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Conservative: Finding Fault with No-Fault Divorce

GLENN T. STANTON, "Finding Fault with No-Fault," *Focus on the Family Citizen*, January 15, 1996, pp. 14-15. Reprinted with permission.

The United States has one of the highest divorce rates in the world, just behind Russia. Some family policy groups feel that states should tighten divorce laws. Glenn T. Stanton argues, for example, that rolling back no-fault divorce laws would provide women with greater economic security and protect children from financial and emotional hardship.

Todd and Leslie were high-school sweethearts who married just after graduation. Leslie supported Todd through six years of college as he earned a bachelor's degree, then an MBA. When Todd saved enough money to start an oil-change business in a nearby town, Leslie—who was busy raising five children by this time—kept the books for her husband's new enterprise.

The business prospered, growing into a chain of eight stores with 50 employees. There were the usual labor problems—some substandard and dishonest employees were fired—but overall the work crews were productive, courteous, and cohesive. Not so with Todd and Leslie; their marriage disintegrated. Out of the blue, Todd asked Leslie for a divorce. He would not explain why, and Leslie refused to give her consent.

Todd couldn't be happier with the divorce laws in his state. He didn't need a reason—or Leslie's consent for that matter—in seeking a divorce. Leslie, however, was mortified, as she faced the formidable and unpleasant tasks of both

finding a decent-paying job and affordable child-care arrangements for their kids.

She found it bitterly ironic that Todd could dissolve their marriage more easily than he could break an eight-month employment agreement with an ineffectual shop manager last year.

Todd had to provide all kinds of paperwork showing cause for firing the manager, Leslie thought, but he wasn't required to show any cause to divorce me. I had less legal protection than Todd's manager had. Where's the justice in that?

VICTIMS EVERYWHERE

There are thousands—if not millions—of individuals like Leslie in America today. Their spouses have divorced them without cause, simply because the law no longer requires it.

The culprit? No-fault divorce.

Before 1969, when California became the first state to embrace no-fault, "societal" erected a formidable barrier, fault-based divorce law, to prevent (or at least hinder)

the dissolution of a marriage," wrote three law professors in the *Journal of Marriage and the Family*.¹

Under a fault-based system, courts would grant a divorce only if one spouse was found guilty of certain acts, such as adultery or cruelty, and the other spouse was found innocent. Divorce was denied if both parties were at fault or if the innocent party did not want the divorce—further indication that the state had an interest in preserving marriage.²

Determining guilt and innocence by providing proof—for example, that a spouse had been adulterous—became an ugly business, however. Lawmakers and the public were repelled by the spectacle of private irresponsibility made public. By 1985, all 50 states had adopted no-fault divorce; what they thought would be a much less acrimonious policy.

What lawmakers didn't recognize, however, was that the new laws put one spouse—the one who wanted to keep the marriage intact—at a distinct disadvantage.

"Women held a potent club [before no-fault]. If a man wanted his freedom, he would have to pay for it," wrote marriage-law expert Thomas Mulroy in the *American Bar Association Journal*. A fault-based system allowed women "to extract economic security through bargaining. A divorce decree was often an expensive commodity."³

Under no-fault, if one partner wants out, the spouse has no coercive power to hold the marriage together. That is why author and family commentator Maggie Gallagher calls no-fault divorce "the murder of marriage" because it elevated "wanderlust [to] state-protected emotion, while loyalty was on its own."⁴

Beyond creating an extraordinary injustice, no-fault divorce has predictably led to more divorces. The *Journal of Marriage and the Family* recently reported that "the switch from fault divorce law to no-fault divorce law led to a measurable increase in divorce rate" in America.⁵ In fact, the

divorce rate in the U.S. has risen 380 percent since 1970.⁶ This increase has guaranteed the United States' dubious distinction of being the unchallenged divorce-rate leader in the industrialized world.⁷

COLLATERAL DAMAGE

Every development that raises the divorce rate brings with it misery, because divorce itself is associated with a range of social pathologies, as countless studies demonstrate. The Council on Families in America, a diverse group of scholars from various academic disciplines, recently released a report detailing the failure of the "divorce revolution." They explain:

