

John M. Grondelski

Divorce in America : Reflections on the National Marriage Project

Forum Teologiczne 13, 139-153

2012

Artykuł został opracowany do udostępnienia w internecie przez Muzeum Historii Polski w ramach prac podejmowanych na rzecz zapewnienia otwartego, powszechnego i trwałego dostępu do polskiego dorobku naukowego i kulturalnego. Artykuł jest umieszczony w kolekcji cyfrowej bazhum.muzhp.pl, gromadzącej zawartość polskich czasopism humanistycznych i społecznych.

Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

JOHN M. GRONDELSKI
Perth Amboy, NJ
USA

DIVORCE IN AMERICA.
REFLECTIONS ON THE NATIONAL MARRIAGE PROJECT

Słowa kluczowe: rozwód, Stany Zjednoczone, rozwód bez orzeczenia winy, National Marriage Project.

Key words: divorce, United States, no-fault divorce, National Marriage Project.

Schlüsselworte: Scheidung, die Vereinigten Staaten, Scheidung ohne Schuldzuweisung, *National Marriage Project*.

I. Introduction

“If you marry this year in the United States, the chance of your marriage ending in divorce is 50%”¹. The claim that half of American marriages end in divorce is a frequently repeated statistic and, as such, falls under Mark Twain’s famous dictum about statistics². In some ways, the claim is true: on a raw statistical basis, given current trends and assuming they can be projected indefinitely into the future, one in two marriages theoretically runs the risk of divorce. But statistics often conceal as much information as they reveal. There are factors which, individually and collectively significantly diminish the dan-

Adres/Adresse/Anschrift: Dr. John M. Grondelski, 700 Johnstone St., Perth Amboy, NJ 08861-2760 USA, e-mail: Grondelski@op.pl.

¹ “For the average couple marrying for the first time in recent years, the lifetime probability of divorce or separation remains between 40 and 50 percent”. National Marriage Project, “The State of Our Unions, Marriage in America 2009: Marriage and Money”, p. 77 [hereinafter: NMP 2009]. The National Marriage Project issues annual reports, cumulatively titled “The State of Our Unions.” All are available online: for this particular report, see http://www.virginia.edu/marriageproject/pdfs/Union_11_25_09.pdf, p. 77 (all links were verified as of November 25, 2011).

² “There are three kinds of lies: lies, damned lies, and statistics”. *Chapters from my Autobiography*. Józef Tischner made a similar observation regarding the three kinds of truth in his “Górska teoria poznania”.

ger that a particular marriage may become “just another statistic”, i.e., end in divorce³.

Nevertheless, some studies and polls suggest that the current generation of young, marriageable Americans, i.e., people born in the 1980s and 1990s when the divorce rate was exploding, are hesitant about marriage in part because of their experience, either in their own families or the families of those they know, with divorce⁴.

This essay examines America’s divorce explosion. Various factors are responsible for this phenomenon. Some preliminary cultural factors will be explored, followed by an introduction to and discussion of the pioneering research of the National Marriage Project (NMP), now based at the University of Virginia. The NMP’s research, both in terms of divorce as well as about contemporary trends and expectations about marriage, can provide illuminating and useful information vis-à-vis pastoral practice. It may be a project worthy of imitation in Poland.

II. No Fault Divorce

a. Origins of No Fault Divorce in the United States

In the United States, divorce lies primarily under the jurisdiction of the individual states. Prior to 1970, divorce could be obtained in most States only after proving “fault,” i.e., individual States prescribed limited and specific grounds (e.g., adultery, cruelty, abandonment, etc.) for which a divorce could be granted. The party seeking the divorce had to prove that the other party had committed one of these acts. Positively, these statutes put the force of law behind marriage: a marriage could not be ended except in limited circumstances after commission of a limited range of acts that were deemed so egregious as to make continued marital relations intolerable. Negatively, persons who simply wanted to abandon their marriages often perjured themselves by fabricating claimed affairs or mistreatment in order to meet the legal grounds required for a divorce.

Beginning in California in 1970, individual States began to change their laws by introducing the concept of “no fault divorce”. In a “no fault” divorce regime, a couple does not need to prove any grounds to obtain a divorce. In

³ Among the factors that can significantly reduce one’s statistical eligibility for a divorce are: having an annual income over \$50,000; having a baby at least 7+ months after the wedding; marrying over age 25; coming from an intact, i.e., non-divorced, family; having some religious affiliation; and having some college education. See NMP 2009, p. 80.

