

# The Social Construction of the Divorce “Problem”: Morality, Child Victims, and the Politics of Gender

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*Although divorce rates have been stable or dropping for two decades, Americans seem anxious about the state of marriage. Drawing on the sociology of knowledge and a social constructionist approach to the study of social problems, we examine reasons for this collective anxiety, documenting how the divorce “problem” has been framed by organizations promoting conservative family values. We examine the history of divorce and identify social contexts associated with cyclical claims that divorce reflects a breakdown of the moral order. In the contemporary context, we examine how social science experts are used to portray children as victims of divorce and how such images legitimate the political objectives of specific interest groups and mask underlying issues of gender inequality.*

In an average year, about 2.4 million marriages and 1.2 million divorces occur in the United States (Kreider & Fields, 2001). Are these high or low numbers for a country with a population of over 286 million people? The answer depends on one’s perspective, and that perspective is increasingly shaped by divorce experts who conduct studies, write books, and produce compelling stories for public consumption. In recent years, these experts have included academic social scientists, demographers, clinicians, practitioners, and representatives of religious organizations and political pressure groups. Each has a stake in defining divorce in specific ways, and all compete for precious media exposure in an effort to influence public opinion and affect government policies. In this article, we explore how the divorce “problem” has been constructed within specific historical and cultural contexts, suggesting that recent acceptance of expert advice about the long-term consequences of divorce for children has been facilitated by the rise of morality politics, which we see as a reaction to cultural anxiety caused by women’s increasing independence from men.

Clinical psychologist Judith Wallerstein is considered to be one of today’s foremost divorce experts, essentially initiating the modern academic debate on the effect of divorce on children with her 1971 study of 60 divorced families and their 131 children in Marin County, California, which was published with co-author Joan Kelly in 1980 as *Surviving the Breakup: How Children and Parents Cope with Divorce*. Her involvement in the academic debate has continued to the present with the 2000 publication of her book *The Unexpected Legacy of Divorce: A 25-Year Landmark Study* (with coauthors Julia Lewis and Sandra Blakeslee), for which she interviewed 93 of the (now adult) children from her original sample. In the latest book, she presented five composite portrayals of these adult children of divorce. To counter previous criticism leveled against her methodology, considered by some researchers to be unscientific (see Cherlin, 1999), she added a “comparison group” of adults from intact families. In summary, her findings have become more antidivorce over time and continue to portray children as the victims of a process that pits the benefits of divorce to mothers, in particular, and parents, in general, against the welfare of their children (see Wallerstein et al., 2000, p. xxxiii). Her suggestion that, in the absence of overt violence or other parental psychopathol-

ogy, parents should stay married no matter what for the sake of the children (p. 307) belies a turn of mind that is not necessarily substantiated by her study (see other articles in this issue of *Family Relations*). Why, then, in light of the academic criticism leveled against the “science” behind Wallerstein’s research, does she continue to be “widely considered the world’s foremost authority on the effects of divorce on children” (PBS Video, 1997)? Here, we suggest that the answer to this question involves looking beyond Wallerstein’s work and into the political and ideological divorce reform and marriage movements that draw on her study to promote their own agendas concerning the family.

Our task is not to judge Wallerstein’s arguments or to assess the validity of her research methodology, although both have been subject to criticism (e.g., Amato, 2003, this issue; Cherlin, 1999, 2000; Kelly & Emery, 2003, this issue; Pollitt, 2000). Instead we examine the question of why Wallerstein has become one of the foremost acknowledged experts on divorce in the popular media and before a number of law-making and law-adjudicating bodies (e.g., Wallerstein & Tanke, 1996; Warshak, 2000). Drawing broadly on issues relating to the social construction of knowledge, we suggest that the answer to this question is informed as much by political and ideological forces as it is by scientific logic (see McCarthy, 1996). In accordance with this perspective, we point out that science and politics have historically found themselves to be strange bedfellows on issues relating to family and family values. Rather than inherently neutral or scientifically objective, family values are (and have been) infused with power and politics (Allen, 2000; Coontz, 1992, 1997; Stacey, 1996; Walker, 2000), and debates about marriage and divorce resonate with moral overtones concerning social order, disorder, and changing gender roles (Cott, 2000). Drawing on alarmist assertions about the causal connection between the “breakdown” of the family and social disorder, divorce reformers and marriage advocates since the Civil War have sought out social science research to legitimate their assertions and promote their cultural and moral agendas. As we discuss, the most recent iteration of this moral argument, buttressed by Wallerstein’s discursive construction of the irrevocably damaged child of divorce, provides a symbolic victim around which divorce reformers can rally, adapting (or ignoring) Wallerstein’s relatively moderate public policy recommendations to fit their own antidivorce agenda.

Suggesting that Wallerstein’s expertise is framed proximally by the “divorce problem” and, more abstractly, by the promarriage movement, we begin our analysis with a brief discussion of the 19th-century historical backdrop from which the so-called divorce problem in the United States and the present promarriage

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movement emerge. From the historical construction of the “problem” of divorce, we move to address the theoretical underpinnings of our analysis, framed broadly by the sociology of knowledge, and more specifically, by social problems and social movements research traditions. With respect to the latter, we demonstrate the fit between Wallerstein’s work on divorce’s impact on children and the broader movements within which it is situated and within which an enabling political opportunity is created for her particular expertise. We discuss the contemporary promarriage movement and its methods for appropriating Wallerstein’s work and promoting her expert status. Finally, we suggest ways that family practitioners, educators, and policy advisors can draw on insights from the sociology of knowledge to understand current debates and better serve adults and children affected by divorce.

