fagan is William H. G. FitzGerald Senior Fellow in Family and Cultural Issues and Robert Rector is Senior Research Fellow in Domestic Policy Studies at The Heritage Foundation.

205. Between 1960 and 1990, there was a 41 percent decline in marriage. The number of "never married" people rose from 21 million in 1970 to 46 million in 1996. Cohabitation increased from 430,000 in 1960 to 4.25 million in 1998, a tenfold increase. But as the social science literature also shows, cohabitation is linked to a serious rise in divorce: Those who cohabit before marriage divorce at twice the rate of those who do not. Also, 40 percent of cohabitators break up before marrying; and these former cohabitators, when they do marry, divorce at twice the rate of those who marry their first cohabiting partner, or at about four times the rate of those who do not cohabit before marriage. See Larry L. Bumpass, "What's Happening to the Family? Interactions Between Demographic and Institutional Change," presidential address to the Population Association of America, *Demography*, Vol. 27, No. 4 (November 1990), pp. 483–498, and Janice S. Crouse, "Strengthening American Families: What Works and What Doesn't Work," World Congress of Families II, Geneva, November 1999, Figure 9.

Is There Hope for the American Marriage?

By CAITLIN FLANAGAN Thursday, Jul. 02, 2009

Around the time of my parents' 50th wedding anniversary, I turned to my father at the dinner table one night and said, "It's amazing, Dad — 50 years, and you never once had an affair. How do you account for that?"

He replied simply, "I can't drive."

Watching the governor of South Carolina cry like a little girl because his sexy e-mails got forwarded to his local newspaper, the *State*, made me wonder whether the real secret to a lasting marriage lies in limiting your means of escape. Whether you're putting the Buick Regal in reverse or hitting Send on a love note, you're busting out of your marriage, however temporarily, and soon enough there will be hell to pay.

During the press conference in which he admitted his affair, Mark Sanford warbled that he had broken "God's law," a sentiment that served only to emphasize the narcissism that had gotten him in trouble. Wrestling with God's law had apparently been the subject of many sessions of his Bible-study group, a seminar that may have spent a little too much time on the Song of Solomon, given Sanford's e-mailed encomium of his lover's physique: "I love the curves of your hips, the erotic beauty of you holding yourself (or two magnificent parts of yourself) in the faded glow of night's light." Finally a bit of prose that makes us long for the clinical precision of the Starr report. Sanford told reporters the affair had begun "very innocently," which reveals that he still hasn't been honest with himself about the willfulness of his actions. When a married man begins a secret, solicitous correspondence with a beautiful and emotionally needy single woman, he has already begun to cheat on his wife.

Just a week before, another blue-blazer elected official — Senator John Ensign of Nevada — was forced to make a similar confession, although he left God out of it, which must have been a nice break for the Almighty. Ensign had done "the worst thing" in his entire life, he confessed: "I violated the vows of my marriage." The mood on both occasions was funereal; it might have been touching to see two such buttoned-up guys welling with tears if the corpses weren't their political careers.

The one thing both men refused to admit was that, back in the heyday of these affairs, they must have been having a blast. These were two middle-aged, conservative Republican men who had said, To hell with being part of the Cialis generation (midlife sexuality depicted as an aging husband and wife reclining in ... side-by-side bathtubs? What is the drugmaker worried about — that randy Pa might jump in Ma's bath and break her hip?). Their actions were so willful and blatantly self-centered that the two of them could have credibly fashioned themselves as rebels, possibly even as heroes, if they could have just stopped crying. They weren't a couple of tools stuck in sexless marriages and making up for it with Internet porn. These guys had embarked on dangerously erotic rampages with real-life, unencumbered women, women who decidedly weren't ... Jenny and Darlene. The long-suffering wives, Fun Busters in Chief.

In the e-mails exchanged between the governor and his girlfriend, they trip over themselves to praise the other's virtues. She was "special and unique," "glorious"; he was a man of emotional generosity who "brought happiness and love to my life." These two humanitarians were engaged not only in worshipping each other's high-mindedness but also in destroying another woman's home, hobbling her children emotionally and setting her up for humiliation of a titanic proportion. The squalor and pain that resulted from the Sanford and Ensign midlife crises make manifest a bleak truth that the late writer Leonard Michaels once observed in his journal: "Adultery is not about sex or romance. Ultimately, it is about how little we mean to one another."

