

In the Czech Republic since the 1980's approximately 30 000 couples get yearly divorced and this rate has remained stable through the years in spite of a decreasing marriage rate and the new ongoing population structure according to family status. Contrary to other demographic processes which in the 90's encountered a decrease of former extensively high rates of mortality, nuptiality, abortion and natality, we notice a rather opposite tendency as to divorce. Since the mid 70's the total divorce rate had reached a percentage of about 30% rising till 1990 to 38% and in the late 90's to 42%. This means that more than 4 out of 10 marriages in the Czech Republic eventually end in divorce. 1999 remained an exception when a decrease took place triggered by a legislative change but at the turn of the century the rising tendency is going on. Particularly since 1992 the divorce index is on the rise (from 38.6 to 53.7 divorces out of 100 registered marriages in 2000). The divorce rate oscillates at approximately 11–13 divorces out of 1 000 yearly marriages. In 2001, 31 586 married couples got divorced representing a total divorce rate of 45%.

Following a Two-year Decrease the Total Number of Divorces Is Approaching its Former Level

Table 3.1: Divorces 1989–2001

Indicator	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Number of Divorces	32 055	29 366	28 572	30 227	30 939	31 135	33 113	32 465	32 363	23 657	29 704	31 586
Crude Divorce Rate	3.09	2.85	2.77	2.93	2.99	3.01	3.21	3.15	3.14	2.30	2.89	3.07
Number of Divorces per 100 Marriages	35.2	40.8	38.6	45.8	52.9	56.7	61.4	56.2	58.8	44.2	53.7	60.3
Divorce Rate per 100 Married Women	12.4	11.4	11.2	11.9	12.2	12.4	13.3	13.1	13.1	9.7	12.2	13.2
Total Divorce Rate	38.0	34.7	33.9	36.1	37.5	38.4	41.7	42.0	42.9	32.3	41.2	45.0

Within the international context the Czechia belongs to countries with a high divorce rate, such as Scandinavian countries, Russia and the Baltic states, Great Britain and Germany. On the contrary among countries bearing a strong Catholic tradition with Europe's lowest divorce intensity, one can find first of all Italy, Spain and Poland. In Slovakia the total divorce rate is, in comparison to the situation in our country, close to one third lower.

The high divorce rate in the Czech Republic is caused by a few factors. Civil divorce has been available in Czech lands ever since 1919, first of all as a bed and board divorce, then a separation and since 1950 as a single-step one; thus divorce is rooted in a long tradition in the Czech lands. After WWII marriage was thoroughly secularized and both partners rights to obtain divorce were underlined. Throughout the period we analysed, couples were granted a divorce according to a rather liberal legislation dating from the sixties. The law concerning family # 94/1963 and the civil law # 99/1964 gained jurisdiction as of April 1, 1964; thus legally based divorce commissions were cancelled due to the # 49 Civil Code bill in 1973. Divorce practice was gradually simplified as divorce became socially tolerated. Czech society is very tolerant towards divorce which is considered as an acceptable solution to marital controversies. Over 40% of divorcing couples state difference in characters, opinions and interests as grounds for divorce which implies a smooth divorce following a mutual agreement. Extreme causes for divorce are declining, their rate is decreasing. For example male alcoholism was, according to court proceedings, the cause for 16.4% of divorces in 1980 and down to a mere 5.8% in 2000; violent male behaviour and crime was the cause for 6.7% of divorces in 1980 and down to a mere 1.6% in 2000. One of the reasons for a high divorce rate was also due to a high marriage rate at a young age, linked to an early fertility of young women due to a low contraception rate. Half of first-born children of married couples were conceived prior to marriage which indicates a high number of forced weddings. Such marriages often ended in divorce either after a few years or after children were grown up and the genuine reason for maintaining marriage became obsolete. We can also consider among mediators of the high divorce rate the lack of flats, often leading to sharing a household with one set of in-laws, and female high employment rate which contrasted with the traditional housework division but also brought about a certain level of relative economic independence.