*The evidence of the failure is overwhelming. [This] revolution has created terrible hardships for children. It has generated poverty within families. It has burdened us with insupportable social costs. It has failed to deliver on its promise of greater adult happiness and better relationships between men and women.*⁸

An overwhelming body of social-science data support their conclusion:

- Divorced men and women experience far greater health problems than their married or never-married counterparts.⁹
- A greater number of divorced men and women are admitted for psychiatric care than married or single people, and their treatments are less successful.¹⁰
- Children of divorce do poorer in school, exhibit greater behavioral problems at home and in school, and engage in sexual activity and criminal behavior earlier in life than children whose parents remain married.¹¹
- Compared with those from intact families, adults who experienced divorce as children have poorer psychological adjustment, lower socioeconomic attainment, and greater marital instability.¹²

Judith Wallerstein, founder and executive director of the Center for the Family in Transition, is one of few researchers who

understands not just the statistical impact but also the emotional impact of divorce. She writes:

*Divorce has ripple effects that touch not just the family involved, but our entire society. As [one] writer observed when his own marriage broke up, "Each divorce is the death of a small civilization." Today, all relationships between men and women are profoundly influenced by the high incidence of divorce. Children from intact families are jittery about divorce. Teachers from all over the country tell me that their students come to school wide-eyed with fear, saying that their parents quarreled the night before and asking in terror, "Does that mean they are going to divorce?" Radical changes in family life affect all families, homes, parents, children, courtships, and marriages—silently altering the social fabric of the entire society.*¹³

COUNTER-REVOLUTION

Armed with such research, pro-family leaders believe they can persuade state legislatures to roll back no-fault divorce laws. One of their initial targets is Michigan.

State Rep. Jessie Dalman, R-Holland, is the chief sponsor of a package of bills that would restore divorce law in Michigan to a fault-based system in cases where there is not mutual consent for the divorce. The Michigan Family Forum (MFF), a pro-family group, affiliated with Focus on the Family, enthusiastically supports this bill and is working diligently to enlist support among legislators.

"Our immediate goal in this effort is to restore some justice to an arena of law that is terribly unjust, and to begin a discussion of the negative impact divorce has on children and adults," said Dan Jarvis, research and public policy coordinator for MFF.

Another state pro-family group, the Rocky Mountain Family Council in Colorado, is planning a three-year initiative against no-fault. The first step would encourage a serious public discussion regarding the problem of current divorce

law. Second, the council will seek to reduce divorce by helping churches more effectively counsel couples entering marriage. In the third step, the council will encourage introduction of divorce-reform legislation in the Colorado state legislature.

"No-fault divorce has spawned an entire generation of broken families and broken hearts; but there may yet be time to reach the next generation," said Tom McMillen, executive director of the Rocky Mountain Family Council and a lawyer. "If we can get people's eyes off of themselves and onto children, we believe we can achieve consensus about the destructiveness of divorce."

NOTES

1. Paul A. Nakonezny, Robert D. Shull, and Joseph Lee Rodgers, "The Effect of No-Fault Divorce Law on the Divorce Rate Across the 50 States and Its Relation to Income, Education and Religiosity," *Journal of Marriage and the Family* 57 (May 1995): 477-488.

2. Lenore J. Weitzman, *The Divorce Revolution* (New York: The Free Press, 1985), p. 7.

3. Thomas M. Mulroy, "No-Fault Divorce: Are Women Losing the Battle?" *ABA Journal*, November 1989, p. 77.

4. Maggie Gallagher, *Enemies of Eros: How the Sexual Revolution Is Killing Family, Marriage and Sex and What We Can Do About It* (Chicago: Bonus Books, 1989), p. 192.

5. Paul A. Nakonezny, Robert Shull, and Joseph Rodgers, "The Effect of No-Fault Divorce Law on the Divorce Rate Across the 50 States and Its Relation to Income, Education, and Religiosity," *Journal of Marriage and the Family*, 1995, 57:477-488.

6. *Statistical Abstract of the United States: 1993*, U. S. Bureau of the Census (113th edition), Washington, DC, 1994, p. 53.

7. Ailsa Burns and Cath Scott, *Mother-Headed Families and Why They Have Increased* (Hillsdale, NJ: Lawrence Erlbaum Associates, 1994), pp. 2, 5.

