

Divorce Reform

CHANGING LEGAL AND
SOCIAL PERSPECTIVES

Lynne Carol Halem

Divorce Reform Changing Legal And Social Perspectives

Karen Maschke



Divorce Reform Changing Legal And Social Perspectives:

Handbook of Divorce and Relationship Dissolution Mark A. Fine, John H. Harvey, 2013-12-19 This Handbook presents up to date scholarship on the causes and predictors processes and consequences of divorce and relationship dissolution Featuring contributions from multiple disciplines this Handbook reviews relationship termination including variations depending on legal status race ethnicity and sexual orientation The Handbook focuses on the often neglected processes involved as the relationship unfolds such as infidelity hurt and remarriage It also covers the legal and policy aspects the demographics and the historical aspects of divorce Intended for researchers practitioners counselors clinicians and advanced students in psychology sociology family studies communication and nursing the book serves as a text in courses on divorce marriage and the family and close relationships

Divorce in Psychosocial Perspective Joseph Guttman, 1993-03-01 Many books deal with divorce and its aftermath some deal with the impact of divorce on children and families others with the legal or sociological aspects of divorce and a few focus on divorced mothers and fathers Most of these books are characterized by their practical orientation toward the issues and problems posed by divorce None of these however have attempted to offer an integrated view of the massive amount of theoretical and research literature on divorced adults and their children In addition none present a comprehensive view of divorce as a psychological process within its larger social context Filling that void this book offers a comprehensive view of divorce as a social interpersonal and psychological phenomenon reviews the theory and research on divorce focusing on the major protagonists of the divorce drama the mother the father and the children and introduces a social psychological theory of divorce process

Divorce
Glenda Riley, 1997-01-01 According to Glenda Riley the historical conflict between anti divorce and pro divorce factions has prevented the development of effective beneficial divorce laws procedures and policies Today we still lack processes that move spouses out of unworkable marriages in a constructive fashion and get them back into the mainstream of life in a stable productive condition Her pioneering historical overview offers proposals for dealing with a subject that now pertains to nearly half of all marriages

Divorced from Reality Jane C. Murphy, Jana B. Singer, 2015-06-26 Over the past thirty years there has been a dramatic shift in the way the legal system approaches family disputes Traditionally family disputes were resolved through an adversary system opposing parties appealed to a judge who determined which party was at fault and how the marital assets including the children should be divided Now many family courts are opting for a problem solving model in which courts attempt to restructure families by resolving both legal and nonlegal issues At the same time American families have changed dramatically Divorce rates have slowed while the number of children born and raised outside of marriage has increased sharply Grandparents and same sex partners care for children and more fathers seek an active role in their children's lives As a result families in today's court system have become more diverse and their legal situations more complex In *Divorced from Reality* Jane C Murphy and Jana B Singer argue that the current problem solving model fails to

address the realities of today's families While today's dispute resolution regime may represent an improvement over its more adversary predecessor it is built largely around the model of a divorcing nuclear family with lawyers representing all parties a model that fits poorly with the realities of today's disputing families And courts may no longer be the best place for families in conflict To serve the families it is meant to help the legal system must adapt and reshape itself Unedited summary from book jacket

Domestic Revolutions Steven Mintz, Susan Kellogg, 1989-04-03 An examination of how the concept of family has been transformed over the last three centuries in the U S from its function as primary social unit to today's still evolving model Based on a wide reading of letters diaries and other contemporary documents Mintz an historian and Kellogg an anthropologist examine the changing definition of family in the United States over the course of the last three centuries beginning with the modified European model of the earliest settlers From there they survey the changes in the families of whites working class immigrants and middle class and blacks slave and free since the Colonial years and identify four deep changes in family structure and ideology the democratic family the companionate family the family of the 1950s and lastly the family of the 80s vulnerable to societal changes but still holding together

