

Rebinding the Ties that Bind: Government Efforts to Preserve and Promote Marriage*

Sean E. Brotherson** and William C. Duncan

Governmental efforts to strengthen marriage through a variety of approaches have become increasingly common in the last decade. Societal trends related to family formation, marriage, and divorce have shaped interest in marriage and its stability as a social institution. The public sector has targeted efforts at key stages in the life history of the family system, including preparation for marriage, formation of marriage, rights and responsibilities within marriage, and dissolution of marriage. Particular governmental approaches to preserving and promoting marriage in these contexts are reviewed and discussed, and implications for practitioners and policymakers are outlined.

Although the 20th century had social and political movements that focused on such issues as civil rights and women's advancement, the dawn of the 21st century saw the birth of a new social phenomenon gathering support across the American political spectrum: the movement to strengthen marriage as a fundamental institution. At the heart of the marriage movement is a growing sentiment among persons ranging from family scholars to government officials to faith community leaders that "the core social and personal challenge of our time is how to make loving, permanent marriage work for ourselves and our children" (Doherty, 2001, p. 7). This sentiment rests largely upon the social realities affecting the stability of marriage today, including high divorce rates, increased rates of cohabitation, and a declining marriage rate (Popenoe & Whitehead, 1999a). Additionally, research findings suggest the value of healthy marriages for child well-being, for adult social and emotional health, and for economic and societal stability (e.g., Amato & Booth, 1997; Waite & Gallagher, 2000). Though marriage as a public issue faces challenges due to concerns regarding biased ideological agendas, stigmatization of the unmarried, or intrusion into private affairs (Ooms, 1998), it is becoming increasingly common for government officials and policymakers at the local, state, and federal levels to target proposals toward strengthening marriage.

The purpose of our article is to provide a structured overview of governmental approaches to strengthening marital relationships and the innovations occurring in this context. First, we discuss the societal trends related to family formation, marriage, and divorce that have shaped interest in marriage as a social institution. Next, we use key stages in family development to highlight public sector efforts related to the preparation for marriage, formation of marriage, rights and responsibilities within marriage, and dissolution of marriage. We also review the implications of governmental efforts to strengthen marriage for practitioners and policymakers concerned with family life, because governmental efforts have the potential to significantly shape the future

development of marriage and couples education and family policymaking.

Trends in Family Life Affecting Marriage in the United States

A rationale for government efforts to strengthen marriage does not divide easily along political or ideological lines. Some progressive scholars and policymakers support an effort to make marital strengthening a higher priority in family policy as a matter of social justice (e.g., Ooms, 2001). Conservative scholars and policymakers embrace strengthening marriage and families as ways to provide social benefits to individuals without increasing government intervention (e.g., Horn, 2003). Still others who address this issue are wary of inserting government policy into an arena of life that requires sensitivity (Jarchow, 2003b). Yet, research suggests that families tend to be more successful in creating "competency and character in their members" when they have the assistance of outside forces, including "responsive government" (Bogenschneider, 2002, p. 7).

Largely a question of political and social values and priorities, support for government efforts to strengthen marriage rests upon several key assumptions. The first assumption acknowledges that family functioning affects all areas of an individual's life, and that healthy, stable marriages tend to improve family functioning. A second assumption is that certain core societal needs (such as socialization) can be best provided in a family context, either because they cannot or should not be provided by government. The third assumption reflects the idea that marriage can and should provide an atmosphere for raising children that helps them to become productive, law-abiding members of society. A final suggestion is that marriage as an institution confers benefits upon children, adults, and society as a whole that cannot be replicated by social programs or legal mandates (Brotherson & Teichert, 2001). These assumptions collectively provide a foundation for the argument that governmental efforts to preserve and promote marriage make sense, at least in some specific circumstances and in specific ways.

It is likely that marriage emerged as a topic of substantive concern in American society because the institution of marriage has seldom been subject to the societal pressures that have impacted it during the 20th century. The latter half of the century especially saw significant shifts in values, norms, and behaviors related to sexuality, marriage, divorce, and childbearing. In describing these changes, Thornton (1996) suggested that there was

*The authors wish to acknowledge and thank Francesca Adler-Baeder, Karen Shirer, and Lynn Wardle for their helpful and insightful comments and feedback on this manuscript.

**Address correspondence to: Dr. Sean E. Brotherson, Department of Child Development and Family Science, EML 277E, North Dakota State University, Fargo, North Dakota 58105 (sbrother@ndsuxext.nodak.edu).

Key Words: family policy, government, marriage, marriage education.

an important weakening of the normative pressure to get married, to stay married, to postpone sexual relations until marriage, to have children, to wait until marriage to have children, to not have an abortion, and to have a strict segregation of labor between men and women. (p. 75)

Thus, the landscape of American family life altered as the social norms governing attitudes and behavior in marital and family life changed. Some scholars (e.g., Bellah, Madsen, Sullivan, Swidler, & Tipton, 1985) point to philosophical and cultural value shifts toward greater individuality, autonomy, equality, and privacy as driving factors in refashioning existing social norms related to marriage and family life. Social policies and legislation that once reinforced particular social norms in family life also have undergone significant change as a result in the last half century (Brotherson & Teichert, 2001).

In many ways, marriage is both a robust and a fragile institution. Historically, it has served as a cornerstone of familial patterns across cultures (once being referred to as the “first bond of society” by Cicero, 78 B.C.); yet, it has undergone many changes in the United States. Key trends that have affected the status of marriage in American family life include changes in the marriage rate and age at first marriage, as well as increased rates of divorce, cohabitation, and out-of-wedlock births (Popenoe & Whitehead, 1999a). Although attention to these structural characteristics of family life alone cannot fully explain the changing nature of marriage in the United States (Orthner, 1990), they do provide some observable patterns that hint at the increased attention marriage has from government officials and policymakers.

Crude Marriage Rates

For some years, the crude marriage rate (annual number of marriages per 1,000 population) has declined (U.S. Census Bureau, 2001). This has been attributed largely to two factors: increased age at first marriage and an increase in the never-married population. A benign contributor to this trend also is an increase in the aging population. U.S. Census data show a rate of 76.5 marriages per 1,000 unmarried women (age 15 and older) in 1970, a rate that decreased to 61.4 in 1980 and 54.5 in 1990. Today it is less than 50 per 1,000 (U.S. Census Bureau, 2001). During that same time, age at first marriage increased. Specifically, the median age at first marriage for females increased roughly 5 years (from 20 to 25 years) between 1960 and 2000, and it increased about 4 years (from 23 to 27 years) for males (Popenoe & Whitehead, 1999a). This trend may actually have some benefit, because those who marry later tend to have more stable marriage relationships (Heaton, 2002). However, it also may reflect greater social ambivalence about marriage among young people (Glenn, 1996).

Such trends raise other concerns for analysts and government officials, who realize that declining rates of marriage may lead to fewer births and a shrinking labor pool (Waite & Gallagher, 2000). Though there was a 16% decline in the crude birth rate in the United States, from 16.7 births per 1,000 persons in 1990 to 14.1 in 2001, it has been relatively stable since the early 1970s (i.e., 17.2 in 1971; Hamilton, Sutton, & Ventura, 2003). Additionally, the social norm of fewer children per family than in years past also has shaped fertility patterns (Orthner, 1990).