### Historical Backdrop to the Promarriage Movement and the Problem of Divorce

Early in American history, marriage was associated with social order, harmony, and patriotic duty. Marriage encouraged “citizenly virtue” by training people to care about others, acting as the symbolic key to mitigating the Enlightenment’s rampant individualism (Cott, 2000). At the same time, however, divorce was part of post-Revolutionary thinking about marital relations; the notion that marriage was based on consent (as was government) meant that consent for marriages (and governments) that were not working should be revocable (see Basch, 1999). As a result, most states were quick to legitimate divorce after the American Revolution. When and how, then, did divorce come to be associated with social disorder?

Contrary to current antidivorce and promarriage rhetoric intoning the value of the so-called traditional family, divorce initially became a public issue in America in the mid-19th century when organized protest began to attract public and legislative attention. Notably, this public interest in the moral implications of divorce came fast on the heels of the first wave of the women’s movement (see Bolt, 1993). In 1869, divorce reform advocate Theodore D. Woolsey, DD, LLD, president of Yale College, published his *Essay on Divorce and Divorce Legislation*, in which he articulated his “feeling” that divorce laws were too lax (Woolsey, 1869). In 1881, joined by other antidivorce scholars and religious leaders, Woolsey became the first president of the New England Divorce Reform League (subsequently, the National Divorce Reform League), which “launched a concerted national drive for family-law reform through legislation and public education” (Grossberg, 1985, p. 90). Basch (1999) suggests that Victorian American moralists like Woolsey tried to stem the tide of divorce by relying on a combination of familial, political, and moral imagery:

[T]hey advanced their argument by using marriage as a signifier of law and order, and by equating divorce with political chaos. And when they championed the self-sacrificing communitarianism of marriage against the selfish individualism of divorce, they defined their campaign as nothing less than a contest between Christians and infidels. . . [and] between order and anarchy. (p. 188)

According to Basch, these polarizing definitions transformed the “divorce question” into a symbolic focal point for competing world views, suggesting that divorce had become “a lightning

rod for deep-seated political anxieties that revolved around the positive and negative implications of freedom” (p. 188).

### Theoretical Approaches to Symbolic Politics

Cognitive and linguistic scientist Lakoff (2002) provided a theoretical framework for understanding why public debates over issues like divorce take on such fierce metaphorical intensity during times of social change. Echoing the insights of historians (Basch, 1999; Cott, 2000); political scientists (Diamond, 1996); and sociologists (Best, 1990; Gusfield, 1996), Lakoff suggested that most political debates are shaped by deep-seated and often unacknowledged symbolic world views. These metaphorical ways of understanding are rarely consistent or rational, according to Lakoff, in part because they are based on an unconscious blending of politics and morality: “The link between family-based morality and politics comes from one of the most common ways we have of conceptualizing what a nation is, namely, as a family” (p. 13). Lakoff’s theoretical formulation applies to contemporary debates as well as to historical ones and is based on analyses of folk beliefs about the “natural order”—the order of dominance that occurs in the world (e.g., God as “naturally” more powerful than people, people as naturally more powerful than animals and plants, adults as naturally more powerful than children, men as naturally more powerful than women). According to Lakoff, “the metaphor of Moral Order” (p. 81) transforms this so-called natural hierarchy of power into a hierarchy of moral authority (e.g., God has moral authority over people, people have moral authority over nature, adults have moral authority over children, and men have moral authority over women). Lakoff noted that this understanding of the world not only legitimizes power relations but also allocates moral responsibility for the well-being of those over which one has authority (e.g., God has moral responsibility for the well-being of people, people have moral responsibility for the well-being of nature, adults have moral responsibility for the well-being of children, and men have moral responsibility for the well-being of women).

This system of thought leads to a strong concern about moral boundaries and their transgression. If people deviate from the moral path prescribed by the natural order, their actions are seen as having effects far beyond themselves. Their acts, according to Lakoff (2002), call into question traditional moral values and ways of leading a moral life, thus raising the possibility that the deviant way of life will seem safe, normal, and attractive: “People who ‘deviate’ from the tried and true path arouse enormous anger because they threaten the identities of those who follow traditional ‘straight and narrow’ moral paths, but also because they are seen as threats to the community” (p. 86). A similar insight derives from sociological theories of deviance and labeling. In general, efforts at deviance designation rest on a powerful group’s perception of some threat posed by the “deviants.” According to Schur (1984), “the perceived threat may be quite specific, or it may be diffuse and ‘symbolic’—for example, the fear of a powerful segment of the population that its overall standing, or position of dominance, is about to be undermined” (p. 44; see also Gusfield, 1996; Spector & Kitsuse, 1987). Perception of such threats (even if unfounded) tends to emerge during times of rapid social change. At the time of the emergence of the divorce problem in the 19th century, the perceived threat to the moral order revolved in part around the changing role of women and feminists’ claims that they should be treated as the legal equal of men, even if married (Adams, 2003).

## Divorce Reform and Women's Rights

Foreshadowing the current divorce reform movement, the context of 19th-century antiodivorce organizing was one in which women were making slow but inexorable inroads into men's absolute power in the family and in society. Although the Victorian notion of separate spheres enforced an ideology of women's domesticity, the common-law doctrine of coverture, by which a wife's identity was subsumed under that of her husband, was losing ground as Married Women's Property Acts were passed in various states (Shammas, 1994). The fact that divorce was becoming more prevalent, and that women were the primary initiators of it (Friedman & Percival, 1976), showed that women were becoming more confident in their ability to survive outside of marriage (Degler, 1980). Moreover, an organized women's movement was advancing the cause of women's rights, with leaders of that movement advocating liberalized divorce as an escape for oppressed women (Kleinberg, 1999).