Family and Society in American History Joseph M. Hawes, Elizabeth I. Nybakken, 2001 The internal dynamics of families have altered dramatically as the family has gradually shifted from a unit of economic production to a collection of individuals in pursuit of different goals Taking examples from the eighteenth through the twentieth centuries this eclectic reader illuminates changes in the American family and presents some of the methods and approaches used to study families Linking family patterns with changing social circumstances Family and Society in American History considers husband wife and parent child relationships in light of language usage gender roles legal structures and other contexts For example new legal attitudes toward divorce emerged as marriage came to be seen as a site for individual satisfaction Marital fertility declined as American society modernized and pregnancy and childbirth came to be seen as medical rather than family issues Schools and other institutions of the state absorbed functions formerly performed by the family and women's economic contributions to the family disappeared from view as the social values of the early republic divided the male work from the female home sphere In the twentieth century a new domestic role for men Mr Do It Yourself developed in the wake of suburbanization In addition to identifying trends within the dominant culture contributors consider the experiences of ethnic and immigrant families reassessing generational conflict in Italian Harlem comparing the attitudes of male and female Mexican migrant workers in Kansas and showing how Chinese immigrant women targeted for rescue by Presbyterian mission workers took advantage of the gap between Chinese and American culture to increase their leverage in family and marital relationships A diverse compendium of family life Family and Society in American History provides an intriguing commentary on the permeability of social structures and interpersonal behavior

Silent Revolution Herbert Jacob, 1988-07-27 Conflict and controversy usually accompany major social changes in America Such issues as civil rights abortion and the proposed Equal Rights Amendment provoke strong and

divisive reactions attract extensive media coverage and generate heated legislative debate. Some theorists even claim that only mobilization and publicity can stimulate significant legislative change. How is it possible then that a wholesale revamping of American divorce law occurred with scarcely a whisper of controversy and without any national debate? This is the central question posed and authoritatively answered in Herbert Jacob's *Silent Revolution*. Since 1966 divorce laws in the United States have undergone a radical transformation. No fault divorce is now universally available. Alimony functions simply as a brief transitional payment to help a dependent spouse become independent. Most states divide assets at divorce according to a community property scheme and whenever possible many courts prefer to award custody of children to the mother and the father jointly. These changes in policy represent a profound departure from traditional American values and yet the legislation by which they were enacted was treated as a technical correction of minor problems. No fault divorce for example was a response to the increasing number of fraudulent divorce petitions. Since couples were often forced to manufacture the evidence of guilt that many states required and since judges frequently looked the other way legal reformers sought no more than to bring divorce statutes into line with current practice. On the basis of such observations Jacob formulates a new theory of routine as opposed to conflictual policy making processes. Many potentially controversial policies divorce law reforms among them pass unnoticed in America because legislators treat them as matters of routine. Jacob's is indeed the most plausible account of the enormous number and steady flow of policy decisions made by state legislatures. It also explains why no attention was paid to the effect divorce reform would have on divorced women and their children a subject that has become increasingly controversial and that consequently is not likely to be handled by the routine policy making process in the future.

The Secrets of Law Austin Sarat, Lawrence Douglas, Martha Merrill

Umphrey, 2012-10-31 *The Secrets of Law* explores the ways law both traffics in and regulates secrecy. Taking a close look at the opacity built into legal and governance processes it explores the ways law produces zones of secrecy the relation between secrecy and justice and how we understand the inscrutability of law's processes. The first half of the work examines the role of secrecy in contemporary political and legal practices including the question of transparency in democratic processes during the Bush Administration the principle of public justice in England's response to the war on terror and the evidentiary law of spousal privilege. The second half of the book explores legal literary and filmic representations of secrets in law focusing on how knowledge about particular cases and crimes is often rendered opaque to those attempting to access and decode the information. Those invested in transparency must ultimately cultivate a capacity to read between the lines decode the illegible and acknowledge both the virtues and dangers of the unknowable.

Sex Radicals and the Quest for Women's Equality Joanne Ellen Passet, 2003 Passet shows that the majority of correspondents who participated in the sex radical movement resided in the Midwest and the Great Plains states where ideas of individual freedom and sovereignty resonated particularly strongly.