And so two more American families discover a truth as old as marriage: a lasting covenant between a man and a woman can be a vehicle for the nurture and protection of each other, the one reliable shelter in an uncaring world — or it can be a matchless tool for the infliction of suffering on the people you supposedly love above all others, most of all on your children.

In the past 40 years, the face of the American family has changed profoundly. As sociologist Andrew J. Cherlin observes in a landmark new book called *The Marriage-Go-Round: The State of Marriage and the Family in America Today*, what is significant about contemporary American families, compared with those of other nations, is their combination of "frequent marriage, frequent divorce" and the high number of "short-

term co-habiting relationships." Taken together, these forces "create a great turbulence in American family life, a family flux, a coming and going of partners on a scale seen nowhere else. There are more partners in the personal lives of Americans than in the lives of people of any other Western country."

An increasingly fragile construct depending less and less on notions of sacrifice and obligation than on the ephemera of romance and happiness as defined by and for its adult principals, the intact, two-parent family remains our cultural ideal, but it exists under constant assault. It is buffeted by affairs and ennui, subject to the eternal American hope for greater happiness, for changing the hand you dealt yourself. Getting married for life, having children and raising them with your partner — this is still the way most Americans are conducting adult life, but the numbers who are moving in a different direction continue to rise. Most notably, the Centers for Disease Control and Prevention reported in May that births to unmarried women have reached an astonishing 39.7%.

How much does this matter? More than words can say. There is no other single force causing as much measurable hardship and human misery in this country as the collapse of marriage. It hurts children, it reduces mothers' financial security, and it has landed with particular devastation on those who can bear it least: the nation's underclass.

The Marriage Gap

The poor and the middle class are very different in the ways they have forsaken marriage. The poor are doing it by uncoupling parenthood from marriage, and the financially secure are doing it by blasting apart their unions if the principals aren't having fun anymore.

The growing tendency of the poor to have children before marriage — the vast majority of unmarried women having babies are undereducated and have low incomes — is a catastrophic approach to life, as three Presidents in a row have tried to convince them. Bill Clinton's welfare-to-work program encouraged marriage, George W. Bush spent millions to promote marriage, and Barack Obama has spoken powerfully on the need for men to stay with their children: "We need fathers to step up, to realize that their job does not end at conception; that what makes you a man is not the ability to have a child but the courage to raise one."

The reason for these appeals to lasting unions is simple: on every single significant outcome related to short-term well-being and long-term success, children from intact, two-parent families outperform those from single-parent households. Longevity, drug abuse, school performance and dropout rates, teen pregnancy, criminal behavior and incarceration — if you can measure it, a sociologist has; and in all cases, the kids living with both parents drastically outperform the others.

Few things hamper a child as much as not having a father at home. "As a feminist, I didn't want to believe it," says Maria Kefalas, a sociologist who studies marriage and family issues and co-authored a seminal book on low-income mothers called *Promises I Can Keep: Why Poor Women Put Motherhood Before Marriage*. "Women always tell me, 'I can be a mother and a father to a child,' but it's not true." Growing up without a father has a deep psychological effect on a child. "The mom may not need that man," Kefalas says, "but her children still do."

This turns out to be true across the economic spectrum. The groundbreaking research on the effects of divorce on children from middle- and upper-income households comes from a surprising source: a Princeton sociologist and single mother named Sara McLanahan, who decided to study the fates of these children with the tacit assumption that once you control for income, being part of a single-parent household does not adversely affect kids. The results — which she published in the 1994 book *Growing Up with a Single Parent: What Hurts, What Helps* — were surprising. "Children who grow up in a household with only one biological parent," she found, "are worse off, on average, than children who grow up in a household with both of their biological parents, regardless of the parents' race or educational background."

The consequences for more-affluent kids tend to be far less devastating than for poor ones; they are less likely to become teenage parents and high school dropouts. But children of divorced middle-class parents do less well in school and at college compared with underprivileged kids from two-parent households. "There's a 'sleeper effect' to divorce that we are just beginning to understand," says David Blankenhorn, president of the Institute for American Values. It is an effect that pioneering scholars like McLanahan and Judith Wallerstein have devoted their careers to studying, revealing truths that many of us may find uncomfortable. It's dismissive of the human experience, says Blankenhorn, to suggest that kids don't suffer, extraordinarily, from divorce: "Children

have a primal need to know who they are, to love and be loved by the two people whose physical union brought them here. To lose that connection, that sense of identity, is to experience a wound that no child-support check or fancy school can ever heal."

Put a Ring on It

That prompts the question, Does the father have to actually be married to the mother of his children to have a positive effect on them?