The divorce reform platform in the late 1800s called in part for national uniformity in divorce laws. As now, each individual state determined who could divorce and for what reasons. Divorce at the time was an adversarial action involving a guilty party and an innocent one: someone had to be at fault for breaking the marital contract, and someone had to be harmed by the other's actions. Grounds for fault were determined on a state-by-state basis and ranged from adultery only to general misconduct, resulting in "migratory divorces" as those who could not divorce in their resident state traveled to states more friendly to divorcing couples. Thus, although fault-based divorce was often consensual in the sense that many divorcing couples (along with their lawyers and judges) colluded in bypassing arduous legalities, divorces were officially fault-driven until 1969, when California passed the first no-fault divorce law. Besides migratory divorce, another effect of the discontinuity between states was the lack of reliable statistics available on how much divorce was actually occurring (Blake, 1962; Woolsey, 1869). As we discuss below, this ambiguity, although now frequently attributed to different causes, is still a factor in debates about marriage and allows for widely divergent divorce claims to coexist (Caldwell, 1998).

### Historical Images of Children, Mothers, and Divorce

Child-rearing practices in colonial America were often driven by religious sentiment. Many Puritans thought children were born evil, and parents were instructed to drive the devil from their children's souls (Greven, 1991). Fathers, in charge of their children's spiritual salvation, were directed to enforce strict discipline and demand respect from their little charges to "cleanse children of their sinful ways" (Coltrane, 1998, p. 84; Greven). In general, parents in the 18th and 19th centuries also regarded their children as economic assets, valuable for their potential contributions to the family economy rather than for their emotional worth (Zelizer, 1985).

Thus, until the 1800s children rarely merited much discussion in petitions for divorce (Cott, 1976; Mason, 1994). Attitudes about children were undergoing change, however; 19th-century moralists no longer considered them to be inherently evil but instead malleable and shaped by parental actions. Accounts of children in 19th-century divorce actions grew and, according to Griswold (1982, p. 141), some divorcing husbands and wives

got into "bitter custody battles" to prove who could provide the best moral environment for the children. Gender ideology also was undergoing change during this time, as the Victorian notion of separate spheres for men and women began to promote the ideal of mothers as the primary agents of family nurture (Hays, 1996). Thus in the early part of the century, children's custody, previously automatically awarded to fathers, began to shift to mothers (Griswold; Hansen, 1999; Mason, 1994). Compatible with this "tender years doctrine," under which the mother was granted custody unless she was deemed to be "unfit," fault also acted as an "allocation device" for children, with the "innocent spouse" generally receiving custody (Fineman, 1991, p. 18); husbands were generally the "guilty" party, at least as indicated by the prevalence of wife-initiated divorce (under fault provisions, the guilty party could not sue for divorce). Due to the rising divorce rate and the increasing prevalence of maternal child custody, 19th-century courts began asking, "What should be done about the children of divorced couples?" (Hansen, p. 1128). The answer for these courts focused less on divorce avoidance and more on payment of child support (Hansen; for a discussion of the social construction of modern debates about custody and support, see Coltrane & Hickman, 1992).

The organized 19th-century divorce reform movement's struggle to change divorce law was largely unsuccessful (Kay, 2000). Comprised of both a moral and an economic dimension, divorce (and access to it) has appealed to people at a personal level (Friedman, 1984), although at an abstract level, people have generally been receptive to "making divorce harder to get." For these reasons, among others, it became clear by the 1920s that the idea of divorce reform had been, if not vanquished, essentially driven underground (Kay), to re-emerge in post-World War II America as a call for no-fault divorce. Although no-fault divorce is sometimes portrayed as a feminist attempt to increase women's options in oppressive marital situations, in fact, feminists had little to do with development of no-fault divorce laws (Kay). Instead, the hypocrisy in the legal system occasioned by fault-based divorce and the illicit collusion of judges, lawyers, and their clients called out for system reform "to shore up the integrity of the law and to preserve the dignity of the couple" (Bradford, 1997, p. 614). In 1969, California was the first state to enact no-fault divorce legislation; all states, except Illinois and South Dakota, added no-fault provisions to fault bases for divorce by 1981 (Friedman, 1984). Since that time, no-fault divorce has been available in all states, although family moralists have been successful in introducing reforms such as Covenant Marriage, which provides prospective newlyweds with a fault-based option. On the surface, no-fault divorce eliminated the need for adversarial proceedings in which one spouse was a guilty victimizer and the other was an innocent victim; in essence, it has eliminated the institutional victim of divorce by refusing to judge grounds for the action. On the other hand, "the regulatory manifestation of state concern at divorce now focuses on the internal aspects of family life, with the need to protect individuals" (Fineman, 1991, p. 19); that is, the increasing focus on children as the symbolic victims of divorce (and the concomitant need to protect these victims) justifies the state's continued regulation of divorce. As courts in the 19th century had looked to custody and enforcement of child support as an answer to what to do with the child of divorce, the answer for current divorce reformers has increasingly become "mandatory marriage [and reduced options for divorce] 'for the sake of the children'" (Lacey, 1992, p. 1435).

Children have not always been seen as innately victimized, with the “child as victim” trope being of relatively recent historical vintage. As noted above, 18th-century attitudes about children as inherently evil were replaced in the 19th century by the notion of children as more malleable and susceptible to evil than innately so (see Griswold, 1982). Previously perceived by their parents in terms of potential wealth and support, by the latter part of the 19th century children had become “economically worthless, but emotionally priceless” (Zelizer, 1985). Moreover, the Victorian ideal of separate spheres and the associated “Cult of True Womanhood” (Welter, 1966) led in the contemporary era to what Hays (1996) referred to as the “ideology of intensive mothering” (p. 4), reinforced by new psychological theories and an emerging class of professional child development experts. This ideology implies that mothers and their children are symbolically “joined at the hip” and that mothers are generally to blame for their children’s shortcomings. This notion of the all-powerful mother and the potentially endangered child was strengthened after World War II when studies of war orphans (Bowlby, 1953; Spitz, 1945) “proved” that depriving a child of maternal care would endanger its psychological and physical health (Chodorow & Contratto, 1992; Coltrane & Collins, 2001). The sentimentalized notion of children as threatened by forces both inside and outside of the family was played out in various forms during the latter part of the 1900s: news stories and social science studies of child abuse, missing children, satanic cults, and daycare molestation institutionalized the child as victim image (Best, 1990). Because “the endangered child is a powerful symbol for almost all Americans” (Best, p. 181), when no-fault made divorce a “victimless crime,” social movement activists turned their attention toward children as the newly discovered victims of divorce (Lacey, 1992). In concert with this theme, family moralists began to build a social agenda based on protecting the nuclear family and preserving parents’ traditional authority over their children: “Concern about threats to children meshed neatly with the fundamentalists’ values. . . . For the New Right, the basic lesson was that a society that turned its back on religion and traditional values endangered its children” (Best, p. 182).