Of further consequence is that a growing number of persons choose never to marry, and some suggest that fewer than 85% of young adults living today will ever marry (Popenoe & Whitehead, 1999a). Thus, American society may be evolving

toward a view of marriage as a social choice rather than a social necessity. However, marriage remains a strong institution, and approximately 9 out of 10 Americans choose to marry (Kreider & Simmons, 2003).

Divorce

Perhaps no demographic pattern related to marriage has received as much attention as the incidence of divorce. Although divorce statistics are challenging to calculate and involve uncertain projections at best (Ambert, 1998), it is clear that the United States has undergone a “divorce revolution” in the last half century (Weitzman, 1985). The general divorce rate (number of divorces per 1,000 persons aged 15 and higher) in the United States more than doubled from 2.2 to 5.2 between 1960 and 1980, though it declined somewhat steadily to a rate of 4.1 in the last decade (Clarke, 1995; U.S. Department of Health and Human Services, 2001). Demographers estimate the probability of divorce in the lifetime of a couple marrying today at somewhere between 40% and 60%, with considerable variation by individual characteristics, such as parental divorce or religiosity (Ambert, 1998; Goldstein, 1999; Heaton, 2002). A majority of individuals who divorce do go on to remarry, and much of the annual marriage rate is attributable to remarriage, with nearly half of all marriages annually in the United States being remarriages for one or both spouses (Furstenberg & Cherlin, 1991; Lugaila, 1998). Yet, divorce also affects remarried couples at a higher rate than first marriages (Coleman, Ganong, & Fine, 2000). Those who raise concerns about increased divorce rates point to its potential negative social and economic consequences for both children and adults (e.g., Amato & Booth, 1997). These concerns are noted by those who encourage marital stability as a key focus on the public agenda for strengthening family life (Ooms, 1998).

Cohabitation

Another social trend that has surged dramatically in the last 2 decades in the United States is cohabitation, or unmarried partnerships. Once derided as “living in sin,” the number of couples living together as a prelude or an alternative to marriage has increased significantly. Historical estimates of cohabitation prevalence suggested that roughly 440,000 unmarried adult couples were cohabiting in 1960 (Casper, Cohen, & Simmons, 1999). This number has increased steadily each decade, reaching 2.85 million couples in 1990, and then nearly doubling to 4.9 million couples in 2000 (Simmons & O’Neill, 2001). As a percentage of the total households in the United States, unmarried couple households went from .8% in 1960 to 2% in 1980 to 4.5% in 2000, showing a substantial increase in proportion to the growing population (Fields & Casper, 2001). This growth is remarkable considering that cohabitation once carried a heavy social stigma and was against the law in most locales (Popenoe & Whitehead, 1999b).

Some studies suggest a higher risk of marital dissolution when the couple cohabits prior to marriage and a lesser commitment to the relationship’s long-term continuation (e.g., Axinn & Barber, 1997). Children who live with cohabiting couples also face a higher likelihood that the couple will dissolve and tend to be more subject to economic difficulty or problems such as behavioral or academic challenges (e.g., Manning & Lichter, 1996; Wu, 1995). Teachman’s (2003) analysis of national survey data indicated that women’s experience of “alternative family living arrangements” (other than married biological parents) during

childhood did not affect the overall rate at which they marry. However, having experienced such arrangements “is associated with women substituting cohabitation for marriage as their first coresidential union” (p. 522), especially if the person lived with a parent and his or her cohabiting partner while growing up. This may have implications for future marital quality. A comparison of two married-couple cohorts (1964–1980 and 1981–1997) showed that those who cohabited with their spouse prior to marriage in both cohorts reported lower marital happiness, greater marital conflict, and were more likely to divorce (Dush, Cohan, & Amato, 2003). Thus, although often a forerunner to marriage, research on this trend suggests that these unions and their stability remain uncertain (Seltzer, 2000).

Out-of-Wedlock Childbearing

The 40-year surge in out-of-wedlock births that began in the 1960s represents another critical trend with implications for marriage in American society. Research using U.S. Census data shows that 8.2% of all first births occurred outside marriage in 1930–34 and had climbed only slightly to 10.3% 30 years later in 1960–64. However, that rate doubled a decade later, and by 1990–94, 40.3% of all first births occurred outside marriage (Bachu, 1998). These increases occurred in all race and age groups. The percent of all births to unmarried women is slightly lower and stabilized somewhat in the mid- to late-1990s, but current estimates suggest that 1 in 3 children born in the United States will be born to unmarried parents (Ventura & Bachrach, 2000).

The separation of marriage and childbearing is particularly consequential in the United States because of weakened family kin networks and fairly minimalist social policies for children and families as compared with much of Europe (Kamerman, 1996; Ozawa, 2004; Whitehead, 1996). This pattern is consistent with social policy trends in America that often emphasize minimizing government-supplied benefits to children and families, whereas other approaches look to maximize the provision of such benefits (Kamerman). Children born outside marriage, particularly to adolescents, experience greater challenges related to poverty, child abuse, school performance, and social well-being (Popenoe, 1996). Government officials and other commentators often raise concerns about the social and economic costs of out-of-wedlock childbearing and consider childrearing within marriage to be a desirable social goal (Ooms, 1998; Popenoe & Whitehead, 1999a).

In addition to these shaping social trends, recent research suggests that U.S. citizens are generally supportive of efforts to strengthen marriage. For example, 69% of Oklahomans thought divorces should be harder to obtain, and 76% supported longer waiting periods prior to divorce (Johnson et al., 2002). Eighty percent of never-married Oklahomans expressed interest in relationship education, 67% of married Oklahomans said that they would consider usage of such education, and 85% of respondents supported a statewide effort to strengthen marriage and reduce divorce (Johnson et al.). In Utah, 81% of those receiving government assistance (Temporary Assistance for Needy Families [TANF]) said that they would consider using services to strengthen marriage, and 87% suggested that a statewide initiative to strengthen marriage and reduce divorce is a *good* or *very good* idea (Schramm, Marshall, Harris, & George, 2003). These examples suggest some substantive interest in information and services related to strengthening marriage.

Origins of the Marriage Movement

The roots of the effort to strengthen marriage emerged from growing concern about marriage in the last two decades in the academic, private, public, and religious communities. Each of these sectors of society has engaged in various initiatives and dialogues about the status and future of marriage in America (Hawkins, Wardle, & Coolidge, 2002; Institute for American Values, 2000). In the academic community, attention was drawn to marriage by the work of scholars on premarital education (e.g., Holman & Associates, 2000; Larson & Holman, 1994), couple interaction (Gottman, 1994), and children at risk (Amato & Booth, 1997). The private sector was energized by such initiatives as community marriage policies and conferences focused on improving marital life. The public sector entered, with emphasis on the reauthorization of TANF legislation that earmarks funds for “marriage strengthening activities,” debate on the merits of reforming divorce laws, and the introduction of covenant marriage statutes in some states (Hawkins et al., 2002; Ooms, 1998). Numerous faith communities encourage a focus on strengthening marriage, either through long-running initiatives like Marriage Encounter, or more recent efforts such as Marriage Savers and Promise Keepers (McManus, 1993; Stanley, 2001).

The marriage movement, as it is called, consists of a growing social awareness of marriage, its role in society, and a loose-knit coalition of multiple social sectors that are interested in strengthening marital relationships. Community-level efforts to specifically strengthen marriage emerged in the late 1980s with the proliferation of “community marriage policies” across the country. These policies involve faith community representatives and other community leaders formally committing to initiatives designed to strengthen marriage, such as requiring premarital counseling or a premarital inventory for couples (McManus, 1993). Such efforts merged with other activities recently. The nonprofit Coalition for Marriage, Family and Couples Education (CMFCE; organized in 1996) was an umbrella organization to foster networking and collaboration among groups working to strengthen marriage. The CMFCE sponsors the annual Smart Marriages conference to convene a variety of educators, leaders, and policymakers to discuss and promote research and education targeting marriage (Sollee, 2000). These and other efforts combined to push healthy marriage forward as a substantive social concern and to accelerate the pace of the marriage movement.

