Should it Be Easy? Divorce Process Attitudes Among Those Who have Split up in Mid-Life

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ABSTRACT: This grounded theory analysis examines the gray divorced population’s attitudes about the divorce process, that is, whether those who have experienced a divorce at age 50 or older believe divorce should be easier or harder to obtain in American society. Among the 40 men and 40 women interviewed in this analysis, there were divorce delayers, who wanted to make divorce laws stricter; divorce facilitators, who championed more flexible divorce laws; divorce ambivalents, who held mixed views; and marriage gatekeepers, who advocated on behalf of status quo divorce laws but tougher relationship-strengthening requirements before marriage. The diversity of these participants’ views reflects those voices in the general population who continue to see divorce as a complex decision for most couples.

KEYWORDS: Gray Divorce, Interviews, Divorce Process
Gray divorce, or legally parting ways at age 50 or older, is an increasingly common phenomenon in the United States among Baby Boomers (Wu & Schimmele, 2007). During the period 1990-2010, in fact, the divorce rate for adults age 50 and over doubled (Brown & Lin, 2012). This means that in 2010, 1 out of every 4 divorces in the United States was gray, resulting in 643,152 individuals age 50 or older experiencing a divorce; projections are that by 2030, this number will rise to 828,380 (Brown & Lin, 2012). This is especially notable since the overall divorce rate among younger people over the same time period stabilized (Kennedy & Ruggles, 2014).

The explosion of gray divorces in the United States is partly due to changing demographics. The Baby Boomer generation has been aging, so much so that in 1990 there were only 63.5 million Americans age 50 and older, but by 2010, there were 99 million Americans in this same age group (Census, 1990; Census, 2010). By 2050, the Census Bureau estimates that there will be 158.5 million individuals age 50 and over (Census, 2014). In addition to the growth in absolute numbers among individuals age 50 and over, life expectancy has increased. In 1950, the average man could be expected to live 65.6 years, while the average woman could be expected to live 71.1 years (CDC, 2017). By 2014, these ages had increased to 76.5 and 81.3, respectively (CDC, 2017). Simply put, the rising number of people who are age 50 and older, as well as longer life expectancy trends in general, have both been functioning to expose ever-greater numbers of couples to the possibility of a gray divorce.

While the number of Americans experiencing a gray divorce continues to rise, questions remain pertaining to this group’s views on the divorce process overall. Interestingly, among the general population—including all ages and marital statuses—researchers have noted a prominent divorce attitude paradox. Across the broader population, this paradox is that while individuals express high levels of acceptance of the practice of divorce, they are much more divided about the process of divorce. More specifically, on one hand, large-scale survey data across wide-ranging age groups and
marital statuses suggest that the majority of Americans have become increasingly accepting of divorce as a practice—or a permissible choice—over time (Thornton, 1985; Thornton, 1989; Cherlin, 1992; Thornton & Young-DeMarco, 2001; Cherlin, 2009). On this point, Gallup reported that in 2001, 59% of Americans found divorce to be “morally acceptable;” by 2017, this number had reached 73% (Gallup, 2001; Gallup, 2017). On the other hand, and most importantly for this study, most Americans remain much more divided over matters of divorce as a process, or how easy or difficult it should be to obtain (Thornton, 1985; Thornton & Young-DeMarco, 2001; Cherlin, 2009). For example, national data from the General Social Survey found that in 1974, 33.6% of respondents wanted divorce laws to be made easier for interested couples, 44.4% wanted them to be made more difficult, and 21.9% found them acceptable as then codified; in 1994, these comparable statistics were 27.6%, 49.4%, and 23.1%, respectively (Smith, Marsden, Hout, & Kim, 2016). By 2016, 39.2% expressed a preference for easier divorce laws, 39.4% wanted these laws to be stricter, and 21.4% maintained that these laws were adequate in their current form (Smith et al., 2016). Thus, there is still a significant difference of opinion regarding how these divorce laws should operate in American society today and if/how they should be altered going forward. This grounded theory analysis examines the qualitative attitudes
among heterosexuals who have experienced a gray divorce regarding this important debate over marital splits as a process.

**Theoretical Framework: Marital Decline Versus Marital Resilience**

In many ways, according to Amato (2004), modern debates concerning the divorce process are rooted in differing conceptualizations about the evolution of marriage over time: the marital decline versus the marital resilience frameworks. The marital decline framework stresses that marriage is currently in a state of free fall and that this must be stopped at all costs (Blankenhorn, 2007). This belief system places a high degree of importance on the societal role marriages serve, in addition to certain well-being interests of the particular couples themselves. What, specifically, are the purposes of marriage according to this view? Perhaps most fundamentally at the societal level, this framework stresses that marriages are critical organizational units that help structure and regulate human behavior in ways that reduce broad social problems such as delinquency, poverty, and neighborhood decline (Amato, 2004; Cherlin, 2009).