Figure 3.1: Total Divorce Rate in Selected European Countries in 2000

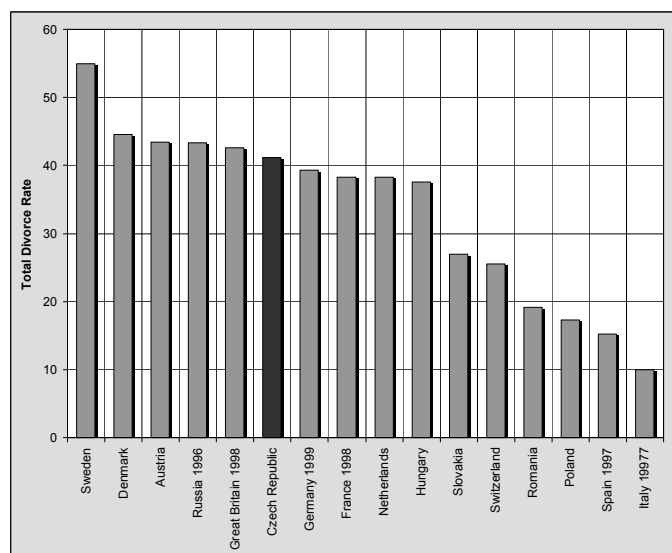
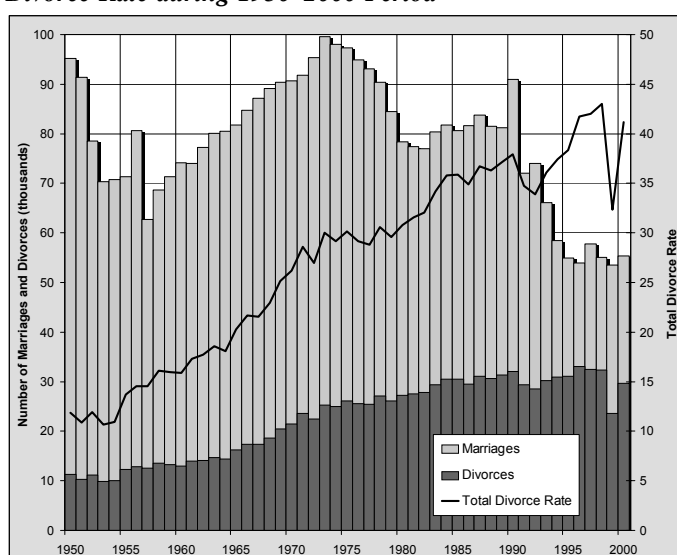


Table 3.2: Married Couples' Registered Grounds for Divorce (%)

Grounds for Divorce	On the Husband's Part			On the Wife's Part		
	1990	1995	2000	1990	1995	2000
Rash Marriage	5.6	4.4	2.2	5.6	4.5	2.2
Alcoholism	10.3	9.4	5.8	0.9	0.7	0.5
Infidelity	15.0	12.9	8.0	13.2	10.5	5.6
Indifference Towards Family (incl. Family Desertion)	7.6	7.3	5.3	2.5	1.8	1.2
Violent Behaviour, Criminal Conviction	2.7	2.1	1.6	0.1	0.2	0.1
Difference in Characters, Opinions and Interests	40.5	48.8	47.0	40.5	49.9	49.1
Health Reasons	1.0	0.5	0.3	1.3	0.5	0.3
Sexual Incompatibility	2.7	1.7	0.6	2.7	1.7	0.6
Other Reasons	7.9	9.3	22.3	9.4	12.6	26.6
No Fault Found by Court	6.8	3.7	6.9	23.8	17.5	13.7

A factor of the Czech Republic high divorce rate is its population low religiosity which is furthermore obvious according to regional divorce distribution: besides big cities the maximum is reached in the North specifically in the Karlovy Vary, Ústí nad Labem and Ostrava regions. The 2000 crude divorce rate which represented 2.89 divorces out of 1 000 inhabitants, reached its maximum in the Karlovy Vary region (3.81) while the lowest was in southern Moravia and in the Czech-Moravian uplands (Jihlava region 2.23) where a higher percentage of inhabitants acknowledge a religious belonging.