8. "Marriage in America: A Report to the Nation," a report issued by the Council on Fam-

ilies in America; Institute for American Values, 1995, p. 3.

9. Robert H. Coombs, "Marital Status and Personal Well-Being: A Literature Review," *Family Relations*, 1991, 40:97-102.

10. Coombs, 1991.

11. Paul Amato and B. Keith, "Parental Divorce and Well-Being of Children: A Meta-Analysis," *Psychological Bulletin*, 1991, 110:26-46.

12. Paul Amato and B. Keith, "Parental Divorce and Adult Well-Being: A Meta-Analysis," *Journal of Marriage and the Family*, 1991, 53:43-48.

13. Judith S. Wallerstein and Sandra Blakeslee, *Second Chances: Men, Women and Children a Decade After Divorce* (New York: Ticknor & Fields, 1990), p. xxi.

CRITICAL THINKING QUESTIONS

1. Why, according to Stanton, should we tighten no-fault divorce laws? Should we eliminate them altogether?
2. No-fault opponents argue that the partner who wants to keep the marriage intact should have the legal right to do so. What, however, about the legal rights of the wife or husband who wants to end the marriage?
3. Stanton maintains that divorce-reform legislation would decrease the negative impact of divorce on children and adults. However, what kinds of problems might such legislation create?

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Liberal/Feminist: Why Women Seek Divorce

DEMIE KURZ. *For Richer, for Poorer: Mothers Confront Divorce* (New York: Routledge, 1995), pp. 46–62. Copyright © 1995. Reproduced by permission of Routledge, Inc.

*As the two previous selections in this chapter illustrate, conservatives and centrists view divorce as one of the major causes of family breakdown. In contrast, many liberals, especially feminists, see divorce as a solution to family breakdown. Demie Kurz's research shows, for example, that there are four major reasons why women in unhappy marriages seek divorces: personal dissatisfaction, violence, "hard-living," and their husbands' infidelity.**

There were significant differences between reports of women in different classes. The higher their class position, the more likely the women were to cite personal dissatisfaction as a reason for their divorce, while the lower their class position, the more they reported leaving because of violence. "Hard-living" divorces were more prevalent among working-class and poverty-level women and were significantly more likely to occur among white women. There were no other statistically significant differences between women in terms of their race.

*Kurz's study is based on interviews, during 1987 and 1988, with a random sample of 129 mothers who obtained divorces through the Philadelphia Family Court. Most of the respondents were white or black, one Hispanic. The mothers included middle-class, professional, working-class, and poverty-level women.

PERSONAL DISSATISFACTION

I begin my discussion of the ending of these marriages with the category of what I have called "personal dissatisfaction," since this category is closest to the kinds of dissatisfaction that contemporary observers have said motivate Americans to divorce. The 19 percent of women who left their marriages for reasons of personal dissatisfaction stated that: they didn't love their husbands anymore; the communication in their marriages was not good; they fought too often with their husbands; their husbands had been too controlling; or they were tired of carrying the emotional load of the marriage. At the same time that they cited a variety of factors as critical to the ending of their marriages, however, women also identified certain patterns to the separation, particularly the importance of gender roles.

A few women spoke in gender-neutral terms about why they left their marriages. A 33-year-old white secretary, married twelve

years, mentioned lack of communication in her marriage. A 31-year-old woman from a similar background said that she and her husband argued all the time:

One of the problems with my ex-husband was that we didn't communicate well. I guess we were just different. He didn't talk much and he was very moody. I had to plan when I would say things to him. He did use drugs—but we all did, our generation. . . . But that wasn't the cause of our communication problem.

A 41-year-old working-class Hispanic woman, married seventeen years, said that she did not like or respect her husband. She claimed he had squandered their money on bad business ventures, and she didn't trust him anymore:

I went to marriage counseling around the time of the separation. . . . It wasn't helpful. I knew the marriage was done. He had sold the house he bought with his mother right out from under her. . . . I thought, if he does that to her, what is he going to do to me?