### Sociology of Knowledge and the Construction of Social Problems

According to social historians, Enlightenment thought assumed the existence of objective truth, which could be discovered by following “correct” scientific procedure. On the other hand, adherents of the sociology of knowledge perspective refer to the social origins of knowledge, suggesting that “truth” is embedded in historical and social processes (McCarthy, 1996). Thus knowledge, constructed socially and situated in a particular historical context, “can contain and transmit all manner of values and judgments” (McCarthy, p. 109). Knowledge construction involves the operation of power and, relatedly, the operation of politics (McCarthy). We draw broadly on this theoretical framework to suggest that the creation of the so-called problem of divorce in the 19th century and the articulation of the victimized child as the symbol of this divorce problem in the contemporary context represent knowledge constructed to protect the interests, generally, of family moralists advocating adherence to an idealized vision of the so-called traditional nuclear family.

One way that interest groups construct knowledge involves the creation of social problems. In studying social problems,

scholars tend to use either the objectivist or the constructionist approach. Objectivists contend that social problems are defined by the existence of real (objectively given) conditions that are threatening or damaging, such as any condition that causes death, spreads disease, shortens life expectancy, or reduces the quality of life on a large scale. The objectivist approach conceives of social problems primarily as a product of dysfunctions, social disorganization, role and value conflicts, and norm violation (Goode & Ben-Yehuda, 1994). In contrast, social constructionism, now the dominant paradigm in the sociological study of social problems, takes a more subjective or relativistic approach. To constructionists, similar social conditions do not necessarily produce similar social problems because it is the collective definition of the condition as troublesome that constructs it as a social problem. In practice, social problems are constituted by groups asserting grievances and making claims about putative social conditions (Schneider, 1985; Spector & Kitsuse, 1987). Social problems arise when advocacy groups advance claims that generate public concern; that is, an issue becomes a social problem to the degree that it is publicly defined as disagreeable (Goode & Ben-Yehuda).

According to Best (1990) and other social problems researchers, those advancing claims are typically motivated by a desire to affirm the correctness of their own values and to seek validation that their issue is worthy of widespread public attention. Groups most successful at defining social problems are those with a strong interest in the issue, resources to promote their problem definition, and the credibility to do so (Goode & Ben-Yehuda, 1994). As groups make claims about certain social conditions, others respond. It is this act of claims making and counter-claims making that turns an objective issue, which may or may not have attracted prior attention, into a social problem (Best; Schneider, 1985). Although advocacy groups have always attempted to further their interpretation of social problems through public discourse, the context in which those claims have been advanced has changed dramatically over the past century. As Mills (1959) pointed out many years ago, the transformation of personal troubles into social issues requires marshaling economic and political resources. In the modern era, contests over defining the meaning of social problems have been increasingly shaped by the influence of special interest groups and the scholars, think tanks, and media coverage that support them.

Gusfield (1996) pointed out how successful claims about social problems tend to invoke notions of societal consensus, rather than staking out different sides on a political issue. This distinction is referred to in the social movements literature as consensus movements versus conflict movements (McCarthy, Wolfson, Baker, & Mosakowski, 1988) or in the political science literature as consensus issues versus conflict issues (Hayes, 1981). An example of a conflict issue is abortion: prolife and prochoice social movements are clear adversaries, and most often the issue is seen as a political one. In contrast, child abuse is a consensus issue, and when it appeared on the scene in the 1970s, the absence of controversy or adversaries enabled it to be framed by experts as a social problem in terms of societal consensus and for legislation to be developed and passed rapidly (Best, 1990; Gusfield, 1996). Opinion polls conducted in the mid-1970s showed that only about 1 in 10 Americans considered child abuse a serious problem, but by the 1990s, 9 of 10 did (Magnuson, 1983; Straus, 1994; Coltrane & Collins, 2001). National media campaigns, the establishment of child abuse hotlines, and frequent media attention transformed an issue that was virtually

ignored for centuries into a major social problem. “Missing children” is another consensus issue that was transformed into a national problem on the basis of dramatized personal tragedy and widespread media coverage (despite relatively low incidence levels and ambiguous statistics; see Best, 1990). One reason that the latter issues could be easily framed in terms of public consensus was the mobilization of the symbol of the child as victim (Best). Alternatively, the antiabortion movement has been less successful (until the relatively recent use of ultrasound and other technology to “person-ize” the fetus) at portraying the fetus as a victimized child, and the issue remains largely cast as feminists versus antifeminists.

Similarly, 19th- and early 20th-century attempts to frame the divorce problem as a consensus issue were not successful, in part because the first wave of the feminist movement was busy advocating for women’s right to end bad marriages. Current attempts to frame the divorce problem as a consensus issue have been somewhat more successful, primarily because of cultural shifts placing a high value on the emotional well-being of children. Casting the child as a victim of divorce, experts such as Wallerstein et al. (2000) began to suggest that parents (especially mothers) ought to follow the lead of earlier generations, whenever it was at all possible, by overlooking problems with their marriage and staying together “for the sake of the children.” With the help of think tanks with public relations skills such as the Institute for American Values (IAV) and its Council on Families, media coverage of such issues became widespread and persistent. Foundation and private funding has enabled organizations such as these to operate outside the normal constraints of scholarly peer review; celebrating the benefits of marriage and the negative “sleeper effects” of divorce on children, researchers who affiliate with these types of organizations often take their message directly to the media, and through them, to the public.

