

### 3. Divorce

Tab. 3.1: Basic characteristics of divorce

	1985	1990	1993	1994	1995	1996	1997	1998	1999
Divorce petitions	12 420	12 881	11 073	11 569	11 765	12 222	11 838	12 116	12 457
Divorces	7 800	8 867	8 143	8 666	8 978	9 402	9 138	9 312	9 664
Crude divorce rate	1.51	1.67	1.53	1.62	1.67	1.75	1.70	1.73	1.79
Divorce index	20.0	21.9	26.5	30.8	32.7	34.2	32.7	33.9	35.3
Total divorce rate - males	0.222	0.243	0.219	0.232	0.238	0.249	0.244	0.246	0.252
Total divorce rate - females	0.211	0.236	0.215	0.226	0.232	0.242	0.235	0.238	0.245
Mean age at divorce - males	35.8	35.8	35.8	35.8	36.0	36.3	37.3	37.6	37.9
Mean age at divorce - females	33.0	33.4	33.2	33.2	33.5	33.7	34.7	35.1	35.3
Mean marriage duration at divorce	x	10.7	10.6	10.9	11.1	11.1	11.8	12.1	12.3
Divorces with under-age children (%)	73.1	74.3	74.3	74.4	75.5	74.5	73.0	72.5	71.2
Average number of under-age children	x	1.7	1.6	1.6	1.6	1.6	1.7	1.7	1.5

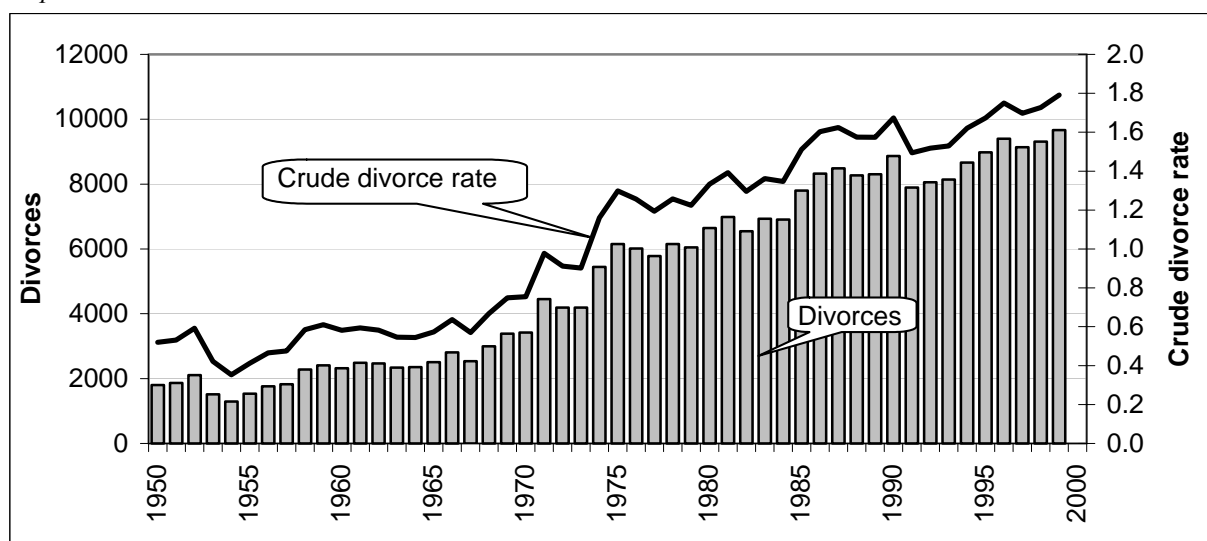
The divorce indicators characterise the stability and the quality of wedlock only relatively because they strongly depend on the legislation and the praxis of courts. However, in case of comparable legislative conditions, they are the best available indicators of the acceptance of family importance in the society.

Since the half of the twentieth century, i.e. after the World War II, the increase in divorce in all indicators can be observed in the SR, similarly as in other advanced countries. In 1949, a new form of the Act of Law on Family was adopted which recalled an increase in divorce by approximately three times as compared to the previous time period. After an initial increase, the number of divorces was until the half of sixties around the level of 2000 cases annually, in the next period it continuously grew up to the level of 8000 divorces in the half of eighties. The start of the second demographic

transition in the Western Europe had thus a certain echo also in Slovakia, which was reflected in the crisis of the wedlock stability. The legislation reacted to it by a cancellation of preliminary proceedings on the reconciliation of hostile husbands in 1973 by which the divorce proceeding simplified again.