Most of these women, however, gave what I call "gendered" accounts of how their marriages ended. By gendered I mean that women described leaving their marriages because of behaviors associated with the conventional male role. Typically, there is a division of family labor by gender, with women assuming emotional and caretaking functions and men expected to be the primary bread winners. In addition, despite norms favoring equality in marriage, men often still control decision-making in the family. Gender, of course, permeates all social interactions. As Joan Scott notes, gender is "a constitutive element of social relationships based on perceived differences between the sexes, and a . . . primary way of signifying relationships of power."²

First, women mentioned their ex-husbands' controlling behavior. One 34-year-old white middle-class woman, an administrator who had been married for eleven years, felt that because of her ex-husband's controlling behavior, she could not participate in decision-making during the marriage:

I left him . . . he wasn't physically abusive, but he was emotionally abusive. . . . I didn't like how he made all the decisions. He always argued very logically with what I said. So I always seemed like what I said didn't make sense and what he said was right. I just didn't have respect for him anymore. I thought long and hard about leaving, for over a year I tried to get him into counseling. He went but he didn't really participate. And when we got home it was just the same thing.

Some working-class women also spoke of their ex-husbands as being too controlling:

I married him when I was young and dumb. I had a scholarship at [local university] I could have taken but I married him instead. He also wanted to control everything about my life. He wanted to control my friends, my time. [36-year-old black nurse, married for fifteen years with two children]

Second, women stated that they did not get enough emotional support from their husbands. A 33-year-old white psychiatrist, who had been married nine years, spoke about the issue of emotional support in very gendered terms:

I had to do all the emotional work in the relationship and I wasn't getting anything back. I really tried to make it work for a couple of years. I kept thinking that it would change, that if I did the right thing he would become more emotionally active and responsive in the relationship. We went to therapy but things didn't seem to change. Finally I told him I wanted him to leave. He was very angry.

I knew I couldn't stay with someone who was so completely unsupportive. He was only looking out for what was good for him. I don't think all men are the same, but I believe it was very male behavior. I guess he was angry that he wasn't getting enough emotional attention. First, because we had recently had a baby. And then because I went back to school.

A 34-year-old black poverty-level woman, a part-time classroom aide, spoke in a similar vein:

I want a supportive relationship. One where I can give support and get support. My husband thought a man was supposed to be

a good provider and that was it. I want more than that. I want a real relationship.

Third, a small number of women voiced discontent with their husbands' failure to be adequate enough providers. These women are discontented because their husbands are not working, or are not working hard enough. Those who are themselves working for pay are particularly unhappy. One white middle-class woman, a registered nurse, stated she left her husband because he remained unemployed throughout the marriage. She claimed that he accumulated debts and smoked a lot of marijuana, and that he didn't spend time with the children or help her take care of them. One woman, a 36-year-old white middle-class mother of two, who was married for twelve years, felt that her husband did not try hard enough to be successful in his work:

He is bitter. He feels he got kicked out. It was me that wanted the divorce. I didn't love him anymore. I didn't respect him anymore. He didn't have any ambition. I had to really push him to improve his business.

As Myra Marx Ferree notes, in accordance with prevailing gender norms, some women subscribe to the idea that men should be the primary providers and are uncomfortable when they believe their husbands do not live up to the primary breadwinner role.³

Those women who state that the decision to end their marriages was mutual also spoke of their husbands' controlling behavior. Anne, [an] educational consultant, at first spoke of how her divorce was the result of a "mutual split":

We just couldn't get along. My ex-husband is a nut. He has a terrible temper. He . . . constantly fights and argues. He even told me "I'll miss fighting with you."

However, she then continued with a story about her ex-husband's controlling behavior:

My ex-husband didn't have an emotional vocabulary. Everything was fine or he was very very angry. He used his anger to control. It scared me. I would really try to prevent it.

If I could tell it was coming, I would do things to prevent it.

I was very frightened by the end. My friends were frightened too. He would throw and destroy things. My daughter was really upset too. She thought, if he can throw these things, what can happen to me?

A 38-year-old black senior computer program analyst stated that the decision to end her marriage was mutual; married for nine years, she had experienced a lot of violence before and during the marriage. She thought the separation would be peaceful, but found otherwise:

When we first separated it was by mutual agreement, and I thought it would be amicable. But he would come over a lot and harass me in all kinds of ways. Like when he used to come to the house he would go to my bedroom and rummage through my drawers and throw all the clothes on my bed. He would say, "I want to find out about your love life." He's driven around my mother's house. They're afraid of him. They've never dealt with a person like him. . . . He almost caused me to lose my job. He really harassed people [at my workplace], including the guard.