Counterposed against Wallerstein’s portrait of long-term damaged children of divorce is research conducted by psychologists such as E. Mavis Hetherington (see Hetherington, 2003, this issue; also Hetherington & Kelly, 2002). Hetherington’s research, beginning in the early 1970s, involved long-term study of approximately 1,400 divorced families and included their 2,500 children (Hetherington & Kelly, 2002). Based on these data, she concluded that although neither pleasant nor painless, divorce was not the inevitable disaster to children that Wallerstein’s research suggested. Media reports of the effects of divorce sometimes juxtapose Hetherington and Wallerstein as the “rosy” and “dark” sides of divorce, or the half-full versus the half-empty glass, respectively (see, for instance, Duenwald, 2002). Hetherington presents data showing that the glass is actually “three-quarters full of reasonably happy and competent adults and children. . . resilient in coping with the challenges of divorce” (Levine, 2002). Nevertheless, the dark side of divorce, represented by Wallerstein’s accounts, tends to take precedence in media reports. Our exploratory review of the *Readers’ Guide to Periodical Literature Indices* from 1980 through 2002 (Cannon, 2002; Gauthier, 2001; Gauthier & Marra, 1980–1999; Marra, 2000; *Readers’ Guide to Periodical Literature*, 2002), as well as the *National Newspaper Index* from 1977 through December 2002, indicates that media references to Wallerstein outnumber those to Hetherington by approximately 14 to 1 for the former and 6 to 1 for the latter, making Wallerstein substantially more visible as a popular expert on the issue of divorce.

By contrast, the *Social Sciences Citation Index* (1975–2002), which catalogs references to scholarly and scientific jour-

nals, lists more references to Hetherington than to Wallerstein, suggesting that peers are more likely to view Hetherington as an academic expert on divorce. Of the two experts, why is Wallerstein more likely to be cited in the popular press? Part of the answer lies in Hetherington’s assertion that divorce and its aftermath are complex processes for both parents and their children (Hetherington, 2002; Hetherington & Kelly, 2002), an assertion that, unlike Wallerstein’s focus on the harm done to children victimized by divorce, obfuscates the consensus frame of the divorce problem promoted by family moralists. Thus while conceding Hetherington’s scholarship, family moralists such as Gallagher (2002b, p. 50) reiterate the child as victim theme, claiming that the “larger questions raised by. . . divorce are not, ultimately, scholarly ones. How and when can it be right for mothers and fathers to cause brutal pain to their children?”

## Rhetoric of Divorce Claims

Claims made by groups seeking to define, publicize, and ameliorate social problems can be categorized into grounds, warrants, and conclusions (Best, 1990; Coltrane & Hickman, 1992; Toulmin, 1958). Grounds supply the assumptions on which the problem is grounded (Best), typically including definitions, supposedly representative examples (often horror stories or dramatic cases), and (usually huge) numeric estimates. For the divorce problem, grounds statements have included the recitation of divorce frequencies and rates, large numeric estimates of children living without fathers and in poverty, and expert testimony and horror stories about children’s and adults’ emotional devastation from divorce (Coltrane, 2001; Wallerstein et al., 2000).

Warrants “are statements which justify drawing conclusions from the grounds. . . . It is in the warrants that values most often come into play” (Best, 1987, pp. 108–109). Examples of warrants regarding the divorce problem include the assertion that children of divorce never recover from its devastating effects; that selfishness, lack of commitment, and belief in gender equality are the real reasons people divorce; that divorce is the cause of poverty for single mothers and their children; and that permissive no-fault legal statutes were the cause of the increase in divorce rates (e.g., Blankenhorn, 1995; Doherty, 1997; Fagan & Rector, 2000; Popenoe, 1996; Waite & Gallagher, 2000; Wallerstein et al., 2000; Weitzman, 1985). These grounds and warrants, advanced by academic experts, portray divorce as the cause of “broken” families.

Using warrants to “bridge the gap between grounds and conclusions” (Best, 1987, p. 114), claims makers advocate for particular actions or social policy changes that they assert would alleviate the social problem. In rhetoric about the divorce problem, social movement activists claim that feuding parents should stay together for the sake of the children; that revaluing the idea of marital service and obligation would reduce divorce and improve family life; that marrying and not divorcing would lift women and children out of poverty; and that returning to a legal fault basis would reduce the incidence of divorce (see Coltrane, 2001; Fagan & Rector, 2000). Each of these conclusions has a political or policy counterpart that is either being considered or is already being used in marriage promotion programs.

Historical research shows that when a situation comes to be seen as a social problem, a particular discourse is applied to it, and policies are channeled in particular directions (Gusfield, 1996). The language applied to social problems leads to different meanings and evaluations; for example, government aid to farm-

ers is called “parity,” government aid to business through tax cuts is called “economic incentives,” but government aid to poor people is called “welfare” or “help” (Edelman, 1977). Wallerstein and other members of the IAV’s Council on Families have enjoyed success in reframing the divorce problem to be about the children: “What brings us together is our concern for children. This concern leads us to focus on the state of marriage and family life in America” (Popenoe, Elshtain, & Blankenhorn, 1996, p. 294). In *Marriage in America: A Report to the Nation* (Popenoe et al.), the Council begins by raising the specter of a “culture of divorce and unwed parenthood” that is threatening the well-being of children:

America’s divorce revolution has failed. The evidence of failure is overwhelming. The divorce revolution—by which we mean the steady displacement of a marriage culture by a culture of divorce and unwed parenthood—has created terrible hardships for children. It has generated poverty within families. It has burdened us with unsupportable social costs. (p. 293)

Success for claims makers in defining a social problem also involves figurative “ownership” of the problem. Once a particular problem definition becomes generally accepted, former claims makers become authorities on the issue, taking control of policies and programs designed to correct it (Best, 1990; Gusfield, 1996). For instance, Wallerstein, one of the initial claims makers on divorce’s effect on children, has since become a noted authority on issues relating to divorce in general. In this capacity, she has filed amicus curiae (friend of the court) briefs setting forth her expert opinion on divorce-related matters. For example, one such brief that she filed, relating to the issue of relocation after divorce, provided testimony on which the California Supreme Court decision *In re Marriage of Burgess* (1996) appeared to rely (Warshak, 2000).