Figure 3.2: Number of Marriages and Divorces and Total Divorce Rate during 1950–2000 Period



In 1998 a new law on family # 91/1998 was passed coming into effect as of 1 August 1998 thus significantly modifying divorce legislation. First of all it established divorce based on mutual agreement. As long as spouses had not lived together for at least half a year and had sorted out their property issues and their relation towards their underage children, the court would declare an undisputed divorce without establishing grounds for divorce. However the bill barred divorce during the first year of marriage and limited divorces running counter to underage children interests. Thus the law enables to end so-called dead marriages when following three years of mutual separation, divorce can be pronounced even without one of the parties agreement. In addition to undisputed divorce there is disputed as well as aggravated divorce. The cause for marriage breakup is researched but no longer its fault. As far as undisputed divorces are concerned no cause is established thus data regarding the cause for marriage breakup are not completely comparable with the former period. The only cause for divorce according to Czech legislation is “a relational breakup between spouses”.

Due to the new legislation a decrease in the number of divorces took place from 32 363 in the last year to 23 657 in 1999, most of which being specifically marriages with underage children. However the following year in 2000 the number of divorces regarding families with children, which represent roughly two thirds out of all divorcing marriages, rose again towards its former level. Due to a sharp fertility level decrease in the 90's the rate of single child marriages divorces increased as opposed to numerous children marriages.

The greatest social problem brought about by divorce is the fact that underage children lack daily contacts with one parent. During the 1990–2000 period over 340 000 children lost one parent (usually their father), representing almost one fourth of 1.4 thousand children born to married mothers during the 1980–1990 decade. The mentioned decade is roughly the divorced couple average marriage duration which gradually expanded to twelve years during the late 90's. The greatest breakup risk looming over married couples in their third year of marriage shifted during this same period to their fourth year while childless couples generally divorce earlier. During the 90's a decrease in early divorces number during the first three years of marriage occurred, primarily caused by a high marriage rate at an early, immature age often triggered by pregnancy. First marriage year divorce was banned under the new law. However this phenomenon mostly shifted onto the second year of marriage.

**Childless Marriages
End Up Divorcing
Sooner than Marriages
Bearing Children**

Table 3.3: Divorces according to Number of Underage Children (%)

Number of Children	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
0	8 920	8 313	8 086	8 467	8 650	9 027	9 675	9 862	10 727	9 480	10 637
1	12 709	11 638	11 365	12 415	12 902	12 880	13 690	13 274	12 607	8 199	11 084
2	8 956	8 076	7 873	8 119	8 124	8 003	8 504	8 144	7 802	5 248	7 015
3+	1 470	1 339	1 248	1 226	1 263	1 225	1 244	1 185	1 227	730	968
Total	32 055	29 366	28 572	30 227	30 939	31 135	33 113	32 465	32 363	23 657	29 704
Divorced Marriages with Underage Children (%)	72,2	71,7	71,7	72,0	72,0	71,0	70,8	69,6	66,9	59,9	64,2
Average Number of Children – All Divorces	1.10	1.09	1.09	1.08	1.07	1.05	1.05	1.03	0.99	0.89	0.96
Average Number of Children – Families with Underage Children	1.53	1.52	1.52	1.50	1.49	1.48	1.48	1.48	1.49	1.48	1.47

Married females and males get mostly divorced between 20 and 25 years of age following a maximum nuptiality intensity three to four years earlier. As opposed to the late 80's, divorce distribution level according to age did not change much since divorce rates grew proportionally across the whole age range. Only the 25–29 male age range got closer to the 20–24 age range as to its intensity during the early 90's. Between 1980 and 2000 maximum divorce rate shifted from 28 up to 33 years of age for men and from 24 to 29 for women. Divorcees average age rose between 1990 to 2000, from 36.3 to 38.6 for men and from 33.1 to 35.9 for women, stepping up during the decade second half. This is primarily due to marriage age increase and to a lesser degree to postponing divorce to later marriage stages as well. The difference in both sexes average ages is due to the fact that on average men marry two to three years younger women.