"Not if he behaves exactly like a married man," says Robert Rector, a senior research fellow of domestic policy at the Heritage Foundation. If a man is willing to contribute 70% of his income to the child's upbringing, dedicate himself around the clock to the child's well-being and create a stable home life — a home life that includes his actually living there with mother and child — he might be able to give his child the boon of fatherhood without having to tie the knot. But that rarely happens. When children are born into a co-habiting, unmarried relationship, says Rector, "they arrive in a family in which the principals haven't resolved their most basic issues," including those of sexual fidelity and how to share responsibilities. Let a little stress enter the picture — and what is more stressful than a baby? — and things start to fall apart. The new mother starts to make wifelike demands on the man, and without the commitment of marriage, he is soon out the door.

Poignantly, the one thing that unites the poor and the middle class in their hopes for family life is the imperishable dream of being married forever, grabbing hold of the golden ring of lasting partnership. The low-income mothers studied by Kefalas and co-author Kathryn Edin spoke repeatedly of their wish to get married; they "cherish marriage and hold it to an impossibly high standard," the authors found, but too often forgo it as a result. Meanwhile, the middle class has spent the past 2½ decades — during which the divorce culture became a fact of life — turning weddings into overwrought exercises in consumer spending, as if by just plunking down enough cash for the flower girls' dresses and tissue-lined envelopes for the RSVP cards, we can somehow improve our chance of going the distance. Think of the touching moments on Inauguration Night, when at ball after ball, crowds of young people swooned at the sight of Barack and Michelle Obama dancing together, artlessly but sincerely and clearly with great affection. They are an immensely appealing couple, and it was a historic night, but what we saw reflected in the faces of those awed young people — and in the country's insatiable

appetite for photographs of the First Family's private life — was wonder at the sight of a middle-aged man and woman still together, still in love.

We want something like that for ourselves; we recognize that it is something of great worth, but we are increasingly less willing to put in the hard work and personal sacrifice to get there. The Obamas, for example, are enjoying their time of family closeness after almost two years of enforced separation, an interlude that would have caused many less committed couples to turn in their cards and give up. A lasting marriage is the reward, usually, of hard work and self-sacrifice.

The Ballad of Jon and Kate

Last summer, I had an opportunity to find out how meaningful the "in sickness and in health" clause of the marriage vows is when I underwent six rounds of chemotherapy, during which my husband treated me with great kindness. I began strong, making it to the dinner table every night and putting up a brave front for our children. But chemo, she will beat you down. I spent the last week on a friend's bedroom floor, heavily drugged, mildly nauseated and watching *Jon & Kate Plus 8*.

Ideal viewing conditions, as it turns out. I grew fond of the titular characters, in particular Kate, who seemed to stand like a colossus over their Pennsylvania tract home, constantly corralling and cajoling her uncountable — and, to the layperson, indistinguishable — children into doing relatively simple things, each of which became a hellish exercise in the improbable simply because of the logistics. Sixteen little shoes had to be found and tied before the family could even leave the house. That they weren't a pack of barefoot shut-ins was a testament to Kate's indomitable will.

Lying on the floor, drifting in and out of consciousness, I would gaze up at her and feel strangely comforted, the way you do around a certain kind of bossy, sexless power mom. The show approximated family life exactly: it was mostly good-natured and often boring and centered on the most basic transactions of daily existence — getting everybody dressed and fed, cleaning up, keeping quarrels to a simmer, not a boil. Now and then — in moments that genuinely did seem unscripted — Kate would wilt, leaning against the kitchen counter with a cup of coffee and seeming, for the twinkling of an eye, as though

she were allowing herself to absorb the shock of it all. But then she would shake it off, plow forward, harass Jon into making himself a lower-calorie lunch and go back to wiping down the counters and giving orders.

Even though it was gimmick-filled reality television, there seemed to be a bit of actual — even profound — truth in it. The underlying premise was that Jon and Kate Gosselin's marriage was an enterprise dedicated not to making themselves happy but to taking care of the cavalcade of children they had produced, that they were laboring at something more significant than their own pleasure.

I got well, I went home, and I pretty much forgot about Jon and Kate until a few weeks ago, when they catapulted to the forefront of trash culture because they were — according to the tabloids — separated. I assumed it was a rumor, but it turned out to be true. Jon had gotten bored with being bossed around by Kate, he'd had a fling with a 23-year-old teacher, and the couple had filed for divorce. He still loved the kids, he said — with complete guilelessness, as though loving the kids and doing right by them were unrelated events: "I have a new chapter in my life. I'm only 32 years old. I really don't know what's going to happen." And of course, the Gosselins command more attention now that their union is broken than they did when it was intact.