On the individual level, this perspective highlights that marriage improves couples’ physical, emotional, and economic well-being (Pienta, Hayward, & Jenkins, 2000; Dush & Amato, 2005; Lin, Brown, & Hammersmith, 2017), as well as advances a variety of positive outcomes for their children if they have them (Amato, 2005; Amato & Patterson, 2017). Also on this individual level in this view, marriage encourages men and women to engage in long-term commitments, commitments that enable them to weather short-term downturns in relationship satisfaction (Schoebi, Karney, & Bradbury, 2012). These strong marriages can then socialize children into trusting that their own unions are expected to last as well (Cunningham & Thornton, 2007). Finally for individual couples, marriage is interwoven with religion as a stabilizing factor that promotes the importance of the intergenerational transmission of the faith (Bengtson, 2017); according to this perspective, marriage and religion are tightly interlinked in advancing strong family values both for couples in the present and for their
children in the future (Stokes & Ellison, 2010). Overall, then, the marital decline perspective asserts that since marriage is so beneficial, policymakers should make divorce much more difficult to obtain across the board.

In direct contrast to the marital decline framework is the marital resilience framework, which argues that marriage is operating well as it is currently constituted (Coontz, 2016). In this view, love and mutual attraction between couples are the appropriate centerpieces of modern marriages. In addition, marriage should support personal growth in the areas of hobbies, career passions, and other types of significant, individual pursuits (Cherlin, 2009; Finkel, Hui, Carswell, & Larson, 2014). Marriage, in other words, should fuel the goals of each person’s journey toward self-actualization. Since marriage is driven by the goals of love and personal self-development, if either half of a couple is unfulfilled within the union, each can justifiably seek a divorce (Hackstaff, 1999; Wu & Schimmele, 2007). But this is not all. Since traditional divorce proceedings can cause emotional pain, the potential for partner abuse, time delays, unnecessary legal maneuvering, excessive expenses, and other types of damage, the marriage resilience framework encourages policymakers to do everything that they can to make divorce easier (Stevenson & Wolfers, 2006; Grossman & Friedman, 2011).

With these two perspectives in mind, this grounded theory analysis examines the qualitative attitudes among heterosexuals who have experienced a gray divorce regarding this important debate over marital splits as a process. In previous survey work among the general population, being divorced has predicted more liberal beliefs toward the divorce process in general (Amato & Booth, 1991). Divorce in mid-life, however, represents its own unique life transition with potentially different dynamics that push and pull attitudes in opposite directions. More specifically, many of these former marriages were long-term and produced now-adult children, both of which represent powerful personal investments that can promote more conservative attitudes about the divorce process overall (White &
Booth, 1991). Alternatively, perspectives among the gray divorced population might be more strongly
governed by this group’s more permissive feelings about exiting unhealthy marriages quickly in order
to live life to the most meaningful extent possible at this relatively older age (Bair, 2007). This
investigation thus examines these potential alternatives by using in-depth interviews to highlight the
breadth, scope, and complexities surrounding the gray divorced population’s assessments of the divorce
process in the United States today.

Method

This analysis is drawn from a much larger project on the topic of gray divorce among heterosexuals in
the United States by the primary investigator (Crowley, 2018). It continues her research in the area of
family policy, where she has focused on issues related to the causes and consequences of family
dissolution. She was assisted by a public policy graduate student in conducting the research. Although
there has been quantitative work on the trends and incidence of gray divorce in recent years (Brown &
Lin, 2012; Brown, Lin, Hammersmith, & Wright, Forthcoming), there is almost no qualitative research
on the daily experiences of men and women undergoing such a significant transition at this stage in
their lives. Using semi-structured, in-depth interviews, this larger project therefore aimed to provide
insight into these individuals’ lives by questioning them on the following topics: the causes of their
divorces; their relationships with their family and friends in the post-divorce era; their financial
stability; their attitudes toward their future life prospects; and their perspectives on divorce and public
policy reform.

Sample recruitment and procedure

Potential participants had to have certain characteristics in order to participate in this study. Most
importantly, they had to have experienced a divorce at age 50 or older (whether a first, second, or later
divorce). In addition, participants had to live in the United States and speak English.
While the incidence of gray divorce has risen over time, this group is still relatively small in the population at large. Therefore, it is difficult to both locate and recruit them into a broad research study (Tourangeau, 2014). To address this issue, we turned to social media as a method of finding this hard-to-reach population (Weiner, Puniello, Siracusa, & Crowley, 2017). Recent academic research has demonstrated that these venues are an effective, cost-efficient means of targeting populations such as those who have experienced a gray divorce (Rife, Cate, Kosinski, & Stillwell, 2016). Particularly helpful in this study was Facebook, which permits advertisers to target their messages to distinct sociodemographic groups. We ran advertisements on Facebook with the caption “Study of Mid-Life Divorce” on certain users’ (age 50 and over) mobile devices and desktop computers. All men and women who clicked on the link received further facts about the study, were screened for qualification purposes, and were asked for relevant contact information.

Recruitment for the project lasted for 13 days and took place over four separate phases (Total time period: July 23, 2014-February 9, 2015). We initially invited both men and women to participate in the first two phases of collection (July 23, 2014-July 28, 2014 for phase one, and August 19, 2014-August 21, 2014 for phase two). We purposely opened up the study recruitment period for short periods of time in order to interview participants relatively quickly after they signed up. After phase two that resulted in a total of 60 participants, we recognized that we were still receiving new information from our participants; that is, we had not reached data saturation (Hennink, Hutter, & Bailey, 2011). Consequently, we decided to return to the field for two additional phases of data collection: the third of men only (from January 5, 2015-January 6, 2015) and the fourth of women only (from February 6, 2015-February 7, 2015). A total of 167 individuals met the criteria for participation after these four phases of data collection. We ultimately randomly selected reachable participants for the final sample of 80 unrelated individuals, of which 40 were men and 40 were women.
After contacting these participants, the principal investigator scheduled and conducted all of these approximately one-hour telephone interviews. As part of the public policy module in the interview protocol, we asked each of them the following questions: “Do you think divorce should be easier or more difficult to obtain in the United States? Why should it be easier or more difficult?” We encouraged our participants to elaborate whenever possible and prompted them with follow-up questions to understand the full depth of their meaning. We recorded all of the interviews and then had them professionally transcribed. This project was approved by our university’s Institutional Review Board (IRB#14-779M; initial approval 6/25/14-Present). All respondents provided oral consent, were guaranteed confidentiality (and assigned pseudonyms), and were offered the opportunity to withdraw at any point during the study without penalty.