In these cases, the report of a "mutual" decision to break up may conceal troubled circumstances that are far from mutual, and that reflect imbalanced power relations.

We need to know more about when women see their husbands as too controlling, since women raised this issue in all of the categories. Some women, like this 38-year-old black technician who did not give a reason why her marriage ended, described explicit controlling behavior:

When I was married, I stayed in. I was home with my son and he was always out. He said, "You should be home with the baby."

A 35-year-old white clerical worker who left her husband of sixteen years because of his use of drugs stated:

My ex-husband always got his way, even during our marriage. He'd ask me what I wanted to do about something. Then he'd do it his way. Then if I said anything he'd get

angry. He'd say, "Well, I asked you what you wanted." I'd be totally stuck. I just couldn't win.

Other women, like this 49-year-old middle-class white woman who left her husband of ten years because he was seeing another woman, described a more indirect kind of control.

In my marriage I was afraid of saying what I really thought. He could always just leave. Even at 36, knowing everything I knew, I still walked on eggshells about that. . . . I am much better now than I was while we were married at telling him what I think. He's moody and also he can always win in an argument. When we were married I used to bite my lip and not say anything.

[P]olling data show women want more equality in marriage, while men think there is enough. One group of researchers believes that the divorced population includes a higher percentage of men who have more traditional gender-role attitudes and women who have nontraditional views. They argue that particularly those women who are in the paid labor force are now in a position to leave a relationship in which they view their husbands' demands as unfair.⁴

VIOLENCE

In this sample, 70 percent of women of all classes and races experienced violence at the hands of their husbands at least once. Fifty percent of women experienced violence at least two to three times. Women were asked to check off on a list the acts of violence which they and their husbands committed during their marriage, and the frequency of their use of violence. The list included: throwing things at a spouse, pushing, slapping, kicking, hitting, beating up, threatening with a knife or gun, and using a knife or gun. Of the 70 percent of women who reported violence, 16 percent reported that the violence occurred only once; 13 percent reported that it occurred two to three times during the marriage; 37

percent reported that the violence took place more than three times, or that there was one serious incident of violence; and 4 percent that there was violence during the separation only. An incident of violence was considered "serious" if a woman said she had been "beaten up" or she had sustained a physical injury.⁵

The accounts of these women resonate with fear and pain. One can easily imagine how the children who witnessed this violence were very fearful and deeply saddened. At the same time, a quiet courage runs through the accounts of these women as they assessed the costs and benefits of staying in their marriages.

While many women in the sample experienced violence, those who stated that they separated because of the violence had experienced much more serious physical violence than women who gave other reasons for separating. Many of these women stated that they left their husbands after a particularly serious fight. Some women, such as this 41-year-old white working-class mother of two, felt that their lives could have been in danger:

It took a year for the separation to come through. I filed. We separated for the last time after he beat me up. It was Mother's Day. He beat me up in front of the kids and his parents. I was really scared then. I thought, "if he'll do this in front of them, what could he do next?" I had to get a protection order at the time and that cost \$300.

We had been going to a counselor. . . . The therapist called me one night and said to come right over. He said, "Your husband doesn't know right from wrong. He only thinks he is right. You'd better get away. He could kill you." I now believe that. At the time I thought he would still change.

This 31-year-old mother of one, a black woman living at poverty level, left an eleven-year marriage after a particularly serious incident of physical abuse. She addressed the question most frequently put to battered women, the question of why she didn't leave sooner, despite experiencing a lot of very serious violence throughout her marriage:

We separated after a big fight where he was physically abusive. First I went to the Emergency Room. Then I went to the Police Roundhouse. The police came to the house and made him leave. . . . I got a restraining order. It lasted for a whole year.

There was violence constantly for the 10 years. It would usually happen on the weekends. We would fight over small things like, if he would go out on Friday, I would say I want to go out on Saturday. But slowly over the years something was clicking inside. I said to myself, "Are you going to let someone else run your life?"

Interviewer: So what made you realize that you wanted to get out of this relationship?