America's obsession with high-profile marriage flameouts — the Gosselins and the Sanfords and the Edwardses — reflects a collective ambivalence toward the institution: our wish that we could land ourselves in a lasting union, mixed with our feeling of vindication, or even relief, when a standard bearer for the "traditional family" fails to pull it off. This is ultimately self-defeating. It is time instead to come to terms with both our unrealistic expectations for a happy marriage and our equally unrealistic beliefs about the consequences of walking away from the families we build.

The fundamental question we must ask ourselves at the beginning of the century is this: What is the purpose of marriage? Is it — given the game-changing realities of birth control, female equality and the fact that motherhood outside of marriage is no longer stigmatized — simply an institution that has the capacity to increase the pleasure of the adults who enter into it? If so, we might as well hold the wake now: there probably aren't many people whose idea of 24-hour-a-day good times consists of being yoked to the

same romantic partner, through bouts of stomach flu and depression, financial setbacks and emotional upsets, until after many a long decade, one or the other eventually dies in harness.

Or is marriage an institution that still hews to its old intention and function — to raise the next generation, to protect and teach it, to instill in it the habits of conduct and character that will ensure the generation's own safe passage into adulthood? Think of it this way: the current generation of children, the one watching commitments between adults snap like dry twigs and observing parents who simply can't be bothered to marry each other and who hence drift in and out of their children's lives — that's the generation who will be taking care of us when we are old.

Who is left to ensure that these kids grow up into estimable people once the Mark Sanfords and other marital frauds and casual sadists have jumped ship? The good among us, the ones who are willing to sacrifice the thrill of a love letter for the betterment of their children. "His career is not a concern of mine," says Jenny Sanford. "He'll be worrying about that, and I'll be worrying about my family and the character of my children." What we teach about the true meaning of marriage will determine a great deal about our fate.

Flanagan is the author of the forthcoming book Girl Land.

<http://www.time.com/time/nation/article/0,8599,1908243-1,00.html>



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To: Rep. Edward Moran, Chair
House Committee on Children & Family Law

From: Jim Cianci, Committee Researcher
House Committee Research

Date: March 3, 2011

Re: HB 587 relative to grounds for divorce for persons with minor children

HB 587 is identical to HB 1510 from the 2010 session. A majority of the committee recommended Inexpedient to Legislate while a minority of the committee recommended Interim Study (15-3):

Rep. Deanna S Rollo for the Majority of Children and Family Law: This bill would create a policy that would force couples with minor children to stay married or seek a fault divorce. The majority of the committee felt that forcing parents to stay in a marriage or to state a reason for the separation for the record was not in the best interest of their children.

Rep. Edward P Moran for the Minority of Children and Family Law: While this bill has inherent problems, the committee as a whole is very concerned about the inability of so many adults to sustain successful marital relationships and the minority felt this could be a vehicle for productive discussion.

The committee report of ITL was adopted by the full House by a roll call vote of 248-81.

Voting Sheets

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

EXECUTIVE SESSION on HB 587

BILL TITLE: relative to grounds for divorce for persons with minor children.

DATE: March 7, 2011

LOB ROOM: 206

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study, RETAIN (Please circle one.)

Moved by Rep Katsakiores

Seconded by Rep. Gile

Vote: 12-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

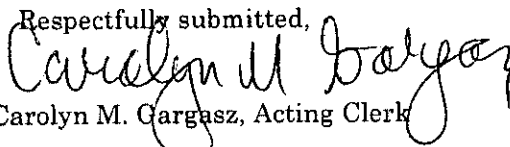
Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carolyn M. Gargas, Acting Clerk

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW
EXECUTIVE SESSION on HB 587

BILL TITLE: relative to grounds for divorce for persons with minor children.
DATE: ~~{Type DATE}~~ 3/7/11
LOB ROOM: 206

Amendments:

Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Katsakiers*

Seconded by Rep. *Gile*

Vote: (Please attach record of roll call vote.) *12 yes 0 No*

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: {Type VOTE}

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

~~Rep. Jane Johnson, Clerk~~

Carolyn Fargos

CHILDREN AND FAMILY LAW

Bill #: HB 587 Title: relative ^{to} grounds for divorce for persons w/ minor children
 PH Date: 3, 3, 11 Exec Session Date: 3, 7, 11