An increasingly prominent branch of the marriage movement is represented in governmental and legal efforts to preserve and promote marriage. These efforts recognize that “the law is naturally imbued with an authoritative position in shaping dialogue regarding current social concerns” (Brotherson & Teichert, 2001, p. 24). Thus, attempts to shape the future of marriage and its success through specific governmental or legal means are becoming more commonplace. Statutes and judicial decisions regarding marriage and family life have long existed and reflect the state’s interest in healthy families (Browning, 2000). Yet, recent governmental efforts related to marriage have become more specific throughout the American political system. On the legislative front, states such as Florida passed statutes focused on improving premarital preparation (Marriage Preparation and Preservation Act of 1998, Florida Statute §741.04, 2002), and Louisiana led the “covenant marriage” trend with legislation in 1997. The judicial branch became more involved with efforts, such as the Michigan Mediation Project led by family court judges, that refer couples considering divorce to

mediation prior to legal proceedings. In 1998, former governor Michael Leavitt of Utah was the first chief executive to launch a marital commission, and former governor Frank Keating of Oklahoma followed, establishing in 1999 a multisectoral state initiative to cut divorce and strengthen marriage (which he supported with an appropriation of \$10 million in excess TANF funds). These examples serve to highlight the significant steps being taken in government to focus on strengthening marriage and family life.

Although a comprehensive review of innovations in governmental approaches to strengthening marriage is beyond our scope here, we note several key features of current efforts. The first feature is that such efforts can arise from within any branch of government at the local, state, or federal level. Locating a particular effort within its arena of origin (legislative, executive, and so on) can assist in determining the types of measures most likely to be promoted. For example, legislative efforts likely involve developing statutes that target specific aspects of marriage preparation or formation. In addition, the advance of governmental efforts recently was propelled forward by proposed legislation at the federal level to subsidize a variety of activities meant to strengthen marriage. The proposed bill to reauthorize the 1996 welfare reform law includes a provision that would provide \$300 million in TANF grants annually to states for programs promoting healthy marriage, such as marriage education for unwed parents (Jarchow, 2003b). The proposed statute outlines eight domains of activity, from establishing community coalitions to educating high school students. These types of proposals at multiple levels of government are designed to stimulate innovations in approaches to strengthening marriage.

Policies to strengthen marriage include not only marriage education but also a variety of other strategies. Policies to further marriage education take place in a larger social policy environment that acts in general to strengthen or discourage marital health. Other related issues, such as financial disincentives to marriage, are also key policy indicators of the prevailing environment in governmental circles regarding policy steps related to marriage. Awareness of this broader policy climate is helpful to scholars and practitioners of marriage education.

Family Stages and Transitions Related to Marriage

It is useful to view the various efforts undertaken in government to strengthen marriage from the perspective of family career associated with family development theory (Aldous, 1978; Farber, 1961). Family career refers to understanding that the family evolves through different stages and transitions, including periods associated with marriage and divorce (Rodgers & White, 1993). As it relates to marriage, key stages and transitions in the life history of the family system can include (a) preparation for marriage, (b) formation of marriage, (c) rights and responsibilities of individual spouses during marriage, and (d) dissolution of marriage. Remarriage also could be included, but is not treated here as a separate topic of discussion. Of course, there can be a variety of family career tracks that take place, but the pattern of family stages and transitions mentioned above serves a useful heuristic purpose in considering the policy actions by government related to marriage (Brotherson & Teichert, 2001) by framing prevention and intervention points across the life course.

Governmental Efforts and Preparation for Marriage

Preparation for the challenges of marital responsibility is one dimension of strengthening marriage that is receiving increased governmental attention. In particular, this may be due to the fact that a majority of divorces occur in the early years of marriage, perhaps suggesting the need for better marital preparation (National Center for Health Statistics, 1995). The transition from individual to couple or marital status represents a common experience in the development of a couple relationship, although individual couples enter this transition differently and experience it in multiple ways. Governmental efforts to assist preparation for healthy marriage relationships include incentives to participate in education or counseling prior to marriage, modification of tax or economic assistance policies to benefit couples, and delivery of educational programs on relationships to adolescents and youth.

Incentives or requirements for premarital education or counseling prior to marriage. An emerging pattern in governmental attempts to influence family relationships prior to marriage involves providing incentives to couples or creating requirements that encourage them to pursue premarital education or counseling. A summary of recent state-level incentive activities (Gardiner, Fishman, Nikolov, Glosser, & Laud, 2002) showed that in 2002, five states had implemented policies to reduce marriage license fees or decrease waiting periods to marry for couples participating in premarital education or counseling. For example, couples in Minnesota receive a \$50 reduction in the cost of a marriage license, if they take a 12-hour premarital course that includes training in communication and other topics. Numerous other states also have proposed or adopted similar legislation that seeks to provide incentives for preparation for marriage and make it more readily available (Gardiner et al.). Such incentives appeal to the need for marital preparation, while preserving voluntary action for couples affected by state policies.

In addition to incentive-based approaches, some states encourage couples to have premarital counseling or education or to receive educational resources about marriage. Since 1996, at least six states have attempted to require premarital counseling as a prerequisite to receiving a marriage license, but none of these bills passed into law. It may be that the "mandatory requirement" approach in these instances is seen as too heavy-handed and intrusive. A more successful policy-making approach occurred among states that invested in providing resources or educational opportunities to marrying couples (Gardiner et al., 2002). As examples, activities funded in particular states to promote preparation for healthy marriage include marriage handbooks or manuals detailing rights and responsibilities or other issues (Arizona, Florida, Texas, and Utah); marriage and relationship skills programs that couples may attend (Alabama, Arizona, Florida, Oklahoma, and Utah); a video and Web site for couples planning to marry (Utah); pilot demonstration projects to encourage healthy relationship development among nonmarried couples, often called "family formation" (Michigan); research to further understand premarital and marital dynamics (Alabama, Oklahoma, and Texas); and monies for the development of community-based marriage policies or initiatives (Wisconsin). This variety of activities to stimulate better preparation for marriage is likely to increase significantly if states continue to focus on this topic, and access to federal funding expands.

Modification of tax or economic assistance policies to support marriage. Economic factors may play a significant role in how individuals approach marriage, particularly for individuals in low-income circumstances (Lerman, 2002). The transition from

individual to couple status involves multiple considerations, and the financial impact of such a decision may involve increased tax burdens or eligibility for economic assistance. Jarchow (2003b) suggested that

“Current anti-poverty policies that discourage couples to marry are stricter two-parent family TANF laws [using more stringent requirements for married families seeking assistance], state and federal earned income tax regulations, and some public housing and child care programs that are means-tested [dependent on income]” (p. 4).