**Sample characteristics**

Overall, male and female participants in the study were similar in terms of sociodemographic characteristics, as indicated by Table 1. On average, participants were 58.8-years-old, and their former spouses were 56.7-years-old. The mean length of their marriages was 24.2 years. In addition, many had been married more than once. The average time between their gray divorces and their interviews was 2.4 years. Over half of these participants lived with their partners before they got married, and about half of the sample indicated that they had initiated their divorces. About 75% had children resulting from their focal marriages, and remarriage was almost non-existent. Overall, most participants lived with at least one other individual in their household at the time of the interview (including family and non-family members). While very few lacked health insurance, only a handful had long-term health care insurance policies in place. The majority of participants were either Republicans or Democrats in terms of political party identification. This sample was also relatively advantaged in terms of key measures of socioeconomic status; overall average yearly household income was $88,402 per year (though it was notably higher for men than women), and a total of 50 of
the 80 participants had earned a bachelor’s degree or a graduate/professional degree. With respect to religion, most were Christian, and 73/80 of the participants were white.

[Table 1 about here]

Data analysis

Upon the completion of the interviews, we first began our analysis by reading through the transcripts numerous times. We approached the transcripts with applicable sensitizing concepts that had emerged from the literature review, such as “openness to an easy divorce” and “opposition to an easy divorce” (Blumer, 1986). Importantly, however, we remained fully receptive to new themes emerging from the interviews in this grounded theory analysis (Strauss & Corbin, 1990). After this preliminary reading of the data, the primary investigator began using open coding procedures with the assistance of the Atlas.ti software program. This translated into careful coding of the text in each response to our research questions. We further refined these emerging ideas by using focused coding methods, which involves noting both the relationship among these identified codes and returning to the literature for additional clarification (Charmaz, 2006). This technique enabled us to begin with initial codes such as “desiring a reduction in emotional pain” and “worrying about legal expenses” and then linking them to “favoring easier divorces.” The final stage of selective coding encompassed exploring how all of these focused codes produced the gray divorced population’s full spectrum of beliefs on the modern divorce process; this can be conceptualized as the “story line” of the data (Corbin & Strauss, 2008).

To ensure the trustworthiness of the data, we pursued several strategies (Lincoln & Guba, 1985). With respect to credibility, we allowed all participants to speak for themselves in describing their perception of the divorce process overall. This permitted the participants to use their own words rather than the researchers’ terms in elaborating upon their views (Geertz, 1973). In addition, in terms of transferability, we note that the data were collected within a specifically contextualized setting of
family law and dependable in that we used the data code-recode method to ensure stability in the thematic findings. Finally, we verified the confirmability of the data in that both researchers read through the texts and resolved any disagreements about the data through active discussion.

Findings

Out of the 80 individuals interviewed in this study, exactly 10 participants expressed views consistent with the marital decline perspective. We labeled this group “divorce delayers” as they argued that divorce should be harder to obtain across the board. In contrast, 29 participants indicated their support for the marital resilience perspective. In cases where either partner expresses a desire to exit the marriage, these participants explained how divorce should be easier to obtain in the United States. We called these participants “divorce facilitators.” Finally, two additional perspectives of interest emerged. A total of 18 participants were “divorce ambivalents,” noting that there were both positive and negative aspects of divorce being easy to obtain. Another set of 13 participants were “marriage gatekeepers;” these individuals argued that divorce laws are currently adequate as is—and do not need to be changed at all—but that marriages should be harder to enter into in the United States. Their hope was that by making marriage more difficult, divorces would be subsequently less likely. Only 10 participants either had no opinion or no detailed comments about whether divorce should be harder or easier to obtain in American society. Since they did not offer responses, these final 10 are therefore not discussed here. Overall, each of the 80 participants fell into one of these mutually exclusive categories.