I have thought about that a lot. Somebody told me people scheme on others but you scheme on yourself. First, I don't want to hurt or disappoint other people. So instead I get hurt. Also, there would be repercussions. Where would I go with three children? I didn't want to go back to my mother's. I get along with my mother but if I went home it would be like I had been a failure.

Some women left when the violence affected their children. One woman left when her husband sexually assaulted her son by a former marriage. She filed a criminal charge against her ex-husband, who is now serving time in prison for this crime. This poverty-level black woman left because of the effect of the violence on her children and on herself:

All the violence was hard on my son. He saw me injured when he was two years old. He saw blood, he saw a lot. It's affected my son. He's mixed up.

I left because I was afraid of what this was doing to my son. I left because of what it was doing to me. I realized I could have shot my ex-husband. But I couldn't do that for my son's sake.

I finally realized the marriage wasn't working. I really wanted a marriage. I wanted that marriage to work. But I finally realized it just wasn't working. [28-year-old black woman living at the poverty-level, mother of one, married six years]

[Some women also watched their husbands destroy property and found this

frightening. This 33-year-old white middle-class mother of two, who owned and ran a business with her husband, described his violence:

I was the one who left. My ex-husband had a terrible temper. He used violence a lot. He didn't hurt me physically very much but he destroyed property a lot. He flew off the handle a lot. He was also an alcoholic. He had an explosive angry temper.

HARD-LIVING

Seventeen percent of women gave "hard-living" as the reason for the ending of their marriage. "Hard-living" is the term Joseph Howell used some time ago to describe certain behaviors, such as heavy drinking and frequent absences from the family, which men, particularly working-class and poverty-level men, exhibit when they feel frustrated by unstable work conditions and high unemployment. Since Howell first described hard-living, alcohol abuse has continued to plague men with weak employment histories. Hard-living is usually associated with male behavior. Lillian Rubin argues that some men continue to use alcohol as a way of coping with unemployment and Katherine Newman stresses that alcohol abuse is associated with the downward mobility and job insecurity of male workers at all socio-economic levels.⁶ It is important, however, to highlight the role of gender in hard-living; more often than not, it is women who are the victims of these behaviors. . . .

Most of the women who left because of their ex-husbands' use of drugs or alcohol found their husbands' behavior very troubling and particularly disruptive of family life. The majority of women who reported leaving their marriages for reasons of hard-living are working-class and poverty-level women, although a few middle-class women reported that their ex-husbands abused alcohol, and one that her ex-husband used drugs. Said one woman living at the poverty level:

He's still an alcoholic and he's still into drugs. That was the problem in our marriage. At first he'd be gone one night a month. I would stay up all night worrying and he would come in at 6:30 in the morning and take a shower and leave. I didn't realize what it was at first. Then it became more and more frequent and he was gone a whole lot. . . . It started getting to the kids. [34-year-old white bookkeeper, mother of two, married twelve years]

In some of these cases the husbands also used violence:

He kicked me out of the house, violently. It was our house. By then there was a lot of violence. Things hadn't been that way to start. Initially there was none. But around the time my son was born I noted he was acting funny. I didn't know what it was. I thought maybe he was jealous of the baby because I was paying the baby more attention. But then I came to realize it was drugs. [33-year-old white secretary, mother of one, married seven years]

The women were particularly concerned about the effect of drugs on their children:

I was married a long time. Things were fine for six years. We got along pretty well. Then he decided he wanted other women. He wanted a wife and a girlfriend. But I won't be number two. I told him good-bye and good luck. I also found out during the last eighteen months of our marriage that he was selling drugs. Then I knew I wanted out. That's no way to raise a child. [38-year-old black middle-class office manager, mother of one, married fifteen years]

Women also reported that their ex-husbands were rarely home. These women say their husbands never took any responsibility for the marriage. Some men "hung out" on the street with other men. Said [one] white working-class wom[a]n:

I kicked him out finally. The problem was he was never here. He was always with his friends. He worked, but then he would go out. Or all his friends would be here. Sometimes I would wake up in the morning and his friends would be here. He was like a big kid. He just didn't want to be married. At first we had married friends. But then he made

friends with a single guy and after that all his friends were single. [26-year-old white data processing clerk, married four years]

This poverty-level woman thought her husband was "fooling around" with other women. He was also sometimes violent towards her:

Most of the time my husband wasn't even at home. He would go out with groups of people and screw around. Sometimes he was violent when he came home. I think he was guilty. If I asked where he'd been, he'd get mad. If I didn't ask, he'd say I didn't care.