The likely impact of income tax policies on the motivation to marry is minimal for most persons (Ooms, 1998). However, Ooms noted that “there is evidence that the much larger penalties faced by low-income workers in the Earned Income Tax Credit (EITC) may indeed be a significant deterrent [to marriage] for those who live at the economic margin” (p. 29). Additionally, the beneficiaries of economic assistance programs, such as TANF or Medicaid, may believe that such benefits are in danger if they marry. For example, among survey respondents currently receiving economic assistance in Oklahoma, 63% believed that if they married, they would lose their benefits (Johnson et al., 2002). Efforts to modify tax or economic assistance policies to remove disincentives to marriage are being explored. Such efforts include modifying TANF eligibility requirements to disregard income of a new spouse for the first few months after marriage, forgiveness of child support arrearages if a couple marries, and equal treatment of one- and two-parent families regarding TANF eligibility (Jarchow, 2003a).

Educational programs on relationships and marriage to adolescents and youth. A third category of governmental efforts is linked with providing relationship and marriage education to adolescents and youth in school settings. Relationship education programs targeted at high school settings are more common and include the video-based program *Partners* from the American Bar Association, and the Art of Loving Well project from Boston University (Gardner, 2001). Governmental efforts to support better preparation for marriage or successful couple relationships through school-based programs depend on decision making in local school districts. However, Gardiner et al. (2002) noted that at least nine states pursued statewide efforts to promote marriage and relationship skills education in public school curricula for high school students. Some recent research (Gardner) suggests that such school-based programs can positively impact attitudes toward marriage and divorce, conflict resolution skills, and risk-taking behavior among these students. Florida has been explicit in its attempt to further this particular policy step, mandating high school curricula to include marriage and relationship skills programs in all public schools as part of its 1998 Marriage Preparation and Preservation Act. We believe that attempts to institutionalize such courses at the high school level likely will become increasingly common.

Governmental Efforts and Formation of Marriage

One of the most fertile areas of government efforts to strengthen and promote marriage involves the most basic questions about marriage, including who may marry and what marriage is. Spaht (1998) noted that traditional understandings of marriage usually include three common concepts: sexual complementarity, mutual faithfulness between the spouses, and a bond of permanence. Two of these elements, complementarity and permanence, are involved in recent legal efforts regarding marriage.

The question of same-sex marriage. Until very recently, the question of whether marriage should be redefined to include same-sex couples was largely academic and not well received in the few lawsuits in which the issue was raised (contact authors for references on this issue). However, in 1993, the Hawaii Supreme Court held that the Hawaii marriage law discriminated on the basis of sex and ordered a trial to determine whether the state had a compelling interest in the law that would justify the discrimination (*Baehr v. Lewin*, 1993). After a trial, the lower court held that the state had not met its burden of proof and that the law was unconstitutional (*Baehr v. Miike*, 1996). However, marriage licenses were not issued to same-sex couples because the State appealed to the Hawaii Supreme Court; before that court again ruled, the Hawaii legislature put forward an amendment to the state constitution that reserved for the legislature the right to define marriage as the union of a man and a woman (Haw. Const. Art. I sec. 23), and the people of the state approved the amendment. In another case, the Vermont Supreme Court ordered the Vermont legislature to provide the benefits of marriage to same-sex couples, which the legislature did by creating a new status of “civil unions” by which same-sex couples could gain all of the benefits but not the status of marriage (Vt. Act 91, 2000). In 2003, a trial court in New Jersey ruled that the state constitution did not require the redefinition of marriage (*Lewis v. Harris*, 2003), and an Arizona Court of Appeals held that the federal constitution did not recognize a right to same-sex marriage (*Standhardt v. Superior Court*, 2003). Most recently, the Massachusetts Supreme Judicial Court held that the state constitution required the definition of marriage to include same-sex couples, and gave the legislature 180 days to respond to the ruling (*Goodridge v. Department of Public Health*, 2003). The state legislature has debated a state amendment to the constitution related to defining marriage, and the judicial decision recently has been implemented.

In response to these developments in the judicial branch of government, the other branches responded strongly. In 1996, the governors of Alabama and Mississippi issued executive orders providing that same-sex marriages would not be recognized in those states (Alabama Executive Order No. 24, 1996; Mississippi Executive Order No. 770, 1996). Between 1995 and 2003, 34 state legislatures enacted legislation defining marriage as the union of a man and a woman and providing that their state would not recognize a same-sex marriage contracted in another jurisdiction (contact authors for list). It is likely that the definition of marriage will continue to be a subject of substantial public debate in the future, with advocates for change arguing that marriage will be strengthened by making it inclusive of same-sex couples, and opponents arguing that a change in the definition will undercut the strength of marriage as a social institution linked to providing children with a mother and father (Wardle, Strasser, Duncan, & Coolidge, 2003).

Covenant marriage. Another approach aimed at strengthening marriage was the passage of covenant marriage laws in three states. The first state to enact this law was Louisiana in 1997. This law provides that a man and woman can enter into a civil covenant in which they agree that their marriage is a “lifelong relationship” (Louisiana Session Law Service Act 1380, 1997). The parties are required to have participated in premarital counseling, with a professional counselor or member of clergy, that stresses “the nature and purposes of marriage and the responsibilities thereto” (Louisiana Session Law Service Act 1380). Prospective parties to a covenant marriage sign a “Declaration of Intent to Form a Covenant Marriage” that makes spouses

legally accountable for the promises made (Spaht, 1998). Importantly, the parties agree that they cannot dissolve the marriage without showing one of a number of fault grounds, including adultery, felony conviction, abandonment, abuse, 2-year separation, or, after a specified period, following a judgment of separation from “bed and board” with a judicial declaration that a couple has separated (Louisiana Session Law Service Act 1380). Already married couples may designate their marriage as covenant by signing a declaration of intent (Louisiana Session Law Service Act 1380). The Louisiana legislature also has enacted a requirement that the issuer of a marriage license provide information on the covenant marriage law to all applicants for a license (Louisiana House Bill 234, 2001). In 1998, the Arizona legislature enacted a covenant marriage law (Arizona Legislative Service Ch. 135, 1998), and in 2001, Arkansas also did so (Arkansas Laws Act 1486, 2001).

At least 23 states have introduced legislative statutes on covenant marriage since 1997, but few states passed it into law. Still, its innovative approach of allowing couples to secure greater protection against unilateral divorce makes it an important example of new marriage strengthening policies. Sanchez, Nock, Deines, and Wright (2003) observed that “covenant marriage marks the first time in history that [a] state has two sets of laws governing marriage” (p. 2), and that “covenant marriage stands out as an historically unprecedented outlier” (p. 5) among marriage strengthening efforts. The likelihood of other states to enact this marriage option into law is influenced by a variety of factors, including the political culture of the state, scope of the legislation (broad versus narrow), opposition to laws affecting divorce availability, and the level of public support (Hawkins, Nock, et al., 2002).

There is information from states where the law is enacted that only a small percentage of couples currently opt for covenant marriage. Evaluation of this option indicates that a lack of information given to couples about covenant marriage as a choice is one factor affecting its adoption (Hawkins, Nock, et al., 2002; Spaht, 2001). In addition, it is clear that selection effects influence who enters covenant marriage; those who are religiously active, serious about premarital preparation, and committed to the marital ideal are more likely to opt for covenant marriage (Sanchez et al., 2003). Public opinion about the value of covenant marriage is positive generally, with 39% of respondents in one 3-state survey expressing support and 47% having mixed feelings about it. Higher levels of support are found for specified components of covenant marriage legislation, such as believing that premarital counseling is important for successful marriage or that couples should agree in advance to seek help if problems arise in the marriage (Hawkins, Nock, et al., 2002). For couples who selected covenant marriage, findings show that covenant marriage was associated with lower marital disruption in the first 5 years of marriage and lower perceived chance of separation among wives (Sanchez et al.). Concerted efforts to promote the use of this option in marriage may be needed.