⁴ Eileen Zimmerman, “What’s the Rush? How Young Adults Are Redefining Courtship and Marriage,” *The Christian Science Monitor*, 104 (February 12, 2012), no. 12: 30.

most States where such a regime is in place, it suffices that the party seeking the divorce claim that the marriage has “broken down irretrievably”, evidenced by the spouses living apart for a specified length of time. At the end of that time, the parties could simply “convert” their separation into a divorce. By 1985, no fault divorce laws were in place in every State except New York. New York became the fiftieth State to enact a no fault regime, in 2010. Proponents of no fault divorce claim that their “reform” eliminated much of the fabrication of “evidence” underlying fault divorce proceedings.

What advocates of no fault divorce failed to grasp, however, was that before there were a few couples where both wanted a divorce, but now there are many couples where only one wants a divorce and the other is powerless. The upshot of no fault divorce has been essentially unilateral divorce: one spouse can initiate a divorce against another, even against the other’s will and the other’s legal options to oppose a divorce are limited. Non-agreement to the divorce may find expression in court proceedings only over ancillary issues, e.g., division of property or custody of children, but not in preventing the divorce itself. As various commentators have observed, a typical American business contract now has far stronger legal guarantees against unilateral abridgement or penalties for unilateral breach than does an American marriage⁵.

b. The Place of No Fault Divorce within the Broader Sexual Revolution

It was no coincidence that no fault divorce began taking root in the United States in the 1970s. The “sexual revolution” of the 1960s, both in the larger society and within the Catholic Church, had laid important cultural groundwork for this phenomenon. In the broader society, sex and sexual fulfillment came to be regarded as basic “rights” of the individual. Society and social institutions came to be regarded as suspect, as formalistic and external impositions upon the individual that often undermined the individual’s “authenticity” and abridged his “freedom”. In the Catholic Church, the contestation unleashed after the encyclical *Humanae vitae* led to the progressive erosion of Catholic sexual ethics as well as to challenges, in theory and especially in pastoral practice, to the doctrine of marital indissolubility⁶.

⁵ J. Roback Morse, *Why Unilateral Divorce Has No Place in a Free Society*, in: R. George, J. Bethke Elshain, *The Meaning of Marriage: Family, State, Market, and Morals*, Dallas 2006, pp. 74–99. Morse observes that “This legal arrangement favors the person who wants to end the marriage, not the person who wants to work at keeping it together” (pp. 89–90).

⁶ See, e.g., M.G. Lawler, *Marriage and the Catholic Church: Disputed Questions*, Collegeville 2002; Lawler and T. Salzman, *The Sexual Person: Towards a Renewed Catholic Anthropology*, Washington 2008. The latter was formally criticized by the United States Conference of Catholic Bishops’ Committee on Doctrine: see the Committee’s statement at http://www.usccb.org/_cs_upload/8085_1.pdf (25 XI 2011).

Proponents of no fault divorce contended that people would be “happier” if freed from “loveless” marriages. Those marriages that remained would therefore also be happier. They also claimed that more permissive divorce regimes would actually be in the best interests of children, because “resilient” children would do better outside rather than inside conflict-ridden marriages⁷.

The late 1960s and early 1970s was a period during which a particular model of atomized individualism took root in American law dealing with marriage, the family, and sex. As regards divorce, no fault systems have stripped marriage of the benefit and support of the law in favor of one party’s unilateral claim that a marriage is “over.” As regards sex, the U.S. Supreme Court’s “right to privacy,” first enunciated in *Griswold v. Connecticut*⁸ (which declared a Connecticut law banning all persons, including married persons, from using contraceptives) was soon converted into an individual “right to privacy” in *Eisenstadt v. Baird*⁹. The apex of this radical individualism was, of course, *Roe et al. v. Wade*¹⁰ where the Supreme Court declared unconstitutional practically all State regulations of abortion at any stage of pregnancy. In its refusal to reconsider the legality of abortion, the Court’s majority gave expression to this unilateral notion of practically absolute individual sexual autonomy in this way: “At the heart of liberty is the right to define one’s own concept of existence, of meaning, of the universe, and of the mystery of human life”¹¹.

One can see that the trajectory of American family law, including its Constitutional underpinnings, has been radically atomized and individualized over the past approximately forty years. These processes have essentially stripped marriage of any institutional identity or meaning: if the Constitution guarantees

⁷ Judith Wallerstein’s research shows this claim to be untrue. See J. S. Wallerstein and J. Berlin Kelly, *Surviving the Breakup: How Children and Parents Cope with Divorce*, New York 1980; J. Wallerstein and S. Blakeslee, *Second Chances: Men, Women and Children a Decade after Divorce*, Boston 1989; and her *Children after Divorce: Wounds That Don’t Heal*, in: K. Scott and M. Warren, eds., *Perspectives on Marriage: A Reader*, New York 2007, pp. 388–398. Karol Wojtyła was prescient in observing the reverberation of divorce on children in his drama, *Przed sklepem jubilerza*.