Divorces Occurred after Longer Duration of Marriage and at Advanced Ages

Table 3.4: Divorce Rate according to Duration of Marriage (number of divorces per 100 original number of marriages)

Marriage Duration	Total					With Dependent Children ¹			Without Dependent Children ¹		
	1990	1995	1998	1999	2000	1998	1999	2000	1998	1999	2000
0	0.75	0.37	0.57	0.41	–	0.12	0.04	–	0.45	0.37	–
1	2.69	1.89	2.26	1.90	2.33	0.70	0.31	0.44	1.56	1.58	1.88
2	3.38	2.97	3.01	2.49	2.88	1.47	0.88	1.09	1.54	1.61	1.79
3	3.16	3.46	3.15	2.51	3.21	1.88	1.22	1.69	1.27	1.28	1.51
4	2.83	3.05	3.19	2.34	3.00	2.16	1.33	1.88	1.03	1.01	1.12
5	2.50	2.61	2.91	2.13	2.66	2.09	1.38	1.83	0.82	0.75	0.84
6	2.14	2.34	2.70	1.99	2.44	2.04	1.43	1.79	0.66	0.56	0.65
7	2.00	2.09	2.48	1.74	2.29	1.95	1.30	1.80	0.53	0.45	0.49
8	1.66	1.86	2.18	1.66	2.14	1.77	1.27	1.72	0.41	0.39	0.42
9	1.53	1.69	1.91	1.45	1.98	1.56	1.13	1.65	0.35	0.32	0.33
0–4	12.80	11.75	12.18	9.65	11.42	6.33	3.78	5.11	5.85	5.85	6.30
5–9	9.83	10.59	12.18	8.97	11.51	9.41	6.51	8.79	2.77	2.47	2.73
10–14	6.08	6.52	7.54	5.39	7.45	6.52	4.52	6.38	1.02	0.88	1.07
15–19	4.41	4.37	4.96	3.48	4.78	4.35	2.94	4.14	0.61	0.54	0.65
20–24	2.89	3.00	3.38	2.51	3.26	1.53	1.05	1.51	1.85	1.46	1.75
25+	1.94	2.13	2.62	2.31	2.75	0.35	0.26	0.33	2.27	2.01	2.42
Total Divorce Rate	37.95	38.37	42.86	32.27	41.18	28.49	19.06	26.26	14.37	13.21	14.92
Average Marriage Duration	10.19	10.87	11.69	11.83	12.09

¹Per 100 marriages: indicators express course of divorce intensity according to marriage duration but not its level.

Between 1980 and 1990 the number of divorces gradually increased from 27 218 to 32 055. During the 1990–2000 period some interesting fluctuations in the divorce rate year to year development took place. In 1990 approximately 9 000 more couples got married as compared to the preceding year due to the planned future cancellation of newlyweds special loans as of the beginning of the next year. The hypothesis of a significantly higher divorce rate of this group has not yet been confirmed providing it mainly involved hastened marriages originally planned for 1991. During the 1991–1992 period, the indicators decrease created an optimistic forecast as to the Czech Republic divorce rate budding transition onto a lower level. The 1992 total divorce rate decreased down to 33.9%, its lowest value since 1982. Nonetheless in the following years the number of divorces as well as divorce rate standardized indicators started increasing anew and, in 1996, the highest historical number of divorces was recorded towering at 33 113. The announcement of the preparation of a new law regarding family led to a hastened divorce of long term broken up marriages since unofficial information was forecasting a strict law banning divorce during the first three years of marriage. Eventually the bill was not that restrictive even

Divorces Have Been more often Initiated by Women

though it led to a sharp decline in divorces as of October 1998; nevertheless this consequence significantly lessened during the next two years. In 1999, 23 657 couples were granted a divorce, a total number similar to the early 70's situation. However the following year this figure rose again to 30 000 reaching 31 586 in 2001.