Divorce delayers: Divorce should be harder to obtain

The first set of participants reflected the marital decline perspective and were called “divorce delayers” in this study. Interestingly, they expressed their belief that divorce should be harder to attain in a variety of ways. For example, some argued that the divorce process should be harder because it would instill within couples the importance of a long-term commitment to each other. One divorce delayer, Carol, 54-years-old, bemoaned the role of the internet in reducing the stability of modern marriages,
which she asserted should be worked on at almost all costs. Her views were shaped by her husband, 56-years-old, who had cheated on her using internet chatrooms. He subsequently met up in person with a woman whom he had met in one of these online forums, an action that undermined the longevity of their union that they had promised to each other in their marital vows. According to Carol:

I just think that we live in a time where everything is automatic gratification and that people don’t take the time to figure things out…You know, so [you’re] unhappy, so what do you do?…Let’s say there was no internet or Facebook or anything, and my ex-husband had said, “I’m unhappy [and I am not sure that] I really want to make this work.” The options [that] he’d have are looking outside for sexual stuff, [but that] would have been limited, not non-existent, [but limited]. I think the use of technology allows people who are, you know, quiet, shy, reserved, maybe not good looking…to go do something that no one has to know about. So I think now all this stuff is just at your fingertips, really. So it’s not like, “I really want to try hard.” It’s like, “Well, I’m really kind of tempted.”…So they don’t pursue a fix in the marriage; they look for a fix outside the marriage.—Carol

Carol was a divorce delayer in that she argued that individuals are too susceptible to “automatic gratification” and that “people don’t take the time to figure things out” when they should be taking their commitments very seriously; this attitude undermines the principle that all married people should have toward their union: “I really want to try hard.” In her case, she had been married for 25 years and took her commitment very seriously. In fact, before her husband began searching for partners on the internet, they had gone to counseling to improve their marriage since she thought he was unhappy. However, these efforts were not enough to save their union since her husband, in her view, sought an easy exit out of what she viewed should have been a strong and committed marital bond.

Other divorce delayers asserted that dissolution should be harder because of their deeply held religious values. Jeffrey, 57-years-old, summarized this view succinctly.

[Marriage] is a serious institution. It’s an institution that God, you know, established and He doesn’t like divorce. He says it in the Bible, just plain and simple. I think [divorce] needs to be harder.
Jeffrey, as a divorce delayer, argued that God “doesn’t like divorce,” and therefore it should be “harder” to achieve. He had been married to his 52-year-old wife for 29 years. His work in the oil industry required that he travel away from home for weeks at a time. Ultimately, he believed that his time spent away was a significant stressor on their marriage, such that his wife ultimately had an affair. While he wanted to go to couples counseling due to his strongly-held views on religion and splitting up, his wife refused and demanded a divorce. Expressing a similar commitment to religion as guiding his perspective on divorce, Donald, 52-years-old, had been married to his 41-year-old wife for 18 years. He readily admitted that he was not an easy partner for anyone. He worked as a truck driver and was away from home a lot. In addition, he suffered from sleep apnea that made him very “grouchy” when he was at home. Much to his severe disappointment, his wife at the time initiated the divorce process, a decision that he could not reverse even as he implored her to seek out couples counseling.

There’s way too much divorce going on in this country…I mean, let’s think about this for a second. Where do most marriages happen? In a church. What’s a church? It’s God’s house. What does the preacher say? “Before God.” Marriage is a covenant that you make with God. Too many people have Godless marriages…I won’t exclude myself. I did it, too. We twisted the word of God to fit what we wanted to believe. “Oh, if I get drunk tonight, God’s not going to know. He’s not going to care. You know, Jesus drank wine. You know, he had wine at the last supper. Good old times! They had a good time, why can’t we?”…So we as people, we as a society, we twist the word of God to fit what we want to believe. And I’ve heard people actually say that the Ten Commandments ought to be rewritten to fit today’s society…I’m like, “No, why rewrite something that has worked for all of these years?”…The Commandments are the Commandments, you know.—Donald

As a divorce delayer with a religious perspective, Donald maintained that marriages are doomed when people “twist the word of God to fit what we want to believe,” instead of working on them like they should; these attitudes ultimately produced “way too much divorce” in the country. In his case, Donald found out that his wife had started cheating on him in the last years of their marriage. After that, he recognized that the marriage was not sustainable, no matter how hard he tried. This was extremely
painful for him because in his mind, marriage as an institution was blessed by God and meant to last until death.

**Divorce facilitators: Divorce should be easier to obtain**

In contrast to those with a marital decline perspective, a larger number of participants supported the marital resilience perspective. In the view of these “divorce facilitators,” divorce should be easier to obtain in the United States so as to minimize personal harm. These divorce facilitators made this argument in a variety of ways. One type of harm was the emotional agony of those going through the legal process of a marital breakdown. Christine, 64-years-old, stated this idea very clearly.

> [Divorce should be easier] because why beat a dead horse? If it’s done, it’s done. Why prolong peoples’ misery? Give them an out.—Christine

As a divorce facilitator, Christine asked, “Why beat a dead horse?” when a marriage is over; instead, she wanted to do everything possible to “reduce peoples’ misery.” Christine had been married to her 63-year-old husband for 31 years. About 20 years into the marriage, she suspected that he was having an affair with their neighbor, which turned out to be true. Although they went to counseling and he ended that relationship, he continued to be unfaithful with other women throughout the duration of their marriage. In the end, she realized that she endured a significant amount of pain while in this relationship, and implementing an easier divorce process for those who had made the final decision to split was a way that others could experience less emotional strife.

Other divorce facilitators asserted that policymakers should work more diligently to minimize another type of individual harm for couples legally parting ways: men and women losing control over their valuable time. Viewed from this perspective, divorces that took excessively long to resolve robbed these ex-partners of the time that they could be using to start achieving their own new personal life goals. Brenda, a 56-year-old divorce facilitator, objected to the amount of time necessary to go
through a divorce; in particular, she complained about the mandatory divorce waiting periods that are required in some states.