Motion: Retain Amendment #: _____

MEMBER	YEAS	NAYS
Moran, Edward P, Chairman	✓	
Hogan, Edith A, V Chairman		
Brown, Julie M	✓	
Gargas, Carolyn M	✓	
Dowling, Patricia A	✓	
Johnson, Jane B		
DeSimone, Debra L		
Katsakiores, Phyllis M	✓	
Sapienza, Marie N		
Soucy, Connie M	✓	
Perkins, Amy S		
Oigny, Jeffrey D	✓	
Robbins, David S	✓	
Grassie, Anne C <u>Gile</u>	✓	
Gould, Franklin F	✓	
Lovejoy, Patricia T	✓	
Porter, Marjorie A	✓	

TOTAL VOTE: YEAS 12 NAYS 0
 Printed: 1/4/2011

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

EXECUTIVE SESSION on HB 587

BILL TITLE: relative to grounds for divorce for persons with minor children.

DATE: October 26, 2011

LOB ROOM: 206

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Lovejoy

Seconded by Rep. Robbins

Vote: 16-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: YES

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Jane Johnson, Clerk

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

EXECUTIVE SESSION on HB 587

BILL TITLE: relative to grounds for divorce for persons with minor children.

DATE: October 26, 2011

LOB ROOM: 206

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP(A, ITL), Interim Study (Please circle one.)

Moved by Rep. *Lovejoy*

Seconded by Rep. *Robbins*

Vote: (Please attach record of roll call vote.)

Y N
16 - 0

Motions: OTP, OTP(A, ITL), Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

move d by
Hatsunakis

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Jane Johnson, Clerk

CHILDREN AND FAMILY LAW

Bill #: _____ Title: _____

PH Date: ____/____/____

Exec Session Date: ____/____/____

Motion: _____

Amendment #: _____

MEMBER	YEAS	NAYS
Moran, Edward P, Chairman	✓	
Hogan, Edith A, V Chairman	✓	
Brown, Julie M	✓	
Gargas, Carolyn M	✓	
Dowling, Patricia A	✓	
Johnson, Jane B	✓	
DeSimone, Debra L	✓	
Katsakiores, Phyllis M	✓	
Sapienza, Marie N	✓	
Soucy, Connie M		
Perkins, Amy S	✓	
Oigny, Jeffrey D	✓	
Robbins, David S	✓	
Grassie, Anne C	✓	
Gould, Franklin F	✓	
Lovejoy, Patricia T	✓	
Porter, Marjorie A	✓	
	16	0
	<i>consent</i>	<i>unanimous</i>

TOTAL VOTE:

Printed: 1/4/2011

Committee Report

CONSENT CALENDAR

November 2, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on CHILDREN AND FAMILY LAW to
which was referred HB587,**

**AN ACT relative to grounds for divorce for persons with
minor children. Having considered the same, report the
same with the following Resolution: RESOLVED, That it
is INEXPEDIENT TO LEGISLATE.**

Rep. Patricia T Lovejoy

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	CHILDREN AND FAMILY LAW
Bill Number:	HB587
Title:	relative to grounds for divorce for persons with minor children.
Date:	November 2, 2011
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill permits no fault divorce based on irreconcilable differences only if the parties do not have minor children. The number of divorces in NH to parties with minor children has been steadily declining over the last 10 years from 3,218 in 2001 to 2,335 in 2010, a drop of 27.4%. The vast majority of all divorces are based on irreconcilable differences – the average for the last 10 years is 98.7%. This bill would force parents to “blame” one another in order to obtain a divorce or to force couples with minor children to remain married even though the marriage may be irretrievably broken. The committee was concerned about the negative consequences that could arise from the implementation of this bill, most notably being the effect on children of forcing one parent to be labeled “the bad parent”, or conversely, the effects of trauma on the child of continuing to live in a household with two parents who do not want to be together. The committee believes that the bill creates a formula for conflict which might serve as a disincentive to marriage; the committee notes recent studies which employ a number of metrics that confirm that children of unwed parents do not fare as well as those of married parents, thus the bill would encourage poorer outcomes for children. The committee was also concerned about the effect a divorce for fault would have on the awarding of alimony – evidence of fault can affect alimony according to RSA 458:19, IV (b). This bill did not have a fiscal note but information from the courts suggests that there would be a fiscal impact. The average divorce trial in a divorce for cause lasted 364 minutes and incurred \$661 in Judge costs. Extrapolating only the cost of the judge time for the average number of cases would amount to \$160,900 per year. The committee supports the goal of strengthening marriages for the sake of all involved especially the minor children but we believe the unintended consequences of this bill are not in the best interest of children.