A Commentary on the United Nations Convention on the Rights of the Child,

Article 3: The Best Interests of the Child Michael Freeman, 2007-05-31 This volume constitutes a commentary on Article 3 of the United Nations Convention on the Rights of the Child It is part of the series A Commentary on the United Nations Convention on the Rights of the Child which provides an article by article analysis of all substantive organizational and procedural provisions of the CRC and its two Optional Protocols For every article a comparison with related human rights provisions is made followed by an in depth exploration of the nature and scope of State obligations deriving from that article The series constitutes an essential tool for actors in the field of children s rights including academics students judges grassroots workers governmental non governmental and international officers The series is sponsored by the Belgian Federal Science Policy Office

Women and the American Legal Order Karen Maschke, 2013-09-13 Multidisciplinary focus Surveying many disciplines this anthology brings together an outstanding selection of scholarly articles that examine the profound impact of law on the lives of women in the United States The themes addressed include the historical political and social contexts of legal issues that have affected women s struggles to obtain equal treatment under the law The articles are drawn from journals in law political science history women s studies philosophy and education and represent some of the most interesting writing on the subject The law in theory and practice Many of the articles bring race social and economic factors into their analyses observing for example that black women poor women and single mothers are treated by the wielders of the power of the law differently than middle class white women Other topics covered include the evolution of women s legal status reproduction rights sexuality and family issues equal employment and educational opportunities domestic violence pornography and sexual exploitation hate speech and feminist legal thought A valuable research and classroom aid this series provides in depth coverage of specific legal issues and takes into account the major legal changes and policies that have had an impact on the lives of American women

The Illusion of Equality Martha Fineman, 1994-06 How do no fault gender neutral divorce reforms actually harm the lives of women and children they are designed to protect Focusing on the language and symbols of reform Martha Fineman argues that by advocating measures based on equality of treatment rather than of outcome liberal feminists disregarded the socioeconomic factors that simultaneously place women at a disadvantage in the market and favor their taking on primary domestic responsibilities She traces in persuasive detail the detrimental effects of equality rhetoric in shaping divorce law such as the legal separation of parents and children s interests equality replacing need as the prime criterion for settlements and the increase of state intervention into family life More than a critique this book is an incisive argument for adopting outcome oriented measures and a valuable overview of the pitfalls of uncritically implementing any rhetoric as social policy

Wisconsin and the Shaping of American Law Joseph A. Ranney, 2017-07-18 Examines the full course of American history from a comparative state law perspective using Wisconsin as a case study to emphasize the vital role states have taken in creating American law

Redefining Social Problems Edward Seidman, Julian Rappaport, 2013-06-29

The Constitution, Law, and American Life Donald G.