During the next short time period of a relative stagnation, the year 1990 is to be considered as a certain exception, which might be linked to the social and political situation in 1989. Since 1992, the divorce had grown up again to a record value of 9664 divorces in 1999, despite the decrease in nuptiality in nineties. Although the number of petitions for divorce is much more stable as the number of divorces (around 12 000 annually), the share of positively arranged petitions increased. Recently, it is around three quarters from total petitions for divorce.

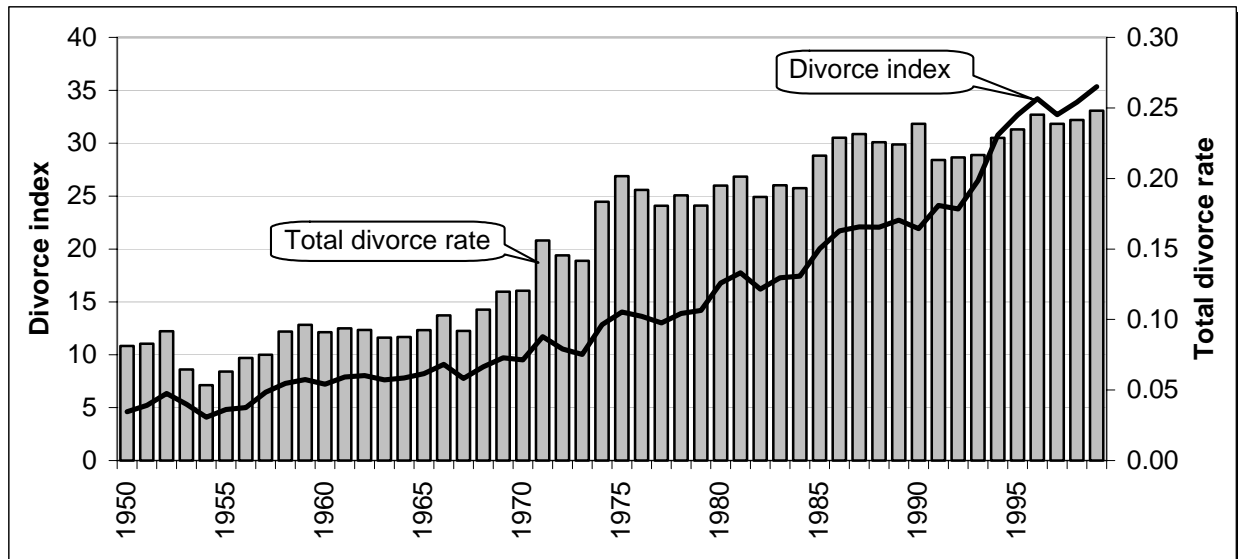
Graph 3.1: Divorces and crude divorce rate



The development of relative indicators has a similar course (Graph 3.1). From the initial values around 0.5 divorces per 1000 inhabitants in the half of the century, the crude divorce rate increased up to a record value 1.79 divorces in 1999. It is still approximately only a half of the level reached in some other advanced countries. The divorce index, which is less sensitive to

the irregularities of the age structure, shows a smoother course (Graph 3.2). Since the half of the twentieth century until the beginning of nineties it increased from 5% up to 22%. Since those days, mainly due to the decrease in nuptiality, it sharply increased up to the level of 35.4 in 1999. It means that currently more than one third of newly contracted marriages divorce.

Graph 3.2: Divorce index and total divorce rate



The most objective transversal indicator of divorce is the total divorce rate (Graph 3.2). With regard to the excess male mortality, the share of married men in the population is different from the share of married women and thus the total divorce rate of men is a little bit higher than in case of women. The current values of the total divorce rate (0.252 for men and 0.245 for women) mean that in average each fourth inhabitant of the SR goes through the divorce.