Once an interested group has been involved in the political process of defining a social problem, it is easier for them to mobilize support for their framing of potential solutions (Best, 1990). Those in authority (the “experts”) are generally able to create an implicit and taken-for-granted “legitimizing frame” that governs the problem and “would-be challengers face the problem of overcoming a definition of the situation that they themselves may take as part of the natural order” (Gamson, 1985, p. 616). In the case of the promarriage movement, language drawn from interested so-called experts about the superiority of two-parent families (a legitimizing frame for the divorce problem) was inserted into the welfare reform act of 1996, the Personal Responsibility and Work Opportunity Reconciliation Act, lending legitimacy to claims about the desirability of marriage and the negative effects of divorce. Similarly, recent appointment of fatherhood/marriage advocates to Health and Human Services and the White House Office of Faith Based Programs has helped promote a moral view of the superiority of two-parent families.

### Ambiguity in Divorce Statistics

Ambiguity in official divorce statistics has encouraged divergent claims about divorce since the 1800s. Numeric estimates and rates have been difficult to track because of inadequate historical data and, more recently, because of changing procedures for collecting and reporting divorce statistics. As early as 1869, Woolsey bemoaned the fact that divorce “statistics are meager.

... May we not hope that some member of the new and vigorous society of Social Science will take up this subject and bring to light something more complete” (p. 180). Nonetheless, in spite of Woolsey’s appeal, it was not until 1889 that the first divorce statistics were published on a national level, only after extensive lobbying by the National Divorce Reform League (see Adams, 2003).

In the modern era, the National Center for Health Statistics (NCHS) is the principal Federal agency collecting national marriage and divorce statistics in the United States, but the validity and reliability of these data have been deteriorating for several decades. Although the U.S. government collected marriage and divorce data through various methods starting in the late 1800s, it was not until 1957 that formal Registration Areas were created for reporting detailed marriage and divorce data to NCHS (Federal Register, 1995). Citing incomplete coverage, deterioration in data quality, and financial resource constraints, the NCHS discontinued state support and national reporting of marriage and divorce registration statistics in 1996 (Federal Register). As was the case a century ago, the lack of comprehensive and authoritative data from the federal government on marriage and divorce has encouraged advocacy groups to advance their own claims, often through the use of experts, about incidence rates, typifying examples, and their implications. When official statistics are ambiguous or unavailable, claims makers can use the media to advance their own version of the problem, placing more emphasis on dramatic and vivid cases than on careful scientific studies with randomized sample selection and multivariate analytic controls. Thus Wallerstein, whose research is anecdotal, rather than statistical (see Amato, 2003, this issue; Kelly & Emery, 2003, this issue), is a scholar whose primary findings bolster the agenda of claims making groups such as the promarriage movement, although her stated intent is not to stop divorce altogether (Wallerstein et al., 2000, p. xxxix). As described below, we suggest that ambiguity in divorce statistics, coupled with the increased political influence of moral family advocacy groups, sets the stage for accepting, contrary to her intent, Wallerstein’s proclamations about the potential harmful impacts of divorce on children and society as scientific evidence against divorce in its entirety.

### Contemporary Movements for Divorce and Marriage Reform

In the 1990s, a promarriage public relations campaign garnered substantial funding and gained national visibility (Coltrane, 2001; Stacey, 1996). Borrowing tactics from recent anti-smoking efforts, organizations like the Institute for American Values developed media advertising and political lobbying to advance the idea that lifelong marriage is unequivocally good for men, women, and children and that the government should promote it through various programs and subsidies (see, for instance, Gallagher, 2002a). From the beginning, this campaign has claimed that a social science consensus exists about the evils of divorce and has encouraged scholars to become advocates for reforming current marriage laws:

Social scientists and other experts in academia and government—whose views reverberate throughout the culture—have a particular responsibility to let the public know about the *large and compelling body of scientific evidence* that marriage matters... The academics who are the profes-

sional custodians of the family—who train the next generation of social workers, reporters, women’s magazine editors, teachers, counselors, psychiatrists, family lawyers, and even the clergy—have a particular obligation to call their students’ attention to the research pointing to the *powerful importance of enduring marriage* for both adults and children (Waite & Gallagher, 2000, p. 188–189; emphasis added).