Nieman,2011-01-01 The eight essays in this volume imaginatively explore the interrelationship between law and society in nineteenth century America and encompass in their discussion some of the major historical issues of the era Modern Family Law D. Kelly Weisberg,Susan Frelich Appleton,2002 If you want insight into the Family Law issues that reflect our contemporary social and economic diversity consider Modern Family Law Second Edition Blending cases notes and problems with interdisciplinary materials this solid yet sophisticated learning tool offers contemporary coverage of the legal issues facing today s families the casebook covers essential material the text reflects the social diversity of the modern family and examines the women s movement The children s rights movement changing sexual mores alternative family formations and developments in reproductive technology valuable interdisciplinary perspectives include excerpts notes and questions from history psychology sociology social work medicine and philosophy thorough coverage of Family Law basics sets the stage for more expansive topics to heighten student awareness of the real impact of the law on people s lives The authors include narratives that look behind the cases and statutes the authors are highly regarded in both Family Law and feminist circles For The Second Edition The authors add important new material without lengthening the book new cases problems and materials throughout the thoroughly updated text latest coverage of same sex marriage including Baker v State from Vermont and other recent developments in gay and lesbian rights grandparents rights illustrated by the Troxel case heard by the U S Supreme court a host of high profile cases such as Stenberg v Carhart The Supreme Court s most recent abortion case State v Oakley restricting a deadbeat parent s right to procreate A Z v B Z resolving a post divorce dispute about frozen embryos In re Marriage of Buzzanca determining parentage for children of assisted reproduction For The most current coverage of the full range of Family Law issues from regulation of the intact marriage to alternatives to adoption with a distinctly progressive approach consider Modern Family Law Second Edition Perspectives for the Unification and Harmonisation of Family Law in Europe Katharina Boele-Woelki,2003 Is the unification and harmonisation of international family law in Europe necessary Is it feasible desirable and possible Reading the different contributions to this book may certainly inspire those who would like to find the right answers to these questions **Sexual Ethics** Patrick D. Hopkins,2023-01-04 An accessible and engaging anthology of readings focused specifically on applied ethics issues of sexual morality Sexual Ethics An Anthology addresses conceptual ethical and public policy issues about sex providing a balanced and non sectarian discussion of many of today s most important and controversial moral topics Covering a broad range of contemporary sexual ethics issues this easily accessible textbook includes explications and point counterpoint pieces on the definition of sex and sexual orientation sexual harassment and rape law sexual discrimination age of consent marriage and adultery online affairs gay marriage polygamy and polyamory sexual orientation change therapy transgender and sex reassignment surgery intersexed infants and surgery pornography prostitution psychiatric classifications of sexuality disorders and specific paraphilias Organized around six broad themes Consent Marriage Homosexuality Transgender

Commerce and Paraphilias Sexual Ethics presents multiple sides of each issue offering diverse perspectives on critical topics supported by relevant philosophical arguments position papers psychological studies government regulations and court rulings Sexual Ethics is particularly designed to provide a ready made course in sexual ethics with several major elements ideally suited for classroom instructors and students Includes an introductory chapter on key definitional conceptual and theoretical issues Features Framing Questions for each section that address a major moral or policy issue and highlights the pro con nature of the readings e g How should we define rape Should pornography be protected as free speech Features a short summary at the beginning of each reading including the topic major points and conclusion very helpful for instructor planning Features 15 Discussion Starters that help students start thinking critically and talking about sexual ethics before doing any reading Features 45 brief Decision Cases drawn from major media stories especially relevant to the college student context including college virginity male rape child pornography on television college sexual harassment faux bisexuality fraternity party sex transgender inclusion race and sex asexuality bromances campus pride groups fetishes and kink online sex Title IX mandatory reporting transgender sports competition religious diversity and sex sex education feminists working at sexually exploitative jobs cancel culture and robot sex These cases are ideal for class discussion class presentations and research paper topics Sexual Ethics An Anthology is an excellent textbook for undergraduate classes in applied ethics sexual ethics and gender studies as well as related courses in sociology public policy marriage and family law and social work

Shaping the Eighteenth Amendment Richard F. Hamm, 2000-11-09 Richard Hamm examines prohibitionists struggle for reform from the late nineteenth century to their great victory in securing passage of the Eighteenth Amendment Because the prohibition movement was a quintessential reform effort Hamm uses it as a case study to advance a general theory about the interaction between reformers and the state during the Gilded Age and Progressive Era Most scholarship on prohibition focuses on its social context but Hamm explores how the regulation of commerce and the federal tax structure molded the dries crusade Federalism gave the dries a restricted setting individual states as a proving ground for their proposals But federal policies precipitated a series of crises in the states that the dries strove to overcome According to Hamm interaction with the federal government system helped to reshape prohibitionists legal culture that is their ideas about what law was and how it could be used Originally published in 1995 A UNC Press Enduring Edition UNC Press Enduring Editions use the latest in digital technology to make available again books from our distinguished backlist that were previously out of print These editions are published unaltered from the original and are presented in affordable paperback formats bringing readers both historical and cultural value