⁸ 381 U.S. 479.

⁹ 405 U.S. 438. In *Griswold*, the Court had nullified the Connecticut statute on the grounds that it interfered with the “notions of privacy surrounding the marriage relationship”. Massachusetts made it illegal for non-physicians to provide contraceptives to unmarried persons, and the Commonwealth defended its law precisely by noting that *Griswold* dealt with marital privacy, which was not applicable to this case. In *Eisenstadt*, the Court changed its own criteria, declaring: “It is true that in *Griswold* the right of privacy in question inhered in the marital relationship. Yet the marital couple is not an independent entity with a mind and heart of its own, but an association of two individuals each with a separate intellectual and emotional makeup”. The Court clearly imposes a Constitutional vision of marriage not as “two-in-one-flesh” but of an “association of two individuals” whose “separate intellectual and emotional makeup” can, in theory, diverge. This is most evident in the effort of one party to obtain a divorce against another’s objection.

¹⁰ 410 U.S. 113.

¹¹ *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992) at 851.

“the right to define one’s own concept ... of the universe” it is hard to see how it would not guarantee the less ambitious project of one’s own concept of marriage. Under such a model, marriage as an institution will never be able to defend itself against the wants of one party in a marriage, and in a “maximalization-of-freedom” paradigm, the claims of the party that finds his individual “rights” now being “repressed” will always have a trump over the party content to remain married.

c. No Fault Divorce: Possibilities for Its Limitation, Potential for Its Influence

Given these trends and the tendency of American lawyers to seek “stability” in law, efforts to alter the legal landscape could prove difficult. “Respect for precedent” (*stare decisis*) tends to apply existing models to new issues rather than admit a prevailing paradigm is wrong and should be overruled. The fact that New York State saw fit to enact a no fault divorce law in 2010, 25 years after all the other States had enacted no fault divorce and despite the evidence of damage that this regime has wrought to marriage, spouses, and children, attests to the tenacity of this trend.

There have been some attempts to rein in the permissive no fault regime. Three States (Arkansas, Arizona, and Louisiana) have enacted laws permitting persons to enter into “covenant marriages,” i.e., marriages in which, prior to the wedding, couples freely consent to limit the grounds for which they may subsequently seek a divorce¹². The limitations usually involve adultery, domestic violence, or conviction of a felony with imprisonment. Persons who are currently married may also “convert” their marriages to “covenant marriages”. Statistics suggest, however, that there have been few takers of this opportunity¹³. Other efforts to limit the impact of no fault regimes have been to restore some consideration of fault to other legal proceedings attendant to divorce, e.g., in consideration of custody awards or division of property¹⁴.

¹² S. Nock *et al.*, *Covenant Marriage: The Move to Reclaim Tradition in America*, New Brunswick 2008; J. Witte, Jr. and E. Ellison, *Covenant Marriage in Comparative Perspective*, Grand Rapids 2005.

¹³ “Why did so many newlyweds turn down the opportunity to restrict their ability to divorce? The answers lie in the competing cultural models that Americans hold. ... The United States is unique among nations in its strong support for marriage, on the one hand, and its postmodern penchant for self-expression and personal growth, on the other hand. You can find other Western countries where marriage is strong, such as Italy, where few children are born outside of marriage and relatively few people live together without marrying, and you can find Western countries with highly individualistic values, such as Sweden, where marriage and cohabitation are virtually indistinguishable. But only in the United State can you find both. ... *What Americans want, in other words, is for everybody else to have a covenant marriage*”. A. Cherlin, *The Marriage Go Round: The State of Marriage and the Family in America Today*, New York 2009, p. 4, emphasis added.

¹⁴ For a good summary, see W. Bradford Wilcox, *The Evolution of Divorce, National Affairs*, Fall 2009, available on the NMP website at http://www.virginia.edu/marriageproject/pdfs/Wilcox_Fall09.pdf (25 XI 2011). See also B.J. Christensen, ed., *When Families Fail...The Social Costs*, Lanham 1991, pp. 94–95.

The fact of the matter is, however, that a Catholic couple marrying in the United States according to a Catholic view of marriage, i.e., a permanent and indissoluble union of a man and woman open to procreation, can find no State law whose protections of marriage coincide with that Catholic theological vision.