A prime example of marriage movement evidence is *The Case for Marriage: Why Married People are Happier, Healthier, and Better Off Financially* (Waite & Gallagher, 2000). One reviewer likens this book by an academic and a partisan journalist to “an infomercial for marriage. . . [in which] they hail the ‘overwhelming scientific evidence’ they’ve gathered proving marriage is ‘good for you.’ . . . Marriage, in their treatise, becomes a kind of universal wonder product, Prozac without the side effects” (Russo, 2001, p. 1). Additional “evidence” comes from other researchers affiliated with the Institute for American Values who team up with journalists to focus on the negative effects of divorce, similarly portraying them as clear and unambiguous. Thus in *The Unexpected Legacy of Divorce* (Wallerstein et al., 2000, p. 297), the academic and journalist authors claim, “the effects of divorce are long-term. We know that the family is in trouble. We have a consensus that children raised in divorced or remarried families are less well adjusted than those raised in intact families.” Although the authors claim consensus with respect to what is implied to be “universal” harm to children growing up in divorced and remarried families, in fact, social scientists are far from total agreement on the subject (see, for instance, Amato, 2003, this issue; Hetherington, 2003, this issue; Hetherington & Kelly, 2002; Kelly & Emery, 2003, this issue). Nevertheless, the claim is given legitimacy by media exposure: *The Unexpected Legacy of Divorce* (Wallerstein et al., 2000) has been the focus of stories in the *Los Angeles Times*, *Newsweek*, the *New York Times*, and *U.S. News and World Report* (see Amato), as well as the cover story of *Time Magazine* in September, 2000 (Kirn, 2000), asking “Should You Stay Together For the Kids?” Similarly, Wallerstein herself was given considerable exposure as the voice of expertise in the 1997 video airing on the Public Broadcasting System (PBS), *Children of Divorce*, which argued that a consensus exists about “the terrible toll divorce has taken on a generation of children” (PBS, 1997). This film was produced by Whidbey Island Films, recipient of \$1.3 million in funding from the conservative Olin, Bradley, and Scaife Foundations (Coltrane, 2001). Although not the only researcher showcased on the program, Wallerstein was credited by the moderator with being the foremost expert in the country on the effects of divorce on children, and her commentary was given added legitimacy (and effect) by being interwoven with scenes of despondent children reflecting on the experience of their parents’ divorce. In this way, media and public exposure, funded by political activists, add to the credibility of the expert’s “evidence,” even in the absence of data considered to be hard science.

Because the well-funded marriage movement enjoyed widespread access to the media in the late 1990s and early 2000s, family and welfare debates are now framed around the morality of individual responsibility, focusing on metaphors that blame women for frivolously wanting to end bad marriages and characterizing single and divorced mothers as short-sighted and self-serving (Secombe, 1999). This is in large part because of the acceptance of the expert testimony of advocates like Wallerstein,

Horn, Eberly, Waite, Gallagher, Popenoe, Whitehead, Blankenhorn, Glenn, and others who hold leadership positions in family moralist organizations like the National Marriage Project, the Institute for American Values, and the National Fatherhood Initiative. (Wallerstein is on the Advisory Boards of the National Marriage Project and the National Fatherhood Initiative and is a longtime member of the Institute for American Values’ Council on Families.) These organizations have received millions of dollars from foundations that also fund politically conservative causes and think tanks (e.g., Heritage Foundation, American Enterprise Institute, Hudson Institute; see Coltrane, 2001). The emergence of these hybrid political-religious organizations is not unprecedented, but the speed with which they have embraced government “solutions” to moral “problems” and their success in gaining influence in Washington has been remarkable (Berlet & Lyons, 2000; Coltrane; Diamond, 1996; Stacey, 1996). The idea of increasing government activities to promote moral and religious causes was once anathema to most conservatives (Kintz, 1997), but political coalitions embracing this strategy are credited with an unprecedented number of conservative Republican victories since 2000, including gaining the presidency (Coltrane).

These coalitions also provided a political and cultural context in which “bad news” messages about divorce gained legitimacy. Primarily because evangelical Christians constitute the largest religious group in the nation, and because they are increasingly likely to embrace worldly activism, family morality has gained political legitimacy (Brooks, 2002; Coltrane, 2001; Masci, 2001). Antidivorce and promarriage proposals in the United States, such as those of the Institute for American Values and the National Fatherhood Initiative, typically focus on promoting respect for fatherhood, treating men as natural leaders of the family, favoring heterosexual married couples over other family types, making divorce more difficult, and allowing religious institutions a larger role in defining and regulating marriage (Gallagher, 2002a; Horn & Sylvester, 2002). These proposals appeal to many family traditionalists and religious conservatives. Although apparently not explicitly designed to restrict the rights of women, most feminists see these family moralist proposals as doing just that (Bounds, 1996; Diamond, 1996; Kintz, 1997). Thus the politics of gender and religion are implicated in contemporary proposals for divorce and marriage reform, just as they were a century ago.

## Discussion

By tapping into social anxiety about the changing role of women and the well-being of children, political/religious coalitions with generous foundation funding have been able to put family morality back on the domestic policy agenda. Our historical analysis suggests that proclamations about a marriage crisis are not new and that they reflect longstanding tensions within American culture that resurface periodically in public and political rhetoric. Claims that divorce inevitably and seriously damages children and hastens the breakdown of American society are symbolic tools used to defend a specific moral vision for families and gender roles within them.

The coexistence of the demand for gender equality and the cultural remnants of separate gender spheres in American society produces contradictory tendencies that are not easily resolved in the individual or in the polity. Few people, including family moralists, overtly call for women to retire exclusively to the domes-

tic sphere or for men to be the only family breadwinners. Nevertheless, most moralists hold to the ideal that women's true calling is to nurture the family and men's is to provide for and protect "their" women and children. In recent decades, women's sphere has been, if not transformed, at least refocused to reflect the ideology of "intensive mothering" (Hays, 1996). This ideology incorporates a focus on children as victims and is bolstered by assumptions about (a) mothers as primary caregivers, (b) the need for childrearing techniques that are child-centered and expert-driven, and (c) an image of the child as "innocent and pure" (Hays, p. 8). Historical support for separate gender spheres predisposes many Americans to embrace this ideology of intensive mothering that conflates mothers' and children's interests. Portraying children as innocent victims of divorce links women's and children's interests and supports moral arguments about the sanctity of marriage and women's responsibility to maintain it.