He was gone weekends at a time. I was at my mother's most of the marriage. One time I went back for six months but it didn't work. It was tense. I got an addiction. I used to drink and take Valium just to forget he was there. I wish he had just left. [26-year-old white mother of two, married six years]

Eleven percent of the women in the sample said their husbands were never around. Their comments may reflect gender differences in commitment to the family. Various studies of poverty-level and working-class marriages indicate that husbands and wives have separate leisure-time activities, and that some men in these families prefer to spend their leisure time fraternizing with male friends, not staying at home.⁷

OTHER WOMEN

Nineteen percent of the women reported that their ex-husbands were involved with other women. These women described two different kinds of experiences. One group of women stated they were left by their ex-husbands for other women. These women suffered a lot of emotional pain. A 51-year-old white middle-class woman with two college-age children who had been married for twenty-seven years said:

After he said he was leaving for another woman I was in very, very bad shape. I went into a depression. It continued into the separation. We were in counseling together and I was in alone at the same time. I personally

suffered a lot and it can't be measured or weighed. It's taken a toll.

A 31-year-old black teacher with a two-year-old child explained how it was when her husband said he was leaving:

It was a horrible experience. I was on an unpaid maternity leave. I was a new mother. I had been hoping things would work out in the marriage. We had been having problems, but I thought we could work them out. But he was running around with another woman. And he had been, even while I was pregnant. I felt a lot of hurt and a lot of frustration. . . . The separation was the worst period of my life.

Women of all classes expressed the same feelings of rejection and emotional pain when they were left by husbands for other women:

I took my husband's finding another woman as rejection. I felt I failed. The other thing was money. I got really down. I was a candidate for [a local mental institution]. [33-year-old working-class black woman, part-time retail clothing, married seven years, one child]

There was a period of about nine months . . . I knew he was leaving . . . for the first six months I was okay but then I wasn't okay. By not okay, I mean not functioning. I was not a functioning parent, not a functioning daughter, nothing. It's an upheaval and then a tremendous adjustment. [41-year-old white working-class woman, legal secretary, married twelve years, three children]

I'd like to stay married to him . . . I still love him. He's the man I married. He will never change. He lives with that lady and he goes to bars. He's a macho man. He still doesn't want me to talk to any man and he finds out if I go out with any man. The year he left I tried to kill myself. I was really depressed cause I never thought this would happen. [40-year-old poverty-level Hispanic woman, married nineteen years, three children]

Some of these women experienced great emotional pain, and spoke of being "devastated" and very depressed:

Emotionally it ripped me apart. I depended on him, and when he left me I felt rejected and lonely. The kids played a major part in

my life. I lived for them. I didn't want them to get hurt by the divorce. I wish I had gone to counseling earlier to face the reality sooner. [33-year-old white working-class woman, part-time accountant, married twelve years, three children]

A few women mentioned that their ex-husbands wanted to come back when their affairs didn't work out, but these women had lost trust in their husbands and were not willing to try and reconstruct the marriage.

Within the category of women who reported that their marriages ended because their husbands became involved with other women, some women reported that they left their husbands because their husbands were seeing or "fooling around" with other women. Particularly poverty-level and African-American women reported having left for this reason, in contrast to the majority of white women, whose husbands left them. These women whose husbands were "fooling around" were upset not only because of their husbands' involvement with other women, but also because these men were rarely at home and did not take any responsibility for the household. Thus "fooling around" is related to the hard-living category of never being around. The quotation below reflects these women's concerns about their husbands' lack of responsibility:

My marriage began to change when I had my son. I stopped working then. Then I saw how things were. Without my income we couldn't pay for anything. I began to look at where the money my ex-husband was making was going. It was going into gambling.

The bills were not getting paid. Finally the electricity was cut off. When the electricity was cut off, he moved in with his mother. That's when I knew something was really wrong. Also, he threatened me a lot. And once he cracked up my car and just left it there. These things seemed to change at my son's birth. Even at the birth, my ex-husband wasn't supportive. I was in there going through labor and he was out in the hall talking to everyone, grandstanding.