Tab. 3.5: Divorce Rate according to Age and Sex

Age Group	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Number of Divorces per 1 000 Married Women in Given Age Group											
15-19	15.2	13.6	14.2	13.0	14.1	13.3	13.0	13.1	17.8	9.0	19.5
20-24	30.7	28.7	28.4	29.6	30.3	31.0	32.4	31.8	31.3	23.2	30.5
25-29	24.5	23.3	23.2	25.4	26.0	26.3	29.3	29.1	28.3	21.2	27.2
30-34	19.1	16.9	17.2	19.0	19.8	20.7	22.6	22.6	23.2	16.8	22.7
35-39	16.0	15.0	14.2	15.3	16.0	16.4	17.8	18.7	19.3	13.9	18.1
40-44	12.3	10.9	10.7	11.4	12.3	13.0	13.9	13.9	14.5	10.9	13.8
45-49	7.3	6.6	6.7	7.1	7.6	7.8	8.9	9.1	10.2	7.8	9.7
50-54	3.6	3.4	3.3	3.5	3.9	4.0	4.9	4.8	5.3	4.6	5.4
55+	1.0	1.0	0.9	0.8	0.8	0.9	1.0	1.2	1.2	1.1	1.2
Total	12.4	11.4	11.2	11.9	12.2	12.4	13.3	13.1	13.1	9.7	12.2
Average Female Age at Divorce	33.1	33.1	33.1	33.2	33.5	33.9	34.3	34.8	35.4	35.9	35.9
Number of Divorces per 1 000 Married Men in Given Age Group											
15-19	11.6	10.7	8.8	11.5	10.6	10.4	13.1	5.9	16.7	7.7	15.2
20-24	30.9	27.4	27.2	27.6	29.1	30.9	32.1	32.0	32.2	24.2	31.8
25-29	26.5	25.6	25.9	27.7	28.7	28.9	31.6	31.4	29.9	22.1	28.3
30-34	21.9	20.1	19.7	21.8	22.6	23.3	25.6	25.4	26.0	19.2	25.3
35-39	18.5	16.6	15.9	17.7	17.8	18.6	20.3	20.8	21.0	15.5	20.6
40-44	14.3	13.4	13.0	13.9	14.6	15.3	16.2	16.6	17.2	12.5	16.3
45-49	9.9	8.8	9.0	9.5	10.3	10.4	11.8	11.8	12.9	9.6	12.0
50-54	5.4	5.0	5.0	5.6	6.0	6.1	6.9	7.0	7.5	6.2	7.4
55+	1.6	1.6	1.4	1.3	1.4	1.4	1.6	1.7	1.9	1.6	1.9
Total	12.4	11.5	11.2	11.9	12.2	12.4	13.3	13.1	13.1	9.6	12.2
Average Male Age at Divorce	36.3	36.3	36.2	36.2	36.5	36.8	37.2	37.5	38.1	38.6	38.6

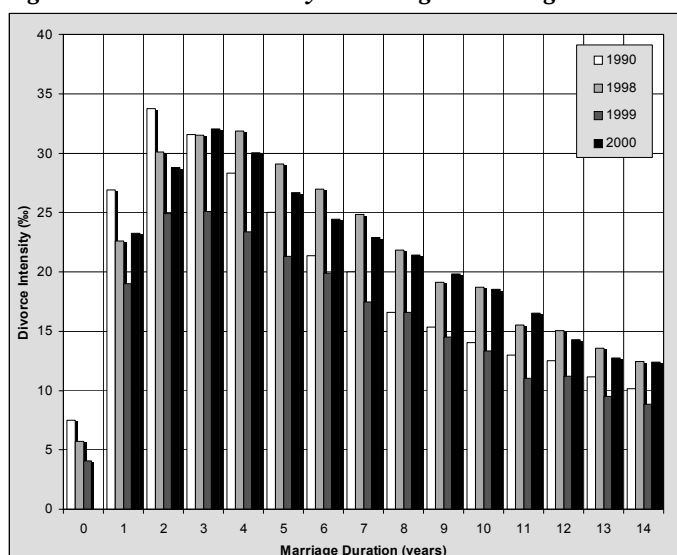
According to cohort analyses, divorce intensity per 100 marriages concluded in the fifties, one fifth ended in divorce compared to one fourth in the sixties and one third in the seventies. Still the least successful marriages remain those concluded in the eighties though a situation slight improvement took place from this point of view in the nineties.