I feel like if you are an adult and go into a marriage, …and you decide that it’s over and you want a divorce, I don’t feel like someone from the outside of you and your spouse should have the right to say, “We don’t think so.” I mean, I’m not saying there’s not a commitment, but I don’t think it should be any worse than, [for example], I need to sell this car (laughing). [No one should say.] “No, I’m sorry, you need to drive it for another six months to make sure you [really] want to sell it.” …Yeah, because, you know, I’m the one driving it. I decided [that] I don’t want to make this payment anymore or whatever it is, for whatever reason. Why should I have to keep driving it for six months and then you decide, okay, you’ve given it enough trial time so now you can sell it?—Brenda

Representing the divorce facilitator perspective, Brenda argued that people should be able to exit their marriages easily because no one “from the outside of you and your spouse should have the right to say, ‘We don’t think so’” and make you wait through “trial time” after you have decided to divorce. In her case, Brenda had been married to her 53-year-old husband for 16 years. Her husband gradually lost interest in her, and she eventually discovered that he was addicted to internet pornography. Although they tried to work things out, her husband could not stop his compulsion and completely gave up on a sexual relationship with her. She knew that there was nothing that she could do to salvage the relationship and wanted out of the marriage to lead her life on her own as soon as possible.

Lastly, other divorce facilitators maintained that policymakers should make divorce easier by reducing the individual harm of financial damage caused by marital splits. Karen was 53-years-old and her husband was 56-years-old. For most of their 21-year marriage, Karen had “thought about, dreamed about, plotted about, [and] schemed about” divorcing her husband because they were simply not compatible. “The nuts and bolts reasons are [that] I thought he was mean to me, controlling, domineering, bossy,… [and] mean to my kids. We had nothing in common whatsoever, nothing.” Karen thought she was fortunate in many ways that she was able to limit the costs of her divorce, something that was not available to many other couples and a problem that she argued had to be solved across the United States.
I mean, you can get married really easily, so why can’t you get divorced real easily? I think it’s a little bit of a…not a scam but a little bit…ridiculous…[In my state], you can…go and file yourself and pay $50 and be done with it. So it’s easier probably in [my state] than in other states. I think it’s unfortunate…You know, we spent probably $6,000 combined getting our divorce and that was on the probably low end. I know other people who have spent way more than that and I think it’s a shame. [Divorce is really] a business really now.

Karen, as a divorce facilitator, maintained that breaking up should not be “ridiculous” and cost couples their savings, but unfortunately, it had become “a business” now. In a similar way, George, 56-years-old and married to his 50-year-old wife for 25 years, pointed out how the high costs of divorce made it a difficult process, even for those with significant financial wealth. His divorce was caused by multiple factors, including growing apart and his own infidelity; yet, he believed he was punished disproportionately as he began his divorce proceedings. He owned a successful construction business, earning about $250,000 per year, while his wife initially was a stay-at-home mother to their two daughters. Eventually, his wife started working with him in the construction company. However, he did not view her contribution to the company as significant at all, calling her simply “a body” there. As a divorce facilitator, he sorely resented the cost of his divorce and felt it to be extremely punitive to him personally.

So if you get divorced in the United States and if you have absolutely nothing, it’s easy...You’re just done with that person. But if you own a company and if you have properties, you have stuff—oh my God, it’s extremely painful. As a matter of fact, I'm thinking of writing a book (laughing). [The book will be about]...what you want to do in a divorce. Don’t do anything in divorce other than in the last three weeks of your divorce. Because prior to that point, you’re just basically paying lawyers to talk to each other.—George

Here, as a divorce facilitator who objected to the high costs of breaking up, George pointed to the divorce process as unfairly benefiting members of the judicial system, and in particular, lawyers. He warned everyone to avoid interacting with their attorneys until the end of the divorce process, since individuals are only “paying lawyers to talk to each other.” Notably, he actually ended up suing one of
his three attorneys for overbilling, and eventually won, but this did not stop him from feeling financially penalized in the divorce process. From these personal experiences, he concluded that divorce should definitely be made easier.

**Divorce ambivalents: Divorce processes are case dependent**

There were two other sets of responses that emerged from the data here. One involved participants who were “divorce ambivalents,” or ambivalent in their views about the ease of the divorce process. For these participants, marriage is a beneficial institution that deserves to be protected more vigorously against divorce if at all possible, consistent with the statements of the divorce delayers described earlier. At the same time, however, they acknowledged the divorce facilitators’ point of view in the sense that they believed that marital dissolutions should be easier in certain cases in order to reduce particular types of individual harm. Linda, 55-years-old, for example, asserted that for some people, especially those experiencing abuse, divorce should be readily available to minimize damage to a person’s physical or emotional health. However, she noted that for others, divorce should be more difficult due to her strong religious beliefs.