As a result of the effort to promote “same sex marriage” in the United States, one “compromise” position that has been proposed has been to declare that “marriage” itself is a religious category, with the State limiting itself to the registration of “civil unions.” The upshot would be to introduce into the United States (albeit with a twist) a dualism of marriage policy that exists analogously in post-Napoleonic Europe: the civil registration of a “union” by society, while leaving the “religious” aspect to particular churches. The “compromise” would differ from its European version in that society would civilly register what a minister of religion declared wedded: presumably, it would not involve the model, common in many European countries, of having to contract a “civil marriage” before a state official. At the same time, such a model would also significantly advance the individualization and privatization of “marriage”: no longer would the term “marriage” have any commonly-held social meaning, other than the socially agreed upon application of the term to whatever two individuals decide to call a “marriage.” One is hard pressed to believe, however, that this “let a thousand flowers bloom” approach to allowing individuals to define what makes a marriage would also be applied to letting individuals define what ends a marriage, i.e., allowing individuals to renounce or limit the grounds that civil law grants for divorce. Advocates of such a position would presumably contend that “if two people do not want a divorce, the law won’t divorce them,” but since the law has made divorce *de facto* dependent on only one person, this argument collapses. Any such “compromise” position on defining marriage by taking society out of the marriage business will only abet the current legal trajectory to atomize marriage.

III. Some Findings of the *National Marriage Project*

a. The Problem of “Soul Mate” Marriage

If American law does not robustly support the indissolubility of marriage, then perhaps additional data concerning the contemporary flood of divorce can be found in examining people’s expectations concerning marriage. From the viewpoint of pastoral theology, addressing these expectations—both in general

catechetical as well as specific marriage preparation programs—might contribute to limiting that flood.

A survey of the NMP data concerning marriage might best be summarized with the opening line of Dickens's *A Tale of Two Cities*: "it was the best of times, it was the worst of times." Many Americans today aspire to a "soul mate" model of marriage. That model can, in some respects, be reconciled with a vision of marriage as a *communio personarum*. In other respects, however, this focus on fulfillment of the other partner's expectations sounds very much like a consumeristic *egoïsm-à-deux*.

The general marriage rate among Americans is declining, and a serious "gap" between those who do marry and those who do not is emerging. "In large numbers ... the college-educated part of America is living the American dream—with happy, stable, two-parent families"¹⁵. The reverse side of that picture is that among those with less than a high school education, including those whom some sociologists have categorized as a "permanent social underclass"—the very people likely most to benefit from marriage—marriage as an institution is weak or almost non-existent. The current economic recession is likely to aggravate this phenomenon, particularly among non-college educated working men: "the deep economic downturn of the last [three] ... years seems likely to pose a threat to the long-term health of working class marriage"¹⁶.

While current economic conditions have an immediate effect on marriage, a far more long term influence is being exercised by changed expectations of marriage partners, which the NMP calls the rise of the "soul mate" model of marriage¹⁷. A "soul mate" marriage has also been called the "Super Relationship," characterized as "a couple-centered vehicle for personal growth, emotional intimacy, and shared consumption that depends for its survival on the happiness of both spouses"¹⁸. A "soul mate" marriage involves partners who are there for each other, who sustain a high degree of mutually focused emotional commitment to their relationship. As telling as what is "soul mate" marria-

¹⁵ NMP, 2009, p. 72. See also pp. 71–73. Also see the National Marriage Project, "The State of Our Unions, Marriage in America 2010: When Marriage Disappears" [hereinafter: NMP, 2010], at http://www.virginia.edu/marriageproject/pdfs/Union_11_12_10.pdf, p. ix: "Marriage is an emerging dividing line between America's moderately educated middle and those with college degrees."

¹⁶ NMP, 2009, p. 20. See also K. Bolick, *All the Single Ladies*, *The Atlantic* 308 (2011) 4, p. 126. who notes the paradoxical result of this "marriage gap" is that well-educated, professional men with good jobs often have a disincentive to commit to marriage because they are an increasingly rare "commodity" (my term).

¹⁷ For an anecdotal and personal expression of this "soul-mate" view of marriage, see K. Bolick, *All the Single Ladies*, pp. 116–118, 120, 122, 124, 126, 128–130, 132–134.

¹⁸ NMP, 2010, p. 38.

ge is what it is not. “Soul mate” models tend to put their greatest if not exclusive focus on the couple as couple to the exclusion of the couple as parents/part of a family and/or the couple as an economic unit. The “soul mate” is supplanting these other bases of marriages. “Marriage is gaining popularity as a Super Relationship, while other bases, such as economic partnership or parental partnership, have receded or disappeared”¹⁹.

b. “Soul Mate” Marriage and Marital Economics

There are various reasons for this situation. One is the ascendancy in Western culture of a vision of marriage based on the romantic love of partners who discover each other. Arranged marriages typically took socio-economic factors into consideration when pairing children. Relationships arising from partner-chosen romantic love tend, especially in the first stages of infatuation, to discount economic considerations. The author is arguing neither for arranged marriages nor matchmaking based on economic considerations. One need not advocate these things in order to make a more basic point: economics does affect marriages. Few marriages have survived when the partners try only to “live on love”.