Governmental Efforts and Rights and Responsibilities Within Marriage

Some important legislative changes regarding the provision of benefits to and enforcement of responsibilities within marriage have occurred. Specifically, there are two trends in recent governmental initiatives. One trend is a movement in some areas to provide more benefits to married couples and strengthen commitment within marriages. A countervailing trend is the treatment

of the status of marriage and the benefits of marriage as separate legal issues.

Promotion of marital responsibility and commitment. A recognition of the importance of marriage has led some jurisdictions to work to strengthen existing marriages. In Utah, former governor Michael Leavitt established a Governor’s Commission on Marriage in 1998, charged with finding ways that the state could advance marriage strengthening policies. Some states held marriage conferences to discuss how to strengthen marriage (Gardiner et al., 2002). Recently, Louisiana Governor Mike Foster issued an executive order calling for a review of state laws, rules, and programs, with an aim to ensure neutrality in regard to marriage, “so that marriage is not discouraged, discriminated against and/or undermined” (Louisiana Executive Order No. 32, 2001). The attorney general of South Carolina established a commission on marriage and family to review state laws to find which might subvert marriage (Marriage, family commission, 2001). The proposed federal budget of President George Bush includes provisions in the TANF reauthorization bill that would direct nearly \$300 million in state and federal funds toward initiatives to strengthen marriage each year, which is still awaiting congressional passage as of 2004. Some specific policies related to rights and responsibilities within marriage being pursued at different levels of government include financial benefits and education on marital skills.

Marriage is an economic partnership affected by governmental policies that impact financial matters (Browning, 2000). One effort to enhance the benefits provided to marriage was the removal of the “marriage penalty” in federal tax law. In May 2001, the U.S. Congress approved a bill that included a provision to raise the standard deduction for married couples filing jointly to twice what a taxpayer filing singly could claim (Kornblut, 2001). At the state level, states have taken policy steps to provide financial benefits to married couples. For example, in Mississippi and North Dakota, the income of a stepparent is disregarded for 6 months after marriage in determining welfare eligibility (Horn, 2001), and West Virginia adds \$100 per month in payments to welfare recipients if they are married (Horn).

Additional efforts to strengthen existing marriages focus on the education of married couples. For instance, as part of its Marriage Initiative program, Oklahoma sponsored statewide training in the Prevention and Relationship Enhancement Program (PREP) and encouraged classes to be offered throughout the state (Stanley, Blumberg, & Markman, 1999). In addition, Oklahoma and other states have instituted yearly marriage conferences (Gardiner et al., 2002). In Arizona, a community-based marriage and communication skills commission was established to publicize marriage education courses available in each county (Arizona Legis. 393, 2000). Such efforts to further educational opportunities to learn marital skills demonstrate how governmental efforts can catalyze specific social goals.

Unlinking marriage and benefits. Three states (Hawaii, California, and Vermont) created new statuses whereby benefits traditionally provided to married couples can be extended to unmarried couples. In effect, Hawaii’s law creates a new legal status of “reciprocal beneficiaries.” Reciprocal beneficiaries must be 18 years old, not eligible to marry, unmarried, and must sign and file a declaration of intent with the director of the state health department (Hawaii Revised Statutes 572C-5, Supp. 2003). Reciprocal beneficiaries receive some limited benefits traditionally reserved for married couples, and this status can be ended by filing a declaration with the state health department or by

marriage (Hawaii Revised Statutes 572C-7, Supp. 2003). By California law, a registry whereby same-sex couples and couples over age 62 can register for nearly all of the rights and obligations associated with marriage was enacted (California Legislative Service Chapter 588, 1999). Vermont created a new status of "civil unions" (Vermont Act 91, 2000). The law provides that parties in a civil union have the same legal benefits and protections as married couples. In addition, many municipalities allow both same-sex and opposite-sex couples to register as domestic partners, either explicitly or implicitly, by not specifying gender requirements of partners (Duncan, 2001).

Governmental Efforts and the Dissolution of Marriage

Recently, some states began to express concerns with their high divorce rates and the ramifications for social policy. In 1999, former Governor Frank Keating of Oklahoma announced an initiative to reduce that state's divorce rate by one third by 2010. Governor Mike Huckabee of Arkansas also declared a state of "marital emergency" and set a goal to reduce the divorce rate by half by the end of the decade (McManus & McManus, 2001).

A movement to legislatively respond to the perceived ease with which divorce is possible began with the introduction of a bill reinstating fault grounds in divorce law in Michigan. Although it was not enacted, it was important because it signaled that the status quo of no-fault divorce legislation was being reconsidered by some policymakers after two decades (Wardle, 1999). The covenant marriage laws in Louisiana, Arizona, and Arkansas reflect the most serious legislative response to concerns about the ease of divorce. These laws have two major ramifications for current divorce law. First, they require married couples to participate in marital counseling before seeking divorce. Second, they require some showing of fault on the part of one of the parties as grounds for divorce. These developments are not without controversy and run the risk of placing individuals in conflictual circumstances if the relationship has seemingly become irreparable. Elements to consider regarding potential changes in laws that affect the availability and process of divorce may include the normative message of the change and the actual effect of the change on citizens affected by the law (Brotherson & Teichert, 2001). Little legislative change has been enacted in the area of divorce reform, but the amount of activity around this topic is substantial; hence, the future of government efforts in this area is open to question.

In recent legislative sessions in various states, other types of bills have been introduced to deal with the issues related to divorce. These included prohibitions on no-fault divorce actions when the divorce was contested by one of the parties or included children (Georgia, Massachusetts, Montana), a requirement of marriage counseling or marriage education before a divorce is granted (Arizona), and allowance for a court to refer a divorcing couple for counseling or mediation (Washington). Though a lot of legislative activity occurred in this area, the failure to enact passage of these statutes in nearly every instance suggests the difficulty of rolling back no-fault divorce legislation. Barriers to enactment of such statutes may include public ambivalence, interest group opposition, and blockage by influential legislators. Despite these challenges, it seems likely that governmental discussion of policies on the dissolution of marital relationships will remain a priority interest in the foreseeable future as advocates of making unilateral divorce more difficult vie with those who believe that

the current divorce laws are adequate (Hetherington & Kelly, 2002; Whitehead, 1996).

Discussion

The increased attention to fostering healthy marriage relationships at multiple levels of government highlights the importance of developing an informed awareness of current policy-making trends in this area. Legislative and judicial enactments do not occur in a social vacuum and may shape citizens' attitudes and behavior in both direct and indirect ways. Brotherson and Teichert (2001) pointed out, "Since law [and related policies] ha[ve] an important bearing upon how society understands marriage, the social message sent by a particular statute or judicial decision is important" (p. 36). In addition, the practical consequences of any governmental effort to influence family life deserve careful consideration, because the prospects of government encroachment or regulation of family relationships in ways that may be intrusive are a substantive concern for advocates of family privacy and autonomy (Ooms, 1998). Yet when consideration is given to whether a sufficient body of knowledge on marital dynamics and preservation exists to warrant governmental action, informed scholars (Carroll & Doherty, 2003; Stanley & Markman, 1998) suggest that enough knowledge is available to provide a reasonable hope for positive policy-making efforts.