A high divorce intensity is reflected in the rising proportion of divorced persons within the population but also in subsequent matrimony. Ten per cent of female adult population and eight per cent of the male one are divorced and this proportion is still growing. At the age of forty, one woman out of six is divorced while proportions of divorced men are lower due to the fact that men more often conclude subsequent marriages.

As to one third of marriages, at least one partner is already divorced, in thirteen per cent of cases both partners were previously divorced. Consequently one fifth of divorcees experience a subsequent divorce indicating a chronic incapacity to find a permanent marriage partner or to become one. Subsequent marriages are generally more prone to failure than the ones concluded by single partners. Furthermore divorcees more frequently tend to remain in common-law marriages with their new partners bypassing any later matrimony. This is particularly obvious concerning women who raised children during their first marriage.

Divorce petitioners have long been women in two thirds of cases. Out of 34 946 divorce proceedings concluded in 2000, 85% of divorces were granted, 12% of couples were reconciled and a mere 192 divorces were rejected. These figures contrast with 1990 when one fifth of divorcing couples were reconciled; the question remains whether it was for good. Thus the proportion of rejected

Figure 3.3: Divorce Intensity according to Marriage Duration



divorces was higher representing approximately 1.5% and eventually 77% of divorce proceedings were effectively concluded.

Table 3.6: Share of Divorced Couples from Individual Marriage Cohorts according to Marriage Duration (cumulative data in % out of original number of marriages)

Duration of Marriage	1950	1955	1960	1965	1970	1975	1980	1985	1990	1995	1998
0	0.6	0.3	0.4	0.5	0.5	0.9	0.8	0.7	0.7	0.4	0.5
0-1	1.5	1.1	1.6	2.1	2.5	3.1	3.1	3.1	3.1	2.4	2.6
0-2	2.6	2.3	3.2	4.4	4.8	5.6	6.0	6.2	6.1	5.4	5.5
0-3	3.7	3.7	4.7	6.6	7.3	8.1	8.8	9.2	9.2	8.2	
0-4	4.7	4.9	6.0	8.6	9.3	10.2	11.4	12.0	12.1	10.9	
0-5	5.9	6.1	7.4	10.7	11.3	12.2	13.6	14.4	14.9	13.5	
0-6	6.8	7.0	8.6	12.3	12.8	14.1	15.6	16.4	17.6		
0-7	7.7	8.0	9.8	13.9	14.3	15.7	17.4	18.3	20.0		
0-8	8.5	8.8	10.7	15.2	15.6	17.4	19.1	20.1	21.9		
0-9	9.3	9.6	11.8	16.5	16.8	19.0	20.6	21.8	23.6		
0-14	12.3	13.0	16.4	21.1	22.3	24.9	26.4	28.7			
0-19	14.8	16.0	19.7	24.9	26.6	28.9	30.9				
0-24	16.7	18.2	22.0	27.5	29.1	32.0					
Cumulated Proportion Divorced	18.6	20.2	24.2	29.5	31.4	34.8					

In 1980 three quarters of divorce requests were granted. Thus there is an obvious tendency leading to a gradual simplification of divorce proceedings still continuing even after the new law ratification. The latter significantly extended the investigation of divorcing marriages with underage children since it requires the settlement of legal property relations and rights as well as parental duties towards children even before marriage termination. On the other hand, it hastened the procedure of agreed upon divorces; former partners pragmatically consent to divorce proceedings without any emotion, better prepared than in the past.