Contemporary work patterns, however, have created a certain pattern of “equality” between prospective spouses. Once upon a time marriage represented an economic benefit for the typical woman. Today, women are typically expected to bring a certain economic parity and security to marriage. “Under this new ‘companionate’ model of marriage, men and women first establish themselves as independent adults with their own careers and resources, then wed in order to secure companionship and love, pursue social interests, and enjoy couple-centered activities—from travel to dining to sports. With the necessities of life secured, marriage becomes about climbing the upper levels of Maslow’s hierarchy of needs”²⁰.

While such a model may foster a better equality among partners when they marry, it also carries its downsides. While marriage may no longer be thought of in terms of an economic arrangement the fact remains that, institutionally, marriage in itself does provide economic benefits. The 2008–10 economic downturn in the United States drove that point home clearly: “The recession reminds us that marriage is more than an emotional relationship:

¹⁹ NMP, “The State of Our Unions: The Social Health of Marriage in America, 2001–Who Wants to Marry a Soul Mate?” [hereinafter: NMP, 2001] at http://www.virginia.edu/marriageproject/pdfs/print_soulmate.pdf, pp. 7.

²⁰ NMP, 2009, p. 44.

marriage is also an economic partnership and a social safety net”²¹. The fact that the divorce rate fell from 2007 to 2008 confirms this²². “Marriage and divorce are, in a word, expensive”²³.

Interestingly, while the NMP data notes that “soul mate” marriage paradigms tend to discount the economic side of the marital relationship and implicitly expect that partners come to marriage as economically secure adults, it does not discuss the degree to which “companionate” marriages keep their finances distinct even after marriage. Marital partnerships tend to grow stronger on the basis of common effort, and there is no logical reason to exclude the economic from that common effort. Easy divorce, however, militates against such joint economic activity, because it represents an economic threat to the financial autonomy each has unilaterally achieved. This has also been identified as a factor in why young men defer commitment to marriage²⁴. The NMP summarizes this phenomenon pithily: “The wealthier we become, the weaker the family”²⁵.

High economic expectations, however, come at a cost: prolonged education followed by a slow rise up the job ladder, usually from a lower wage position. Such extended economic “insufficiency” for marriage far outstrips one’s physical readiness, which is one reason for the growth of cohabitation. A “soul mate” model of marriage also tends to foster cohabitation as an alleged means of testing emotional compatibility, as well as a way of safeguarding assets among economically upcoming young people: there is no division of property when concubines split up.

c. “Soul Mate” Attitudes towards Parenthood

Along with the disappearance of marriage *qua* economic partnership, there has also been the evisceration of marriage as parental partnership. The NMP repeatedly warns of the “loss of child-centeredness” in American marriages. At

²¹ NMP, 2009, p. 16.

²² The 2007 U.S. divorce rate was 17.5 per 1,000 marriages. The 2008 rate fell to 16.9 per 1,000 marriages. (NMP, 2009, p. 37. The NMP does not deny that this may be a temporary phenomenon: “Both marriage and divorce rates tend to fall when the economy heads south and then rise when good times return” (ibid., p. 33), observing that economic difficulties paradoxically make actually “stoke demand for divorce even as they may it more difficult to achieve (ibid., p. 34).

²³ NMP, 2009, p. 33.

²⁴ See NMP, “The State of Our Unions: The Social Health of Marriage in America 2002—Why Men Won’t Commit”, [hereinafter: NMP, 2002], at <http://www.virginia.edu/marriageproject/pdfs/SO-OU2002.pdf>, pp. 13–14.

²⁵ NMP, “The State of Our Unions: The Social Health of Marriage in America 2005—Marriage and Family: What the Scandinavian Experience Tells Us?” [hereinafter: NMP, 2005] available at <http://www.virginia.edu/marriageproject/pdfs/SOOU2005.pdf>, p. 14.

one level, this phenomenon is observable in the sheer disappearance of children. The American fertility rate is 2.122, slightly higher than Europe general non-replacement level. It would mirror the European level were it not for Hispanics²⁶. The NMP notes that in 1960, at the end of the Baby Boom and when divorce rates were low, 62% of an adult's life was spent with a spouse and children; in 1985, that percentage had shrunk to 43%²⁷. The over 50,000,000 abortions in the United States since *Roe et al. v. Wade* also contribute to a disappearance of children from the larger society.