Vote 16-0.

Original: House Clerk
Cc: Committee Bill File

Rep. Patricia T Lovejoy
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB587, relative to grounds for divorce for persons with minor children. **INEXPEDIENT TO LEGISLATE.**

Rep. Patricia T Lovejoy for CHILDREN AND FAMILY LAW. This bill permits no fault divorce based on irreconcilable differences only if the parties do not have minor children. The number of divorces in NH to parties with minor children has been steadily declining over the last 10 years from 3,218 in 2001 to 2,335 in 2010, a drop of 27.4%. The vast majority of all divorces are based on irreconcilable differences – the average for the last 10 years is 98.7%. This bill would force parents to “blame” one another in order to obtain a divorce or to force couples with minor children to remain married even though the marriage may be irretrievably broken. The committee was concerned about the negative consequences that could arise from the implementation of this bill, most notably being the effect on children of forcing one parent to be labeled “the bad parent”, or conversely, the effects of trauma on the child of continuing to live in a household with two parents who do not want to be together. The committee believes that the bill creates a formula for conflict which might serve as a disincentive to marriage; the committee notes recent studies which employ a number of metrics that confirm that children of unwed parents do not fare as well as those of married parents, thus the bill would encourage poorer outcomes for children. The committee was also concerned about the effect a divorce for fault would have on the awarding of alimony – evidence of fault can affect alimony according to RSA 458:19, IV (b). This bill did not have a fiscal note but information from the courts suggests that there would be a fiscal impact. The average divorce trial in a divorce for cause lasted 364 minutes and incurred \$661 in Judge costs. Extrapolating only the cost of the judge time for the average number of cases would amount to \$160,900 per year. The committee supports the goal of strengthening marriages for the sake of all involved especially the minor children but we believe the unintended consequences of this bill are not in the best interest of children. **Vote 16-0.**

Original: House Clerk

Cc: Committee Bill File

HB 587 – Recommendation to ITL

This bill permits no fault divorce based on irreconcilable differences only if the parties do not have minor children. The number of divorces in NH to parties with minor children has been steadily declining over the last 10 years from 3,218 in 2001 to 2,335 in 2010, a drop of 27.4%. The vast majority of all divorces are based on irreconcilable differences – the average for the last 10 years is 98.7%. This bill would force parents to “blame” one another in order to obtain a divorce or to force couples with minor children to remain married even though the marriage may be irretrievably broken. The committee was concerned about the negative consequences that could arise from the implementation of this bill, most notably being the effect on children of forcing one parent to be labeled “the bad parent”, or conversely, the effects of trauma on the child of continuing to live in a household with two parents who do not want to be together. The committee believes that the bill creates a formula for conflict which might serve as a disincentive to marriage; the committee notes recent studies which employ a number of metrics that confirm that children of unwed parents do not fare as well as those of married parents, thus the bill would encourage poorer outcomes for children. The committee was also concerned about the effect a divorce for fault would have on the awarding of alimony – evidence of fault can affect alimony according to RSA 458:19, IV (b). This bill did not have a fiscal note but information from the courts suggests that there would be a fiscal impact. The average divorce trial in a divorce for cause lasted 364 minutes and incurred \$661 in Judge costs. Extrapolating only the cost of the judge time for the average number of cases would amount to \$160,900 per year. The committee supports the goal of strengthening marriages for the sake of all involved especially the minor children but we believe the unintended consequences of this bill are not in the best interest of children.

Cianci, James

From: epmoran@comcast.net
Sent: Friday, October 28, 2011 11:32 AM
To: Lovejoy, Patricia
Cc: Cianci, James
Subject: 587 blurb addition

Patricia, Your blurb is excellent- I would like to add the thought that as 587 is a formula for conflict, that would serve as a disincentive to marriage, and recent study results using a number of metrics confirm that children of unwed parents do not fare as well as those of married parents. Thus 587 would encourage poorer outcomes for children. (Pat the study is one I gave you a copy of-provided to me by Lutheran Social Services) If this or similar thought is ok with you, I'll tack it on. Also, be prepared for a floor discussion-you may want to tandem with another member of your subcommittee, Maybe Dave Robbins, so either of you could speak, if necessary, and the other do the parliamentary inquiry. Let Jim Cianci and I know. Thanks for a fine piece of work.

Ed

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Rep. Patricia Lovejoy for the Committee
JD

OK Ed Moran