

"The World-Wide Scandal of American Marriage and Divorce Law"

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Yesterday, **this blog discussed** the attitude of one segment of the Jewish population toward the marriage issue *du jour*, same-sex marriage. 98 years ago, however, a different issue related to civil marriage captured Jewish communal attention.

This week, from the J-Vault: *Remedy for the Divorce Evil: A Proposed Federal Marriage and Divorce Law* (1913)

The laxity of our divorce laws has done much toward the undermining and disrupting of our homes. Agencies interested in adjusting martial differences have found themselves helpless in adjusting the case of a deserted wife and children, wherein the husband and father produced a decree of separation or divorce obtained by him in another State...

...Under the liberal divorce laws of the United States, divorce is almost optional with either of the parties and fraud has become legalized. But now that the power of amending the United States Constitution is being more actively exercised, it is a source of satisfaction that the following proposed joint resolution to amending the United States Constitution has been introduced into the House of Representatives: "Congress shall have the power to establish uniform laws on the subject of marriage and divorce for the United States, and to provide penalties for the violation thereof."...

...The difference of sentiment between South Carolina, where divorces are not granted, and South Dakota, where they are procured for trivial cause, or between New York and Massachusetts, can scarcely be compromised to enable the adoption of similar laws by the States. For a cooperative statute to be of real service, it would have to be of uniform application and force... The proposed amendment should be zealously advocated, because it offers the only practical method of doing away with the world-wide scandal of American marriage and divorce law.

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