The shifting social trends related to marriage provide the rational basis for many of the arguments intended to support governmental action to strengthen marital relationships. Significant economic, social, and emotional consequences associated with marital distress and dissolution make efforts to strengthen marriage seem understandable (Waite & Gallagher, 2000). The current momentum of governmental efforts directed at strengthening marriage suggests a moderate cultural shift from academic dialogue over how to interpret changing family patterns to a more direct emphasis on the health and stability of existing or developing marital unions.

Though origins of the marriage movement lie in a grassroots combination of private organizations, faith-based groups, and educational programs, the addition of significant public-sector initiatives gives it a new impetus and focus. With a multiplicity of research projects, educational programs, and community-oriented coalitions having funding from various governmental sources, the next decade likely will yield much new information about the state of marriage in America and the impact of investments in marriage-strengthening activities. For example, Oklahoma conducted the first in-depth, comprehensive randomized survey of a state's population to determine the reported attitudes and behaviors regarding marriage and divorce (Johnson et al., 2002), a survey made possible by governmental appropriation of targeted funds to strengthen marriage. The findings allow customization of policy strategies to state needs and assessment of impacts of their efforts over time, while providing a model to other states (Johnson et al.). Such varied governmental efforts highlight the distinctive U.S. model of multiple state policy laboratories, in which demonstration projects and policy efforts often are tested in one region or state, then adopted or modified over time by others.

It remains to be seen whether the current attention to strengthening marriage through governmental efforts will be sustained. Genuine social movements are characterized by an intentional, collective effort to initiate or resist significant change in social conditions (Wilson, 1973). The effort to strengthen marriage is

centered on fostering change in family patterns perceived as possibly harmful to adults and children. Horn (1999) commented that successful social experiments involve a three-stage process that includes setting a clear agenda, recruiting a broad support base, and establishing organizational structures capable of sustaining the movement's efforts. The recent intertwining of governmental efforts to strengthen marriage with previously developing efforts suggests that these processes are moving forward in the marriage movement, though eventual outcomes are as yet uncertain.

The range of governmental activities that impinge upon the formation and maintenance of marital relationships is substantial. Using the concept of family career associated with family development theory (Rodgers & White, 1993) provides a reasonable heuristic mechanism for understanding the range of governmental activity as it intersects with family life. This concept can serve as a beginning point to consider the range of familial contexts and circumstances in the policy-making process (Brotherson & White, 2001/2002). As different governmental efforts to strengthen marriage relationships move forward, it may be critical to ensure that activities are informed by sound thinking, demonstrated effectiveness, and community support. The original nature of such efforts also requires a willingness to further innovative or promising strategies that have potential for strengthening marriages, an approach supported by federal officials (e.g., Horn, 2003).

Implications for Practitioners and Policymakers

The future for policies to strengthen marriage is a matter of speculation, but informed speculation is possible. Much discussion will occur about the nature of marriage itself; a likely result may be that states divide over redefining marriage to include same-sex couples. Efforts to adjust divorce policies are likely, so couples think carefully before divorcing, especially when children are involved. Perhaps the most fruitful area for innovation in policies will be in marriage promotion policies that set up strategies to counsel and educate both unmarried and married couples about the factors leading to more successful marriage and the benefits of marriage for couples and their children. This is because efforts in marriage strengthening are likely the least controversial and also the most modest in scope. Efforts that reflect the "incremental change" approach in policy development seem most likely to garner public support and reshape policy activities in the future (Hawkins, Nock, et al., 2002).

The implications of developing governmental policies aimed at strengthening marriage relationships are multifaceted and pertain to both practitioners and policymakers. We believe that several considerations deserve attention from those working in these areas.

First, sustained efforts to examine the role of government in strengthening marriage relationships suggest that policymakers should consider how existing policies and programs impact formation and maintenance of successful relationships. Governmental efforts to strengthen marriage remain limited. Growing recognition of the need for such programs and their potential value counsels policymakers to attend to the possibilities for further efforts. However, policymakers and practitioners also should examine existing practices and programs to determine how they impact marital health and formation. For example, legislative bodies might examine whether their marriage license policies enhance opportunities for marital preparation, or whether their tax policies discourage marital formation among low-income couples. Policies that discourage successful relationship formation and maintenance should be modified or abandoned; approaches

that encourage stability and success should be highlighted and enhanced.

Second, as those crafting governmental priorities consider policies designed to strengthen family relationships, they can benefit from using a theory-based approach such as the family life course perspective. This approach encourages policymakers to concentrate on a range of policies that may affect marital formation, maintenance, and dissolution. Given the rise in marital dissolution, much of the policymaking has focused on preventing dissolution when severe relationship stress is evident. However, new policies aimed at impacting union formation choices and relationship behavior are emerging (Jarchow, 2003b). Envisioning approaches that pertain to couple formation and maintenance at different points in the family career makes possible a broader and more comprehensive range of options for affecting the maintenance of relationships to prevent dissolution. The importance of a multipronged approach to encouraging successful marital relationships must be considered so different programs and policies are developed and adapted for different target groups as needed.

Third, practitioners and policymakers need to cultivate awareness of community resources and programs to assist in strengthening specific couples or families. The pace of development of policies and programs designed to strengthen marriage is not widely recognized by practitioners and individual families. Practitioners should be aware of the various types of resources available to more effectively help those who seek their assistance. Additionally, policymakers need to update themselves on current trends to fashion approaches that take advantage of best practices. When troubles arise, couples can be made aware of options to help them resolve these issues short of dissolution. Some sources of information on funding opportunities, program efforts, and other topics related to strengthening marriage include

- The Center for Law and Social Policy, its "Couples and Marriage Policy" section in particular, has a wealth of information and analysis at <http://www.clasp.org/>
- The Coalition for Marriage, Family and Couples Education (CMFCE) has a great deal of information at its Smart Marriages Web site: <http://www.smartmarriages.com/>
- Administration for Children and Families, U.S. Department of Health and Human Services, shares information on its "Healthy Marriage Initiative" at <http://www.acf.hhs.gov/key.html>
- Information on the Oklahoma Marriage Initiative and the Utah Governor's Commission on Marriage can be found, respectively, at <http://www.okmarriage.org/> and <http://www.utahmarriage.org/>

These and other resources can give interested persons insight into the developing innovations related to governmental efforts to strengthen marriage.

Fourth, there is an ongoing need for research to assess the impact of current program or policy efforts to strengthen developing or existing marriage relationships. Such program evaluations may suggest improvements, although too many programs still rely on anecdotal evidence (Carroll & Doherty, 2003). Therefore, solid scientific research aimed at measuring outcomes, both in terms of individual families and social change, is necessary to allow policies to be adapted to increase their effectiveness. Funding for such studies is now becoming more available at the federal level through several governmental agencies (e.g., Administration on Children and Families).

Finally, practitioners and policymakers can examine policy proposals to ensure that they place the state in a preventive role regarding marital challenges, and not merely in a corrective role upon marital dissolution. For example, Brotherson and Teichert (2001) pointed out that particular laws and policies pertaining to marriage can foster the development of knowledge and set guidelines for behavior so individuals are persuaded toward relationships of respect and lasting commitment. This exemplifies a preventive approach to the problems that can descend upon married couples. Individuals who work with couples and families can work so specific steps undertaken by governmental bodies aim at preparation for marital responsibilities and the prevention, management, or amelioration of marital challenges. Such steps have the potential to strengthen couple relationships and provide new approaches to improving family well-being.