But the loss of child-centeredness affects not only the never born but children born as well. "Indeed, if a story is to be told about marriage over recent decades, it is not that it is withering away for adults but it is withering away for children"²⁸. Divorce produces almost a million children per year in the United States without a resident father; that number would be even greater if not for the parallel loss of child-centeredness in marriage²⁹. Such circumstances affect children's economic situations: "In recent years, the majority of children who grow up outside of married families have experienced at least one year of dire poverty"³⁰. NMP data also shows that American children are particularly impacted by such economic conditions because of the relatively thin U.S. social welfare policies. Sweden and America have similar divorce rates, but America generally lacks Europe's social safety nets³¹. Nor are financial costs borne solely by children: "a single divorce costs state and federal governments about \$30,000, based on such things as higher costs of food stamps and public housing as well as increased bankruptcies and juvenile delinquency. The nation's 1.4 million divorces in 2002 are estimated to have cost the taxpayers more than \$30 billion"³².

²⁶ NMP, 2009, pp. 93–94.

²⁷ *Ibid.*, p. 94.

²⁸ NMP, "The State of Our Unions: The Social Health of Marriage in America, 2003–Marriage and Children: Coming Together Again?" [hereinafter: NMP, 2003] at <http://www.virginia.edu/marriage-project/pdfs/SOOU2003.pdf>, p. 7.

²⁹ NMP, 2009, p. 102.

³⁰ *Ibid.*, p. 88.

³¹ NMP, 2005, p. 11. Two questions remain. Can Europe, with its own economic problems, sustain its social welfare system? Will America remain more pro-marriage (albeit with its high divorce rate) than Western Europe, or will the two eventually match? See NMP, "The State of Our Unions: The Social Health of Marriage in America 2007–The Future of Marriage in America," [hereinafter: NMP, 2007] at <http://www.virginia.edu/marriageproject/pdfs/SOOU2007.pdf>, pp. 7–8.

³² The NMP notes that a typical divorce costs governments about \$30,000 when factoring in higher use of public assistance and welfare programs, higher juvenile delinquency rates, etc. In summary, "The nation's 1.4 million divorces in 2002 are estimated to have cost the taxpayers more than \$30 billion." See NMP 2009, p. 88. J. Roback Morse (pp. 81–85) summarizes how society bears costs in terms of picking up the pieces of broken families after divorce, concluding "... a society full of people who treat sex as a purely recreational activity, a child as a consumer good, and marriage as a glorified roommate relationship, will not be able to resist the pressures for a vast social-assistance state" (p. 85).

Nor is child impoverishment to be found solely on the economic level. While “soul mate” marriage models put great stock in a rich emotional life for the couple, it significantly downplays the emotional interests of children. NMP data indicates that children constitute only a very minor inhibition to divorce³³. One survey showed that only 15% of survey respondents believe that a couple should stay married “for the kids”³⁴. No fault divorce was, of course, sold on the ground that children would better prosper in “conflict-free” divorces than in stressful married families. That empirical evidence hardly bears this out is another story³⁵. The NMP summarizes the situation thusly: “The weakening of marriage has contributed to a new kind of poverty among the young. It is the poverty of connectedness. ... Amid a society of material abundance, there are growing signs of emotional wants and deprivation, even among the most economically privileged young”³⁶. The University of Michigan conducts an annual study of the attitudes regarding marriage of secondary students in their last year of high school. The study consistently shows that while nearly 80% of high school seniors think they will marry, only 57% of boys and 62% of girls believe their marriages will last a lifetime³⁷. As the NMP notes, growing numbers of young people are “expecting nothing” of marriage as a permanent union. For these children, such emotional impoverishment is deemed to be normal³⁸.

“Soul mate” marriages are extremely demanding in terms of emotional investment. Children, on the other hand, are by nature emotionally needy. “Most Americans ... marry in order to have an enduring relationship of love, friendship, and emotional intimacy. Like new babies, contemporary marriages have to be nurtured and coddled in order to thrive. The problem is that when a real baby comes along, the time, the effort, and the energy that goes into nurturing the relationship goes into nurturing the infant”³⁹ which, in turn, clashes with marital expectations as hitherto experienced. In a society where “soul mate” relations are afforded primacy to the exclusion of other relationships (e.g., parenthood) and where divorce is readily available, children represent potential threats to marital permanence. Soul-mate ideals enlarge the natural

³³ NMP, 2009, p. 95.

³⁴ NMP, 2009, p. 95.