I think that [for some, the decision to divorce is] so individual. I don’t want to make a [blanket] statement because I think there are times that it’s so important for somebody who has difficulty to obtain it. [For example, individuals who are] being abused… should be able to obtain it quickly. On the other hand, [for] someone in my position, I’m glad that I had the luxury of extending [the divorce process] because I wanted my husband to come home. I thought it would be… helpful in my healing and in my understanding [to] get through this to have the time.—Linda

As a divorce ambivalent, Linda did not “want to make a [blanket] statement” as to whether divorce should be easier or harder; it all depended on the individual case. Linda was married to her husband, 56-years-old, for 34 years. They had three children together. However, over the course of their marriage, Linda’s husband, in her view, became increasingly narcissistic. He was a well-known physician and lectured all over the country on the research focus of his medical practice. Since he was
in the spotlight in his profession with all of the adulation that followed, he started to resent all of the routine obligations that he had at home, such as completing household maintenance chores, paying bills, and performing other types of family responsibilities. He also started to resent his wife’s calls for the family to be more religiously observant. This caused substantial conflict within the marriage and ultimately he strayed. Yet even after Linda eventually found out that he was having an affair, she wanted time to save the marriage because she “still [hadn’t] gotten over this man…and…still [held] tremendous love for him.” Her religious faith, Judaism, placed great emphasis on the importance of the family, and she only gradually and reluctantly gave up hope that she and her husband would reconcile.

Others also expressed ambivalent feelings when they described the conditions under which divorce should proceed. To Scott, marriage was a beneficial institution and divorce should be harder in some cases due to one primary factor: the presence of minor children. In other cases, the principle of minimizing harm, in this case preventing the loss of control over one’s time during a drawn-out dissolution, should be upheld and divorce should be made easier.

I do believe that when there are children involved, [divorce should be harder]…That’s the first thing that we were asked [when we sought a divorce], “Are there children involved under the age of 18?” At that point, you’ve got to go through [divorce education for parents]... where they basically talk to you about the effect of the divorce on the kids, that kind of thing…I believe in that. Otherwise, I believe it should be just the easiest thing…it should be as easy [and quick] as getting married to get a divorce.—Scott

Here Scott, as a divorce ambivalent, strongly argued that divorce should be harder “when there are children involved,” but “otherwise…it should be just the easiest thing.” At 65-years-old, Scott had been married to his 68-year-old wife for three years. This was his second marriage, which was brief because quickly after they started living together as a couple, he discovered that she was always “correcting” him in anything he did. He wanted out of his short, childless marriage quickly, and argued that other similarly situated adults should have the same rights. Gary, who was 50-years-old like his
wife of 29 years, echoed the same sentiments about balancing the need to protect children with reducing the time associated with moving through the bureaucratic court system in a divorce.

In a lot of ways I think [divorce] should be more difficult. The county I live in now—if there are children involved, you have to go to counseling for a year before you get your divorce...[But there are cases of wasted time]...A lot of times I felt like nobody in the court system really cared. They all have a job to do and it’s just [lots of] paperwork.

Gary revealed himself as a divorce ambivalent when he maintained that “if there are children involved” divorce should be harder, but otherwise it should be easier, because right now “it’s just [lots of] paperwork.” In his case, Gary’s wife deserted him one day, moving out with their three children and simply leaving him a note stating that she wanted a separation. One week later, Gary reported that she served him with divorce papers. At first, he encouraged her to attend counseling with him, but she refused. Once he accepted that they were not going to get back together, he found himself overwhelmed by the time involved in filling out the paperwork for a divorce. He could therefore see reasons for divorce being both easier and harder to obtain under different circumstances.

Marriage gatekeepers: Marriage should be harder

A final set of participants believed that divorce laws were adequate as is and did not need to be reformed in any way, but maintained that marriages should be more difficult to enter; these were the “marriage gatekeepers.” In their perspective, if getting married were made more challenging, perhaps divorce would become less common overall. Ann, 55-years-old, discussed how in her view, the ease of entering a marriage devalues the seriousness of union formation.

You can go to Vegas and get married in an hour. You can get married on a whim but to get divorced, depending on where you are getting divorced, you might have to wait six months or a year. I think we should have to apply for a marriage license and wait six months to a year because there are a lot of people who get married on a whim...I think people would think about it more [if they had to wait] before going into it.—Ann

As a marriage gatekeeper, Ann firmly concluded that “there are a lot of people who get married on a whim,” and that is the reason why marriages do not work out. In many ways in her own case, Ann was
not just regretting her latest 5-year marriage to her 53-year-old husband that had faltered due to his repeated drug use. Ann had actually been married five times. Upon reflecting on her experiences, she thought that overall, her life had been extremely difficult with these successive marriages. For example, her first husband was physically violent, and she reported moving constantly in order to evade his persistent and abusive stalking. If marriage were harder, perhaps she would have been forced to be more restrained and not have entered into so many unions that ended up being as painful as her first marriage.

Other marriage gatekeepers argued that marriage should be made harder for another critical reason: that early love can blind couples to the realities of marriage. On this point, Joan maintained that individuals need to learn more about the complexities of relationships before they commit to marriage.

I think there should be marriage education, and serious… social immersion [such that] people have to go and spend time with married people who they don’t know. [When people are getting married,] everybody wants them to be happy. They’re not actually saying, “Are you fully aware of what you are getting into?” And I think [these prospective partners] should…almost [have] an internship around married people. [They should learn about] different cultures of married people and particularly about blended families.—Joan

Joan, as a marriage gatekeeper, firmly argued that there “should be marriage education” before couples tie the knot so that they “are fully aware of what [they] are getting into” as a way to reduce divorce. Joan and her husband were both 53-years-old and had been married for 34 years; this meant that they originally tied the knot at the very young age of 18. She stated that she was very much in love with her husband during most of their marriage, which ultimately produced four children. Like many other couples, however, they repeatedly clashed over issues such as money management, discipline, and conflict resolution. When the fights between them began to escalate even further, she was able to convince her husband to attend couples counseling along with her. However, he was not open to
listening to her perspectives in therapy and ultimately he decided to end their marriage. Janice, 61-
years-old, echoed this same sentiment that couples need to seriously think about areas of potential
conflict before they get married.