References

- Alabama Executive Order No. 24 (Aug. 30, 1996).
- Aldous, J. (1978). *Family careers: Developmental change in families*. New York: Wiley.
- Amato, P. R., & Booth, A. (1997). *A generation at risk: Growing up in an era of family upheaval*. Cambridge, MA: Harvard University Press.
- Ambert, A. (1998). *Divorce: Facts, figures and consequences*. Ottawa, Ontario: The Vanier Institute of the Family.
- Arizona Legislative Service Ch. 135 (1998).
- Arizona Legis. 393 (2000).
- Arkansas Laws Act 1486 (2001).
- Axinn, W. G., & Barber, J. S. (1997). Living arrangements and family formation attitudes in early adulthood. *Journal of Marriage and the Family*, 59, 595–611.
- Bachu, A. (1998). *Trends in marital status of U.S. women at first birth: 1930 to 1994* (Population Division Working Paper No. 20). U.S. Census Bureau. Washington, D.C.: U.S. Government Printing Office.
- Baehr v. Lewin, 852 P.2d 44 (Haw. 1993).
- Baehr v. Miike, 1996 WL 694235 (Haw. Cir. Ct. 1996).
- Bellah, R. N., Madsen, R., Sullivan, W. M., Swidler, A., & Tipton, S. M. (1985). *Habits of the heart: Individualism and commitment in American life*. Berkeley: University of California Press.
- Bogensneider, K. (2002). *Family policy matters*. Mahwah, NJ: Erlbaum.
- Brotherson, S. E., & Teichert, J. B. (2001). Value of the law in shaping social perspectives on marriage. *Journal of Law and Family Studies*, 3, 23–56.
- Brotherson, S. E., & White, J.M. (2001/2002). Federal and state policy initiatives to strengthen fatherhood: Issues and implications for practitioners. *Professional Development: The International Journal of Continuing Social Work Education*, 4(3)/5(1), 16–34.
- Browning, D. (2000, January). *What is marriage? An exploration*. Paper presented at the Institute for American Values' Marriage Consultation, New York. California Legislative Service Ch. 588 (1999).
- Carroll, J. S., & Doherty, W. J. (2003). Evaluating the effectiveness of premarital prevention programs: A meta-analytic review of outcome research. *Family Relations*, 52, 105–118.
- Casper, L. M., Cohen, P. N., & Simmons, T. (1999). *How does POSSLQ measure up? Historical estimates of cohabitation* (Population Division Working Paper No. 36). U.S. Bureau of the Census. Washington, D.C.: U.S. Government Printing Office.
- Clarke, S. C. (1995). Advance report of final divorce statistics, 1989 and 1990. *Monthly Vital Statistics Report*, 43(8, Suppl.). Hyattsville, MD: National Center for Health Statistics.
- Coleman, M., Ganong, L., & Fine, M. (2000). Reinvestigating remarriage: Another decade of progress. *Journal of Marriage and the Family*, 62, 1288–1307.
- Doherty, W. J. (2001). *Take back your marriage: Sticking together in a world that pulls us apart*. New York: Guilford.
- Duncan, W. (2001). Domestic partnership laws in the United States: A review and critique. *BYU Law Review*, 2001, 961–992.
- Dush, C. M. K., Cohan, C. L., & Amato, P. R. (2003). The relationship between cohabitation and marital quality and stability: Change across cohorts? *Journal of Marriage and Family*, 65, 539–549.
- Farber, B. (1961). The family as a set of mutually contingent careers. In N. Foote (Ed.), *Consumer behavior: Models of household decision making* (pp. 276–297). New York: New York University Press.
- Fields, J., & Casper, L. (2001). *America's families and living arrangements: March 2000* (Current Population Reports, P20-537). Washington, DC: U.S. Census Bureau.
- Furstenberg, F. F., Jr., & Cherlin, A. J. (1991). *Divided families: What happens to children when parents part*. Cambridge, MA: Harvard University Press.
- Gardiner, K. N., Fishman, M. E., Nikolov, P., Glosser, A., & Laud, S. (2002). *State policies to promote marriage: Final report*. Washington, DC: U.S. Department of Health and Human Services.
- Gardner, S. (2001). Evaluation of the "Connections: Relationships and Marriage" curriculum. *Journal of Family and Consumer Sciences Education*, 19, 1–14.
- Glenn, N. D. (1996). Values, attitudes, and the state of American marriage. In D. Popenoe, J. B. Elshtain, & D. Blankenhorn (Eds.), *Promises to keep: Decline and renewal of marriage in America* (pp. 15–33). Lanham, MA: Rowman and Littlefield.
- Goldstein, J. R. (1999). The leveling of divorce in the United States. *Demography*, 36, 404–414.
- Goodridge v. Department of Public Health, 798 N.E.2d 941 (Mass. 2003).
- Gottman, J. M. (1994). *What predicts divorce? The relationship between marital processes and marital outcomes*. Hillsdale, NJ: Erlbaum.
- Hamilton, B. E., Sutton, P. D., & Ventura, S. J. (2003). Revised birth and fertility rates for the 1990s and new rates for Hispanic populations, 2000 and 2001: United States. *National Vital Statistics Reports, Vol. 51* (No. 12). Hyattsville, MD: National Center for Health Statistics.
- Hawaii Const., Art. I, sec. 23.
- Hawaii Laws, Act 383 (1997).
- Hawaii Revised Statutes 572C-5 (Supp. 2003).
- Hawkins, A. J., Nock, S. L., Wilson, J. C., Sanchez, L., & Wright, J. D. (2002). Attitudes about covenant marriage and divorce: Policy implications from a three-state comparison. *Family Relations*, 51, 166–175.
- Hawkins, A. J., Wardle, L. W., & Coolidge, D. O. (2002). *Revitalizing the institution of marriage for the 21st century: An agenda for strengthening marriage*. Westport, CT: Praeger.
- Heaton, T. (2002). Factors contributing to increasing marital stability in the United States. *Journal of Family Issues*, 23, 392–409.
- Hetherington, M., & Kelly, J. (2002). *For better or for worse: Divorce reconsidered*. New York: W. W. Norton.
- Holman, T. B., & Associates. (2000). *Premarital prediction of marital quality or break-up: Research, theory, and practice*. New York: Plenum.
- Horn, W. F. (1999). Did you say "movement"? In W. F. Horn, D. Blankenhorn, & M. B. Pearlstein (Eds.), *The fatherhood movement* (pp. 1–16). Lanham, MD: Lexington Books.
- Horn, W. F. (2001, July 1). Wedding bell blues. *Brookings Review*, 39–42.
- Horn, W. F. (2003). Closing the marriage gap. *Crisis Magazine*, 21(6), 32–37.
- Institute for American Values. (2000). *The marriage movement: A statement of principles*. New York: author.
- Jarchow, C. (2003a). *Strengthening marriage and two-parent families*. Denver, CO: National Conference of State Legislatures.
- Jarchow, C. (2003b). *Fragile families and marriage*. Denver, CO: National Conference of State Legislatures.
- Johnson, C. A., Stanley, S. M., Glenn, N. D., Amato, P. R., Nock, S. L., Markman, H. J., & Dion, M. R. (2002). *Marriage in Oklahoma: 2001 baseline statewide survey on marriage and divorce*. Oklahoma City: Oklahoma Department of Human Services.
- Kamerman, S. B. (1996). Child and family policies: An international overview. In E. F. Zigler, S. L. Kagan, & N. W. Hall (Eds.), *Children, families, and government: Preparing for the twenty-first century* (pp. 31–48). Cambridge, England: Cambridge University Press.
- Komblut, A. (2001, May 27). Tax cut bill wins final approval. *Boston Globe*, p. A1.
- Kreider, R. M., & Simmons, T. (2003). Marital status 2000. *Census 2000 Brief* (C2CBR-20). Washington, DC: U.S. Census Bureau.
- Larson, J. H., & Holman, T. B. (1994). Premarital predictors of marital quality and stability. *Family Relations*, 43, 228–237.
- Lerman, R. (2002). *Family structure and childbearing before and after welfare reform*. Washington, DC: Urban Institute.
- Lewis v. Harris, Docket No. MER-L-15-03(NJ Superior Court 2003).
- Louisiana Executive Order No. 32 (2001).
- Louisiana House Bill 234 (2001).
- Louisiana Session Law Service Act 1380 (1997).
- Lugaila, T. (1998). *Marital status and living arrangements: March 1998 (update)*. U.S. Census Bureau P-20-514. Washington, D.C.: U.S. Government Printing Office.
- Manning, W. D., & Lichter, D. T. (1996). Parental cohabitation and children's economic well-being. *Journal of Marriage and the Family*, 58, 998–1010.
- Marriage, family, commission established Rock-Hill. (2001, June 19). *South Carolina Herald*, p. 4B.
- Marriage Preparation and Preservation Act of 1998, Fla. Stat. §741.04 (2002).