When the adversarial, victim-driven process of fault-based divorce was changed to the nonadversarial process of no-fault divorce, separate spheres ideology re-emerged within the ideology of intensive mothering. When coupled with the specter of the child as the victim of divorce, this ideology symbolically reasserts the adversarial nature of the divorce process. In current debates, however, the adversaries become self-indulgent parents (especially mothers, characterized as seeking divorce for selfish reasons), and the child victims of divorce. Symbolically, this rhetorical turn, bolstered by the work of experts like Wallerstein, provides justification for reasserting family morality based on assumptions about a putative natural order (Lakoff, 2002).

Thus, promarriage and antidivorce activists embrace what Lakoff (2002) calls "strict father morality." According to this deep-seated metaphorical understanding of the world, the strict father must have moral strength if he is to support, protect, and guide his family, and it is a virtue he must impart to his children for the good of society and the individual. As such, the world is divided into the moral and the immoral; moral strength allows one to combat evil with self-discipline and self-denial (Lakoff). When applied to divorce, this reasoning leads to the conclusions that divorce is evidence of moral failure and that the ultimate strict father—the state—ought to step in to restore order and protect the children by promoting marriage and discouraging divorce. Reinstating a fault basis in divorce proceedings holds the promise of reasserting strict-father morality and defining right from wrong based on an assumed natural order. We suggest that this desire to re-establish moral reasoning in social policy has provided a major impetus for the antidivorce movement and promoted the use (and acceptance) of experts whose claims emphasize the way in which divorce harms children.

Because social problems enjoying a broad consensus are more likely to be addressed, family moralists have claimed that social science research on divorce is unequivocally negative and resounding. In this vein, Wallerstein's latest work (2000) takes on an "unrelentingly negative tone" (Kelly & Emery, 2003, this issue), drawing consistently on terms such as "cruel, doom, panic, tragedy, and terror in describing the effects of divorce" (Amato, 2003, this issue). Ambiguity in marriage and divorce statistics has allowed divergent claims to coexist, but those groups with resources and access to media have been able to repeatedly advance their version of the problem. Social scientists like Wallerstein, whose findings fit the goals of the marriage movement and whose books and articles provide compelling stories to help frame divorce as an important social and moral problem, have been recruited into the movement and become leading experts

on the subject. Backed by conservative foundation funding, movement proponents have been successful in taking their message directly to the American public, bypassing the normal checks and balances of the academic review process. Because of longstanding ambivalence about divorce in American culture, media outlets have eagerly exploited bad-news stories from researchers who focus on the pain and anguish of children of divorce even though three of four are indistinguishable from children raised in nondivorced families.

Although family moralists have enjoyed success in garnering public attention for divorce and marriage in the past decade, we predict that they will be less successful in bringing about policies to enforce their moral vision on others. Family scholars, practitioners, and policy analysts who understand the sociology of knowledge tend to view recent proposals about marriage and divorce with skepticism. Precisely because the dramatic claims of divorce researchers have been exploited by political and moral crusaders, we should be cautious about accepting their scientific validity. In addition, drawing on historical precedents, we should question whether journalistic accounts of the emotional struggles of selected children of divorce constitute a divorce crisis or a threat to the institution of marriage. The vast majority of Americans continue to believe that marriage is one of the most important aspects of human life, and 9 in 10 will marry (Coltrane & Collins, 2001). Americans also accept divorce, and most do not think that the government should restrict divorce or subsidize churches to promote marriage (e.g., Pew Research Center, 2002). One could reasonably conclude that acceptance of divorce is an outgrowth of the high expectations that Americans hold for marriage. The simultaneous acceptance of marriage *and* divorce puts pressure on individuals to protect their own interests at the same time that they invest in long-term relationships (Arendell, 1986, 1995; Hackstaff, 1999; Kurz 1995). Recognizing that most Americans are deeply committed to marriage and also committed to protecting their self-interest will lead to more effective counseling and family life education than relying on polarizing proclamations about the sanctity of marriage or the harmful effects of divorce.

## Conclusion

Drawing on the sociology of knowledge, we have examined the ways in which the so-called divorce problem and the symbolic use of the child as a victim of divorce are socially constructed to reinforce the interests of certain groups of family moralists. Understanding this allows us to see divorce not as the universal moral evil depicted by divorce reformers, but as a highly individualized process that engenders different experiences and reactions among various family members, each with his or her own self-interests. Recognizing that "just saying no" to divorce (for the sake of the children) is a vastly oversimplified soundbite grounded in idealization of the traditional notion of feminine self-sacrifice for the family, therapists and policy analysts should avoid conflating mothers' interests with children's. Mothers', children's, and fathers' interests are neither identical nor diametrically opposed as divorce reformers would have us believe. As Wallerstein maintains, children's voices must be heard; so, too, must be heard the voices of mothers and fathers who face extremely complex and difficult decisions about their (and their children's) future as they contemplate divorce. The complexity and struggle associated with divorce, captured by the Kelly (2003) and Emery and Hetherington (2003) articles in this

issue of *Family Relations*, suggest that divorcing parents are not the “inattentive, selfish, narcissistic, abandoning parents intent on self-gratification” portrayed in the accounts of Wallerstein (Kelly & Emery, 2003, p. 358).

Finally, as members of a society that values individual self-fulfillment and self-actualization, we need to keep in mind that divorce can be a prerequisite to finding fulfillment in some later relationship. We accept divorce for the reason that we view marriage as too valuable a road to happiness to accept being less than happy in our own marriages. Thus, divorce is likely to be with us as long as we hold marriage dear. Rather than discourage divorce per se, we, as a society, need to encourage more humane divorce that minimizes pain and disturbance to all involved, particularly the children, even while recognizing the necessity of divorce in a culture such as our own. In this regard, we suggest that the efforts of divorce reformers might be better directed toward providing the sorts of emotional and material supports that encourage and maintain healthy marriages (full employment, living wages, gender equity, and community support for both parents and children), rather than attempting to enforce the idealistic (and unrealistic) notion of staying in unhealthy and unhappy marriages “for the sake of the children.”

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