I think [it is good] that Catholics are forced to go through that Pre-Cana process…I think that anyone who wants to get married should really have the book thrown at them in terms of how you communicate. [For example.] how do you spend money? I think there are so many issues…that should be questions asked of two people before they are allowed to get a [marriage] license.

Janice, a marriage gatekeeper, strongly summarized her feelings when she stated that couples wanting to get married “should really have the book thrown at them” before they are permitted to do so; this would be an effective way to reduce divorce. Janice had been married to her 60-year-old husband for 36 years. She regretted that she made such an important decision so young and without being informed of what marriage really involves between couples. According to Janice, “My opinion is that we were young and got married at 24, and we just had different career paths. Our interests began to grow distant…And then all of sudden, we were face-to-face with each other…[and] a different persona presented itself.” Eventually, their differences grew too strong to bear, and they proceeded forward with the divorce decision.

**Discussion**

Among the general population, most large-scale survey data show that while individuals overall largely approve of divorce as a practice in American life, they remain much more divided about divorce as a process, particularly regarding how easy or hard a legal dissolution should be to obtain (Thornton, 1985; Cherlin, 1992; Thornton & Young-DeMarco, 2001; Cherlin, 2009; Smith et al., 2016; Gallup,
Those holding the marital decline view see the central stabilizing force that marriage plays as a serious institution in American society, as well as the overall well-being benefits it provides to individual couples. As a result, they argue that divorce should be harder to obtain. In contrast, those with a marital resilience perspective hold that marriage currently is as strong as it needs to be for individuals to demonstrate love for each other and promote personal growth. As such, divorce should be easier to obtain in American society and be accomplished in the most efficient way possible so as to minimize individual harm.

This analysis aimed to understand the qualitative attitudes about the ease of marital dissolution among heterosexuals who have experienced a gray divorce, or a divorce at or after the age of 50 in the United States. It began with the premise that men and women who divorce within this age group are in a unique life stage. On one hand, these Baby Boomers may have had long marriages, with personal histories involving children and other key life events with their partners that could cause them to believe that the divorce process should be more restrictive. On the other hand, since these men and women have already reached mid-life, they might want to support all individuals’ abilities to exit their unions as easily as possible, thereby making them champions of a more efficient and streamlined divorce process. In fact, this analysis, based on in-depth interviews of 40 men and 40 women who have experienced a gray divorce, shows that this population has quite diverse views about the conditions around which couples should legally be able to end their unions.

More specifically, this research provides three significant contributions to our knowledge about how Baby Boomers who have experienced a gray divorce view the divorce process. First, this study reinforces previous research that suggests that most Americans differentiate between divorce as a practice—or a permissible choice—versus divorce as a process—or how easy or difficult it should be to obtain. On this point, polling data demonstrate that while the majority of Americans across all age
groups and marital statuses approve of divorce as a practice, they remain much more conflicted about it as a process. Indeed, this sample of those who have undergone a gray divorce had a wide range of views regarding how easy or difficult legally splitting up should be.

Second, this analysis is important in that it adds insight into the complex reasons men and women who have experienced a gray divorce may have for desiring that the divorce process be easier or harder, reasons never captured before by survey data nor any qualitative studies. Such an analysis is critical because, while a few qualitative studies on related divorce topics exist, they largely focus on younger, unmarried, low income populations and mostly on questions regarding divorce as a practice (Waller, 2002; Edin & Kefalas, 2005; Edin & Reed, 2005; Cherlin, Cross-Barnet, Burton, & Garrett-Peters, 2008; Usdansky, 2009). In addition, on matters of process, until this study, survey data drawn from the general population primarily indicated that only the presence of children might make a majority of respondents more inclined toward a more difficult divorce process (Time, 1997). This analysis thus provides many more clues into the multiplicity of factors that drive how the gray divorced population specifically thinks about dissolution as a process overall.

A key finding related to the views presented here is that the causes and circumstances surrounding their own personal divorces did not necessarily translate into one uniform perspective on how easy or difficult the divorce process should be for all. That is, individuals who similarly experienced infidelity, abuse, or other forms of distress frequently diverged from one another in terms of their views on the divorce process. Moreover, at times and most apparent among the divorce ambivalents, aspects of their attitudes were completely independent of their own personal experiences.
Future research, therefore, needs to explore how these attitudes are formed, shaped, and defined if personal divorce histories play only a partial, if any, role in their development.

Third, because of the breadth of views reflected here, this research dispels the notion that many Baby Boomers are cavalierly walking away from unions that are simply “not working” for them anymore. On this point, several scholars have argued that the Baby Boomer generation was the first in America to experience and live out a new set of values that started to emerge in the post World War II era (Russell, 2013). During this time period, which was driven by increased consumerism, political tumult, and social change, Baby Boomers grew up believing that personal happiness should drive all of their choices at all times. The research presented here shows that much more complicated factors are at work, and that most individuals do not abandon marriages casually—even those who expressed divorce facilitator views. Indeed, on this point, some advocates of the marital resiliency framework might argue that it is perfectly acceptable for there to be a short “fuse” between feeling that a marriage is not working—not feeling loved or supported in one’s life goals—and filing for divorce. In these types of cases, those espousing this view would generally argue that divorces should be more easily granted and they would thus be considered “divorce facilitators.” However, this study sheds light on another type of divorce facilitator: those who argue that individuals with longer “fuses” should still be entitled to easier divorces. More specifically, many divorce facilitators in this study had fought hard for their marriages and held on to hopes of reconciliation for a long time. This means that being a divorce facilitator simply signifies agreement over the ease of divorce attainment once decided, not that marriages should be discarded upon the first signs of personal dissatisfaction.

