



# The Illusion of Equality: The Rhetoric and Reality of Divorce Reform

*Martha Albertson Fineman*

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## **The Illusion of Equality: The Rhetoric and Reality of Divorce Reform** Martha Albertson Fineman

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

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