³⁵ See, e.g., Wallerstein *et al.*, in note 6, above, and NMP, 2002, pp. 15–16.

³⁶ NMP, 2003, p. 14.

³⁷ NMP, 2009, pp. 108, 113.

³⁸ Marline Pearson, “Can Kids Get Smart About Marriage?” NMP “Next Generation Series” Paper, at http://www.virginia.edu/marriageproject/pdfs/print_kidsgetsmart.pdf, pp. 3–5.

³⁹ NMP, “The State of Our Unions: The Social Health of Marriage in America, 2006–Life without Children,” [hereinafter: NMP, 2006], at <http://www.virginia.edu/marriageproject/pdfs/SOOU2006.pdf>, p. 12.

distance between children's needs and adult wants, while simultaneously lowering the threshold of discontent about how to deal with the "bumpy" phases of marriage⁴⁰.

d. "Soul Mates" and Realistic Expectations of Marriage

NMP summarizes the problem with "soul mate" models of marriage are that they create expectations that "are emotionally deep but socially shallow"⁴¹, skewing expectations of marriage in an individualistic direction to the exclusion of a broader social significance or role. Are the very expectations of a "soul mate" model realistic? According to the NMP, a survey of young people of marriageable age indicated belief in "a special person, a soul mate, waiting for you somewhere out there," with 87% believing they will find that person when they are ready to marry⁴². In a Christian culture informed by Christian personalism and Divine Providence, such an idea makes sense. In the cultural environment in which young marriageable Americans find themselves—a culture the NMP characterizes as one of "secular individualism" without organized religion to support it⁴³—these attitudes rather sound like "waiting for Prince Charming" (or Cinderella's richer sisters) rather than a realistic assessment of the qualities partners to a good marriage need. The shift towards romantic-love-as-norm-for-marriage does not necessarily entail notions of "love" more appropriate to a star-struck, infatuated teenager than a serious adult contemplating a marital commitment with another adult.

IV. Some Concluding Pastoral Reflections

It has been said that a fundamental difference between Catholic and Protestant theology is that the former fosters an inclusive "both/and" while the latter a divisive "either/or". Catholic theology is "both Scripture and tradition", "both grace and nature", "both faith and reason", "both faith and good works", "both procreation and unity". Protestant theology (and secular thought that comes out of a Protestant environment) tends to be "either faith or reason", "either faith or works", "either procreation or unity", etc. Something of this exclusionary divisiveness is at work in contemporary marriage trends.

⁴⁰ NMP, 2003, p. 11. Also, NMP, 2001, pp. 5-6.

⁴¹ NMP, 2001, p. 1.

⁴² NMP, 2001, p. 8.

⁴³ NMP, 2007, p. 8. Also, NMP, 2005, p. 8.

The NMP reports observe the loss of child-centeredness in marriage without exploring one very important cause: the separation of the procreative-unity nexus of the conjugal act. When these aspects of sexuality were divided by those who rejected *Casti connubii* and *Humanae vitae*, they remained to be spliced back together according to individual whims. While “soul mate” models of marriage have something in common with the unitive good of marriage—a good that Vatican II accentuated—they use a partial perspective of the human person, focusing on the other as an emotional partner but not as a partner as a co-creator of life. Those two dimensions of the person do, after all, go together if love is to be based on an integral vision of the human person. Catholic pastoral practice should be able, then, to draw out the further implications of a soul-mate model of marriage in terms of other as potential parent. Such a view, however, would be a far departure from the prevailing secular notion of “soul mate marriage”.

This educational/formative effort must move young people beyond an exclusionistic model of “soul mate” marriage as a partnership of emotional intimates *to the exclusion* of other aspects of marital life, e.g., parenthood and family, economic partnership, and social force. In a very real sense, such an effort will demand an immense effort on the part of the Church, since so much of the larger culture (with its mantras of “diversity” and “lifestyle tolerance”) will be pulling in the other direction.

Without creating more realistic expectations among those who enter marriage, the Church can hardly expect to staunch the hemorrhage of divorce. Those realistic expectations will also be richer, however, if we build on the good aspirations of young people. The quest for a “soul mate” is good, but the Catholic vision of marriage as *communio personarum*, particularly as enriched by the thought of Karol Wojtyła/Pope John Paul II, can take those preparing for marriage far beyond the narrow confines of the secular “soul mate.” *Familiaris consortio* called for a long-term vision of marriage preparation that anticipated “remote” preparation to include such issues as what marriage involves, what is important in a “soul mate,” etc. The Church needs to use remote preparation for marriage to challenge unrealistic social expectations about marriage⁴⁴.