Of course, this study is not without its limitations. Although participants were asked about their general views regarding whether divorce should be easier or harder in the United States, many of their answers nonetheless might be somewhat informed by the states in which their own divorces were
granted. State-level laws define the divorce process for individuals across the country. Since the recruitment process in this study enabled the sample to be drawn from across these fifty states, this means that divorce procedures and requirements were not the same for all participants. Their answers, therefore, should be considered as emerging from within the framework of these baseline differences.

It is also important to note that this sample self-selected into the study and that there may be some differences from the results presented here and those generated from a random sample of the gray divorced population. For example, three key factors driving participation might be computer accessibility to view the Facebook recruitment ads, a strong motivation to tell one’s story, and having the time/resources to speak with a researcher. As a result of this self-selection process, this sample was relatively socioeconomically advantaged in comparison to a nationally representative sample of those who have experienced divorce at or over the age of 50. For example, the sample in this study was 91% white, as compared to a racial breakdown of 69.4% white, 15.2% Black, 9.7% Hispanic, and 5.8% other in a 2010 representative sample of those experiencing a divorce at or after the age of 50 (Brown & Lin, 2012). Additionally, this study’s sample was better educated (with a much higher percentage of participants having a bachelor’s degree or more), and all of the participants in this study were divorcing from heterosexual marriages. Their opinions on the divorce process, therefore, might diverge from a less advantaged or from a more diverse sample.

Despite these limitations, however, this research still provides important insights into the Baby Boomer generation’s views of the American divorce process overall. Those in this population, as we have seen, do not have uniform views about the divorce process. In fact, some expressed a desire for divorce laws to be made more difficult, while larger numbers argued that divorce laws should be liberalized. In addition, many had ambivalent views about the divorce process overall, while others made the case that marriages should be harder to obtain. The diversity of these perspectives demonstrates that many Americans, even after having gone through a divorce themselves at or after the
age of 50, take marriage seriously and expect the legal system to reflect these views. Policymakers need to consider all of these perspectives as they reform divorce laws in the future.
Table 1. Descriptive statistics on study sample

<table>
<thead>
<tr>
<th>Characteristic</th>
<th>Men</th>
<th>Women</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Age</td>
<td>58.5</td>
<td>59.2</td>
<td>58.8</td>
</tr>
<tr>
<td>Average Age of Ex-Spouse</td>
<td>54.4</td>
<td>59.0</td>
<td>56.7</td>
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<tr>
<td>Average Years Married Before Gray Divorce</td>
<td>22.4</td>
<td>26.1</td>
<td>24.2</td>
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<tr>
<td>Average Number of Total Divorces</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
</tr>
<tr>
<td>Average Years Between Gray Divorce and Interview</td>
<td>2.1</td>
<td>2.7</td>
<td>2.4</td>
</tr>
<tr>
<td>Number of Participants who Lived Together Before Marriage</td>
<td>21</td>
<td>25</td>
<td>46</td>
</tr>
<tr>
<td>Number of Participants who Initiated Divorce*</td>
<td>14</td>
<td>29</td>
<td>43</td>
</tr>
<tr>
<td>Number of Participants with Biological/Adopted Children from this Marriage?</td>
<td></td>
<td></td>
<td>58</td>
</tr>
<tr>
<td>Average Number of Total Children from Focal Marriage</td>
<td>1.7</td>
<td>1.8</td>
<td>1.7</td>
</tr>
<tr>
<td>Number of Participants who have Remarried</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Average Number of Persons in Household***</td>
<td>1.4</td>
<td>2.0</td>
<td>1.7</td>
</tr>
<tr>
<td>Number of Participants Who Have Health Insurance Now</td>
<td>37</td>
<td>39</td>
<td>76</td>
</tr>
<tr>
<td>Number of Participants Who Have Long-term Care</td>
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<td>5</td>
<td>6</td>
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<tr>
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<tr>
<td>Republican</td>
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<td>Independent</td>
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<tr>
<td>Other</td>
<td>12</td>
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<tr>
<td>Average Household Income***</td>
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<td>$76,905</td>
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<td>4</td>
<td>7</td>
</tr>
<tr>
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<td>0</td>
<td>1</td>
</tr>
<tr>
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<td>37</td>
<td>36</td>
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<tr>
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<td>1</td>
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<tr>
<td>Hispanic</td>
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<td>3</td>
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<tr>
<td>Native-American</td>
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<td>1</td>
<td>1</td>
</tr>
<tr>
<td>TOTAL</td>
<td>40</td>
<td>40</td>
<td>80</td>
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Notes: *Initiated Divorce: 2 men reported the divorce decision to be mutual. **Average Number of People in Household: 1 man reported this number as varying. ***Political Party Identification: 1 woman refused. ****Average Household Income: 3 women refused.

REFERENCES