Then I finally asked my ex-husband about his fooling around with other women. He was fooling around a lot. He finally admitted

it and that's when I said I was going to get a divorce. This was important because I am a Jehovah's Witness, and in our religion that's the only grounds for divorce. Otherwise we believe that you should really work things out yourself. But because he admitted that I was able to get a divorce. Otherwise I would still be in the marriage. [34-year-old black child-care worker, married eight years, one child]

These women's accounts sound like Elijah Anderson's descriptions of relationships among poor, urban black youth. Anderson claims that if these young black men marry, they still do not plan to give up the freedom their peers have taught them to desire. Their goal is to conquer women, not to settle down and be breadwinners. Anderson argues that these young men want a reliable partner who will be like their mother and not question the time they spend with other "ladies" or with male friends. The women, who had hoped for a male breadwinner and a "typical" marriage, then leave when they see that their marriage will not conform to this ideal. According to Anderson, the origin of these conflicts lies in the fact that many young black men, due to high rates of discrimination and unemployment, have little hope of earning enough to support a family.⁹

On the whole, however, we don't know under what circumstances men and women choose to have affairs. Recent data show that 25 percent of men and 15 percent of women in marriages have affairs. Presumably they have affairs when they experience personal dissatisfaction with their partners and their marriages. In this sample, however, when women left for reasons of personal dissatisfaction, they did not leave for a man. Thus, according to these women, when they left they were becoming single parents, while their ex-husbands left to begin relationships with other women.⁹

NOTES

1. Class remained a highly significant predictor for personal dissatisfaction and violence-related divorces after controlling for race. For hard-

living divorces, class was not significant, but black women were 90 percent less likely to cite hard living as the principal reason for divorce (after controlling for class).

2. Jean Scott, "Gender: A Useful Category of Historical Analysis," *American Historical Review* 91 (1986): 1067.

3. Myra Marx Ferree, "Beyond Separate Spheres" *Journal of Marriage and the Family* 5 (November 1990): 874.

4. Barbara Finlay, Charles E. Starnes, and Faust B. Alvarez, "Recent Changes in Sex-Role Ideology among Divorced Men and Women: Some Possible Causes and Implications," *Sex Roles* 11 (1985): 637-53.

5. To measure acts of physical violence, a modified version of the Conflict Tactics Scales was used. See Murray Straus, "Measuring Intrafamily Conflict and Violence: The Conflict Tactics (CT) Scales," *Journal of Marriage and the Family* 41 (1979): 75-88.

6. Joseph Howell, *Hard Living on Clay Street*; Lillian Rubin, *Families on the Fault Line* (New York: Harper, 1994); Katherine Newman, *Falling from Grace* (New York: The Free Press, 1988); Rubin, *Worlds of Pain* (New York: Basic Books, 1976). While it is not clear how many people abuse alcohol or drugs, many use both. According to a survey conducted in 1988, 21.1 million American reported having used marijuana in the past year and 65.7 had used it at least once. National Institute on Drug Abuse, "National Household Survey on Drug Abuse: Population Estimate 1988," DHHS Publication No. (ADM) 89-163 (Washington, DC: U.S. Department of Health and Human Services, 1989).

7. See David Halle, *America's Working Man: Work, Home, and Politics Among Blue-Collar Property Owners* (Chicago: University of Chicago Press, 1984).

8. Elijah Anderson, *Streetwise: Race, Class, and Change in an Urban Community* (Chicago: University of Chicago Press, 1990).

9. Data on marital fidelity come from a 19% survey conducted by the National Opinion Research Center, University of Chicago, cited in *The New York Times*, October 7, 1994, A1.

CRITICAL THINKING QUESTIONS

1. What does Kurz mean by women's giving "gendered" accounts of why their ma-

riages ended? Can men's reasons for ending marriages also be gendered? Or not?

2. In the previous article, Whitehead contends that divorce rates are high because of the rise of individualism and the abandonment of commitment to the family. Do Kurz's research findings

support or challenge Whitehead's assertions?

3. Personal dissatisfaction, Kurz found, is one of the major reasons for women's getting a divorce. Is this, as Stanton and Whitehead also maintain, a frivolous reason for ending a marriage? A good reason for getting a divorce?