V. The Need for International Research

The NMP’s data provides very useful data that could assist the Church in the United States to address the divorce scourge. Extrapolating those results to Europe—and especially to Poland, where cultural trends still differ from

⁴⁴ See FC 66.

Western Europe—is trickier. Recognizing the need for such research is a critical first step. Such research should not lead to a “sociology of morals”, as if behavior determines morality, but it should help better to inform pastoral responses to contemporary trends through an informed reading of the *signa temporis*, both positive and negative. The NMP itself acknowledges that the “secular individualism” which dominates Western Europe and certain parts of the United States (including American law) considers these questions settled. It is the religious heartland of America—itsself also divorce-prone—which nevertheless fuels the discussion about marriage policy. “If it were not for this population, we would not be having a ‘culture war’ and we probably would not even be having a national conversation about the weakening of marriage. There is no such conversation about marriage in the Northwestern European nations, despite the fact that the institution of marriage is considerably weaker there than it is here”⁴⁵. Perhaps Poland, where marriage still enjoys cultural support, is the place where an ongoing research project similar to the American NMP should now be launched.

ROZWÓD W AMERYCE. ROZWAŻANIA NA TEMAT „NATIONAL MARRIAGE PROJECT” (STRESZCZENIE)

Twierdzi się często, że liczba rozwodów w Stanach Zjednoczonych jest tak wysoka, iż jedno na dwa małżeństwa kończą się rozwodem. Jednak ta statystyka źle przedstawia rzeczywistość, wskazuje ona bowiem, że amerykańska skala rozwodów jest raczej ogólnie rzecz biorąc wysoka, chociaż jest ona znacząco niższa w pewnych grupach demograficznych (np. wierzących, osób z wyższym wykształceniem itd.). Artykuł niniejszy podzielony jest na dwie główne części. W pierwszej części wskazano na czynniki kulturalne wiodące do wprowadzenia w całych Stanach Zjednoczonych rozwodów „bez orzeczenia winy” (gdzie jedna strona może twierdzić, że małżeństwo jest „nieodwracalnie rozbite” i stąd otrzymuje rozwód). Część druga zawiera szczegółowe rozważania na temat badań nad „Narodowym Projektem Małżeńskim” (National Marriage Project – NPM), obecnie na uniwersytecie w Wirginii. NPM jest rocznym projektem badawczym mającym udokumentować stosunek Amerykanów do małżeństwa, rozwodu, i rodzicielstwa, i w świetle tych danych sformułować propozycje skierowane do polityków wskazujące na to, jak najlepiej wzmocnić małżeństwo i jego powiązanie z rodzicielstwem. Autor w rezultacie sugeruje, że NMP przedstawia model studiów nad małżeństwem, który powinien znaleźć naśladownictwo w Europie.

⁴⁵ NMP, 2007, p. 9. See also M.A. Glendon, *Abortion and Divorce in Western Law*, Cambridge 1987.

EHESCHIEDUNG IN AMERIKA.
ERWÄGUNGEN ÜBER *NATIONAL MARRIAGE PROJECT*
(ZUSAMMENFASSUNG)

Sehr oft wird eine sehr hohe Ehescheidungsrate in den Vereinigten Staaten behauptet; jede zweite Ehe soll mit der Scheidung enden. Eine solche Statistik entspricht jedoch nicht der Realität, da sie nur die gesamte Scheidungsrate (die tatsächlich hoch ist) ohne die Zahl der Ehescheidungen bei bestimmten gesellschaftlichen Gruppen (z. B. bei Gläubigen, Hochgebildeten, usw.) berücksichtigt. Der vorliegende Artikel ist in zwei Abschnitte aufgeteilt. Im ersten Teil werden die kulturellen Faktoren dargelegt, die zur Einführung einer schuldlosen Ehescheidung auf dem ganzen Gebiet der Vereinigten Staaten beigetragen haben. Danach kann eine Seite behaupten, die Ehe sei „endgültig“ zerrüttet, woraufhin sie die Scheidung erhält. Der zweite Teil behandelt ausführlich das Forschungsprojekt des *National Marriage Project* [NMP], das aktuell an der Virginia Universität durchgeführt wird. NMP ist ein mehrjähriges Forschungsprojekt, das die Meinung der Amerikaner im Bezug auf die Ehe, die Scheidung und die Familienproblematik untersucht. Auf Grund dieser Angaben will man Vorschläge für die Politik formulieren, die auf die Stärkung der Ehe und das mit ihr verbundene Familienleben bezogen sind. Der Autor formuliert in diesem Kontext auch einige Empfehlungen für die europäische Situation, die von dem NMP-Modell zusätzliche Impulse bekommen kann.