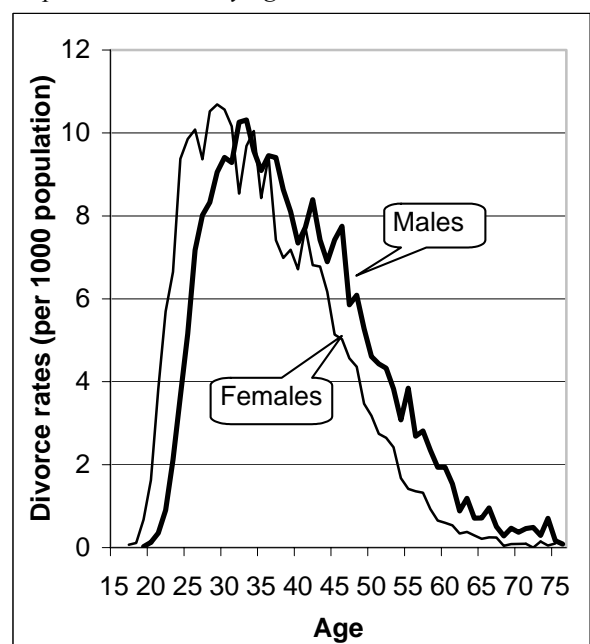
#### Divorce by age and sex

As compared to the nuptiality, the distribution of the divorce by age is much flatter. In 1999, the average age at divorce was 37.9 for men and 35.3 for women, the median was due to the left-side asymmetry a little bit lower, 36.8 years for men and 34.2 for women (Graph 3.3). Against 1990, the mean age at divorce increased by 2.1 years in case of men and 1.9 years in case of women. In total, one can observe the increase of the mean age at divorce, which is related, on the one hand, to the age structure of population, on the other hand, to decreasing intensity of nuptiality (especially at the younger age) and also to the ongoing growth of the divorce intensity at older age.

Currently, the age of the highest divorce is 30-34 for men and 25-29 for women; in case of women it is more concentrated into this age group (Tab 3.2, Tab.3.4). In comparison with the preceding years, the divorce rates decreased in the age groups 20-24 and 25-29, which is a direct consequence of the decreased nuptiality after 1990. In addition to this exception, a

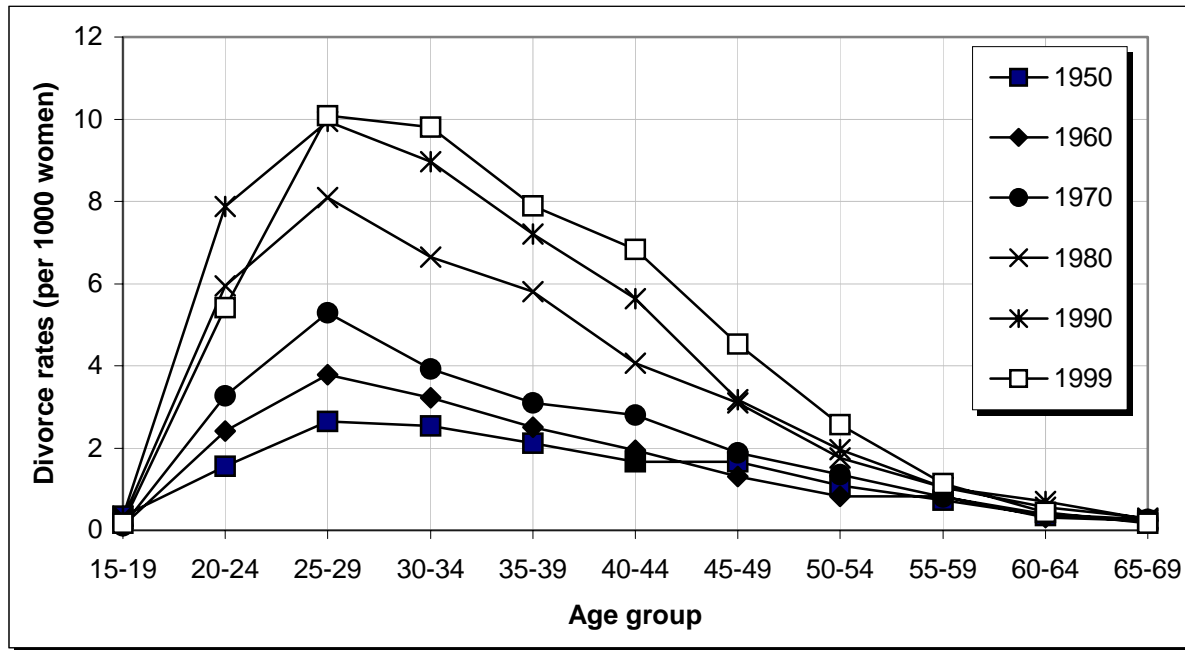
permanent increase in the development of divorce by age might be observed in the overall post-war time period. A significant increase in seventies was obviously a result of the cancellation of the preliminary proceedings on the reconciliation of the hostile husbands in 1973. This trend has appeared also in the development of the total divorce rate (Graphs 3.4 and 3.5).