Family Law and the Indissolubility of Parenthood Patrick Parkinson, 2011-02-21 There are few areas of public policy in the Western world where there is as much turbulence as in family law Often the disputes are seen in terms of an endless war between the genders Reviewing developments over the last 30 years in North America Europe and Australasia Patrick Parkinson argues that rather than just

being about gender the conflicts in family law derive from the breakdown of the model on which divorce reform was predicated in the late 1960s and early 1970s Experience has shown that although marriage may be freely dissoluble parenthood is not Dealing with the most difficult issues in family law this book charts a path for law reform that recognizes that the family endures despite the separation of parents while allowing room for people to make a fresh start and prioritizing the safety of all concerned when making decisions about parenting after separation

The book delves into Divorce Reform Changing Legal And Social Perspectives. Divorce Reform Changing Legal And Social Perspectives is an essential topic that must be grasped by everyone, ranging from students and scholars to the general public. This book will furnish comprehensive and in-depth insights into Divorce Reform Changing Legal And Social Perspectives, encompassing both the fundamentals and more intricate discussions.

1. This book is structured into several chapters, namely:
 - Chapter 1: Introduction to Divorce Reform Changing Legal And Social Perspectives
 - Chapter 2: Essential Elements of Divorce Reform Changing Legal And Social Perspectives
 - Chapter 3: Divorce Reform Changing Legal And Social Perspectives in Everyday Life
 - Chapter 4: Divorce Reform Changing Legal And Social Perspectives in Specific Contexts
 - Chapter 5: Conclusion
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- The book is crafted in an easy-to-understand language and is complemented by engaging illustrations. It is highly recommended for anyone seeking to gain a comprehensive understanding of Divorce Reform Changing Legal And Social Perspectives.

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Table of Contents Divorce Reform Changing Legal And Social Perspectives

1. Understanding the eBook Divorce Reform Changing Legal And Social Perspectives
 - The Rise of Digital Reading Divorce Reform Changing Legal And Social Perspectives
 - Advantages of eBooks Over Traditional Books
2. Identifying Divorce Reform Changing Legal And Social Perspectives
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Divorce Reform Changing Legal And Social Perspectives
 - User-Friendly Interface
4. Exploring eBook Recommendations from Divorce Reform Changing Legal And Social Perspectives
 - Personalized Recommendations
 - Divorce Reform Changing Legal And Social Perspectives User Reviews and Ratings
 - Divorce Reform Changing Legal And Social Perspectives and Bestseller Lists
5. Accessing Divorce Reform Changing Legal And Social Perspectives Free and Paid eBooks
 - Divorce Reform Changing Legal And Social Perspectives Public Domain eBooks
 - Divorce Reform Changing Legal And Social Perspectives eBook Subscription Services
 - Divorce Reform Changing Legal And Social Perspectives Budget-Friendly Options
6. Navigating Divorce Reform Changing Legal And Social Perspectives eBook Formats
 - ePub, PDF, MOBI, and More
 - Divorce Reform Changing Legal And Social Perspectives Compatibility with Devices
 - Divorce Reform Changing Legal And Social Perspectives Enhanced eBook Features
7. Enhancing Your Reading Experience

- Adjustable Fonts and Text Sizes of Divorce Reform Changing Legal And Social Perspectives
- Highlighting and Note-Taking Divorce Reform Changing Legal And Social Perspectives
- Interactive Elements Divorce Reform Changing Legal And Social Perspectives
- 8. Staying Engaged with Divorce Reform Changing Legal And Social Perspectives
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Divorce Reform Changing Legal And Social Perspectives
- 9. Balancing eBooks and Physical Books Divorce Reform Changing Legal And Social Perspectives
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Divorce Reform Changing Legal And Social Perspectives
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Divorce Reform Changing Legal And Social Perspectives
 - Setting Reading Goals Divorce Reform Changing Legal And Social Perspectives
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Divorce Reform Changing Legal And Social Perspectives
 - Fact-Checking eBook Content of Divorce Reform Changing Legal And Social Perspectives
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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