- McManus, M. (1993). *Marriage savers*. Grand Rapids, MI: Zondervan.
- McManus, M., & McManus, J. (2001, May 22). Statement before the Subcommittee on Human Resources of the House Committee on Ways and Means (2001 WL 21756459).
- Mississippi Executive Order No.770 (Aug. 22,1996).
- National Center for Health Statistics. (1995). Advance report of final divorce statistics, 1989 and 1990. *Monthly Vital Statistics Report*, 43(9). Hyattsville, MD: Public Health Service.
- Ooms, T. (1998). *Toward more perfect unions: Putting marriage on the public agenda*. Washington, DC: Family Impact Seminar.
- Ooms, T. (2001, May 22) Statement before the Subcommittee on Human Resources of the House Committee on Ways and Means (2001 WL 21755264).
- Orthner, D. K. (1990). The family in transition. In D. Blankenhorn, S. Bayme, & J. B. Elshtain (Eds.), *Rebuilding the nest: A new commitment to the American family* (pp. 93–118). Milwaukee, WI: Family Service America.
- Ozawa, M. N. (2004). Social welfare spending on family benefits in the United States and Sweden: A comparative study. *Family Relations*, 53, 301–309.
- Popenoe, D. (1996). *Life without father*. Cambridge, MA: Harvard University Press.
- Popenoe, D., & Whitehead, B. D. (1999a). *The state of our unions: The social health of marriage in America*. New Brunswick, NJ: National Marriage Project.
- Popenoe, D., & Whitehead, B. D. (1999b). *Should we live together? What young adults need to know about cohabitation before marriage: A comprehensive review of recent research*. New Brunswick, NJ: National Marriage Project.
- Rodgers, R. H., & White, J. M. (1993). Family development theory. In P. G. Boss, W. J. Doherty, R. LaRossa, W. R. Schumm, & S. K. Steinmetz (Eds.), *Sourcebook of family theories and methods: A contextual approach* (pp. 225–257). New York: Plenum.
- Sanchez, L. A., Nock, S. L., Deines, J. A., & Wright, J. D. (2003, September). *Can covenant marriage foster marital stability among low-income fragile newlyweds?* Paper presented at the National Poverty Conference on Marriage and Family Formation Among Low-Income Couples: What Do We Know From Research? Washington, DC.
- Schramm, D. G., Marshall, J. P., Harris, V. W., & George, A. (2003). *Marriage in Utah: 2003 baseline statewide survey on marriage and divorce*. Salt Lake City: Utah Department of Workforce Services.
- Seltzer, J. A. (2000). Families formed outside of marriage. *Journal of Marriage and the Family*, 62, 1247–1268.
- Simmons, T., & O'Neill, G. (2001). *Households and families: 2000* (Census 2000 Brief). Washington, DC: U.S. Census Bureau.
- Sollee, D. (2000). *The emerging field of marriage education: Creating smart marriages for the millennium*. Retrieved January 23, 2004, from <http://www.smartmarriages.com/fish.html>
- Spaht, K. (1998). Beyond Baehr: Strengthening the definition of marriage. *BYU Journal of Public Law*, 12, 277.
- Spaht, K. S. (2001). What's become of Louisiana covenant marriage through the eyes of social scientists. *Loyola Law Review*, 47, 709–728.
- Standhardt v. Superior Court, 77P.3d 451 (Az. App. 2003).
- Stanley, S. M. (2001). Making a case for premarital education. *Family Relations*, 50, 272–280.
- Stanley, S. M., Blumberg, S. L., & Markman, H. J. (1999). Helping couples fight for their marriages: The PREP approach. In R. Berger & M. Hannah (Eds.), *Handbook of preventive approaches in couple therapy* (pp. 279–303). New York: Brunner/Mazel.
- Stanley, S. M., & Markman, H. J. (1998). Acting on what we know: The hope of prevention. In *Strategies to strengthen marriage: What we know, what we need to know*. Washington, DC: Family Impact Seminar.
- Teachman, J. (2003). Childhood living arrangements and the formation of coresidential unions. *Journal of Marriage and Family*, 65, 507–524.
- Thornton, A. (1996). Comparative and historical perspectives on marriage, divorce, and family life. In D. Popenoe, J. B. Elshtain, & D. Blankenhorn (Eds.), *Promises to keep: Decline and renewal of marriage in America* (pp. 69–88). Lanham, MA: Rowman and Littlefield.
- U.S. Census Bureau. (1998). *Statistical abstract of the United States: 1998*. Washington, DC: U.S. Government Printing Office.
- U.S. Census Bureau. (2001). *Statistical abstract of the United States: 2001*. Washington, DC: U.S. Government Printing Office.
- U.S. Department of Health and Human Services. (2001). Births, marriages, divorces, and deaths: Provisional data for January-December 2000 (DHHS 2001-1120). *National Vital Statistics Reports*, 49(6). Hyattsville, MD: National Center for Health Statistics.
- Ventura, S. J., & Bachrach, C. A. (2000). Nonmarital childbearing in the United States, 1940–1999. *National Vital Statistics Reports*, 48(16). Hyattsville, MD: National Center for Health Statistics.
- Vermont Act 91 (2000).
- Waite, L. J., & Gallagher, M. (2000). *The case for marriage: Why married people are happier, healthier, and better off financially*. New York: Doubleday.
- Wardle, L. (1999). Divorce reform at the turn of the millennium: Certainties and possibilities. *Family Law Quarterly*, 33, 783.
- Wardle, L., M. Strasser, W. Duncan, & D. Coolidge (Eds.). (2003). *Marriage and same-sex unions: A debate*. Westport, CT: Praeger.
- Weitzman, L. J. (1985). *The divorce revolution*. New York: Free Press.
- Whitehead, B. D. (1996). The decline of marriage as the social basis of child-rearing. In D. Popenoe, J. B. Elshtain, & D. Blankenhorn (Eds.), *Promises to keep: Decline and renewal of marriage in America* (pp. 3–14). Lanham, MA: Rowman and Littlefield.
- Wilson, J. (1973). *Introduction to social movements*. New York: Basic Books.
- Wu, Z. (1995). The stability of cohabitation relationships: The role of children. *Journal of Marriage and the Family*, 57, 231–236.