Table 3.7: Share of Divorced Persons within Population (as of January 1st; %)

Age Group	Men						Women					
	1990	1995	1998	1999	2000	2001 ¹	1990	1995	1998	1999	2000	2001 ¹
15-19	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0
20-24	1.2	1.2	1.0	0.8	0.6	0.5	2.8	2.9	2.3	1.9	1.5	1.5
25-29	4.3	5.7	6.0	5.7	5.0	4.5	6.5	8.5	9.1	8.8	8.0	7.8
30-34	7.5	8.5	10.3	10.8	10.7	10.3	9.6	10.7	12.8	13.5	13.4	13.9
35-39	10.0	10.5	12.1	12.6	12.9	12.9	11.5	12.8	14.3	15.0	15.3	16.0
40-44	10.8	12.1	13.5	14.0	14.2	14.6	12.5	14.2	15.7	16.2	16.4	17.0
45-49	10.4	12.1	13.8	14.4	14.8	15.3	11.8	13.9	15.5	16.1	16.6	17.2
50-54	8.7	10.6	12.3	12.8	13.2	14.2	10.0	12.1	13.9	14.4	14.8	15.5
55-59	7.2	8.4	9.7	10.2	10.7	11.8	9.0	9.9	11.0	11.7	12.3	13.2
60-64	5.9	6.7	7.2	7.5	7.8	8.7	8.2	8.8	9.2	9.5	9.8	10.3
65-69	4.8	5.5	5.6	5.6	5.8	6.7	7.2	7.9	8.2	8.3	8.5	8.9
70+			3.8	3.8	3.8	4.5			5.9	6.1	6.3	6.8
Total 15+	6.2	7.0	7.9	8.1	8.2	8.6	7.6	8.6	9.5	9.8	10.0	10.4

¹Census data (1.3.2001) after excluding not stated family status.

Due to the decline of marriage significance and the rapid growth of cohabitation as alternative forms of shared living even the importance of divorce is decreasing from a demographic behaviour point of view. Even though common-law marriages disintegration is not registered in official statistics, it is definitely more frequent compared to that of officially married couples. In the nineties, matrimony rate decreased approximately by forty per cent and cohabitation phenomenon is on the rise. If we take into account that two fifths of marriages are divorced and that as to cohabitation, the same rate is even higher, we reach the conclusion of a family crisis or more exactly of a crisis in partner relationships in its present form of a programmed lifelong monogamy.

Table 3.8: Order and Type of Marriage and Divorce (%)

Indicator ¹	1990	1995	1996	1997	1998	1999	2000
First Marriage for Both Partners	71.6	66.9	65.9	63.8	65.2	65.3	65.5
One Divorced Partner	16.4	19.0	19.7	20.5	19.9	20.0	20.0
Both Divorced	11.2	13.2	13.5	14.9	14.1	13.9	13.7
Other	0.8	0.9	0.9	0.8	0.8	0.8	0.8
First Divorce	81.5	81.8	81.7	81.2	80.4	79.7	80.7
Second Divorce	15.8	15.8	15.9	16.2	16.9	17.5	17.2
Third and Additional Divorce	2.7	2.4	2.4	2.6	2.7	2.8	2.1

¹Order of divorce: average for men and women.

Contrary to public belief marriages concluded after a certain period of partners cohabitation are more prone to end in divorce than legally concluded, direct marriages. So far it is impossible to evaluate whether a certain selection of concluding marriage at an older age will have a positive outcome on reducing the divorce rate. Still premarital cohabitations are becoming very frequent and the number of legal marriages with no prior cohabitation is actually declining. Furthermore additional factors leading to a higher divorce rate, as for example one's own parents past divorce, can be found in still greater numbers among the young generation.

Linked to marriage postponement to an older age and persons entering marriage structural change, one would expect that young couples would be more responsible and more mature and would less frequently end in getting a divorce. However the Scandinavian countries experience does not confirm this hypothesis. The total divorce rate will more likely continue to rise gradually. The latter is furthermore corroborated by 2001 data indicating a so far record high rate of 45% divorced couples.