Graph 3.3: Divorce by age in 1999





Graph 3.5: Divorce by age groups, females

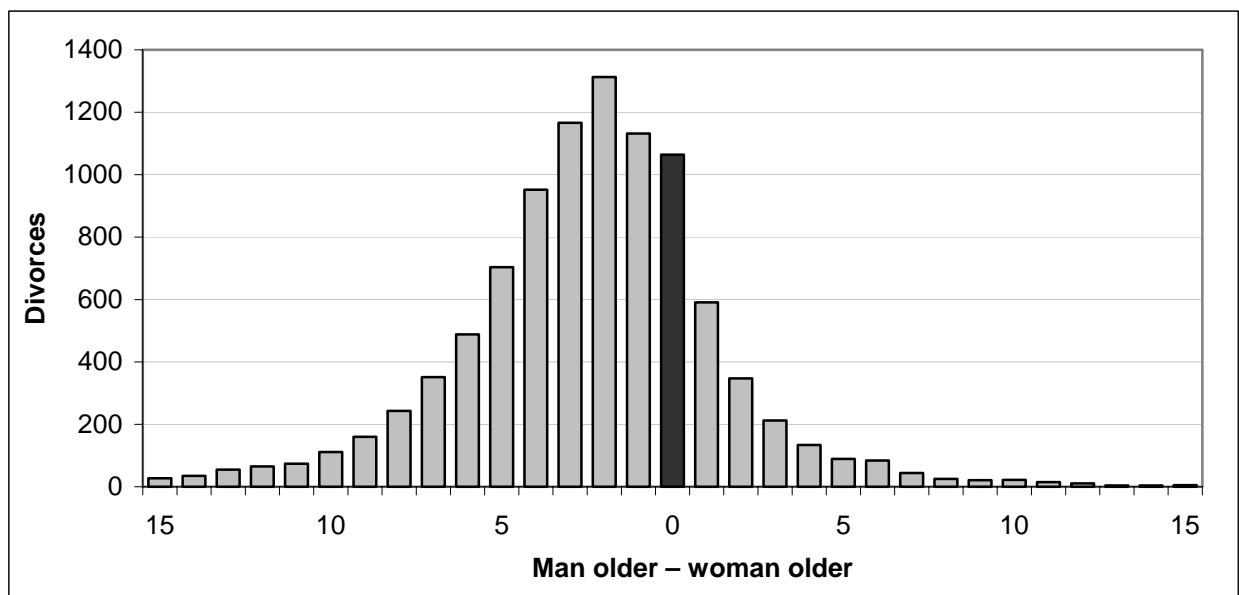


The distribution of divorce by age difference of married couple has a similar shape as the distribution of the age difference at marriage (Graph 3.6). The average is 2.5 years. If the difference in age is not too high (the man is not older by more than 8 years or a woman is not older by more than 5 years), the difference in age does not have an impact on the probability of divorce (Graph 3.7). At high age differences, also the excess male mortality should be taken into account. If the man is, e.g. older by 20 years, it means, that he will be in average older than 50 and the probability of the end of wedlock caused by the death of husband is higher than the probability of divorce.

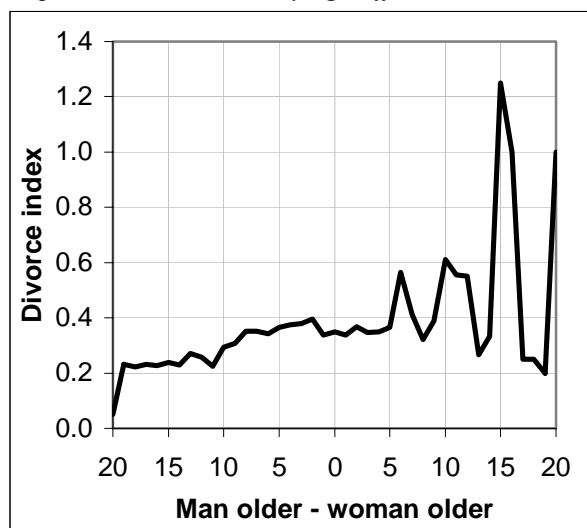
The distribution of divorce by age at marriage is not

traced in our country. However, preliminary analyses indicate that it is one of the most important factors of divorce. The marriages of brides aged 16 have the highest probability of divorce, afterwards the probability sharply declines and the most stable marriages are marriages of brides aged 20-25; from the age of 30, the probability of divorce again significantly increases. As for men, these ages are appropriately higher. As the group of brides aged up to 18 is not big, it influences the mean age at marriage (or divorce) only minimally. With regard to this fact, it can be assumed that further growth of the mean age at marriage won't have a consequence in the growth of the stability of marriages.

Graph 3.6: Difference in age at divorce in 1999



Graph 3.7: Divorce index by age difference in 1999



Graph 3.8: Divorce by the duration of marriage in 1999



Tab. 3.4: Divorce by the duration of marriage

	1993	1994	1995	1996	1997	1998	1999
Under 1 year	96	69	63	81	75	86	88
1-3	1 489	1 464	1 415	1 348	1 205	1 134	1 185
4-6	1 553	1 640	1 739	1 870	1 642	1 574	1 570
7-10	1 546	1 692	1 716	1 794	1 844	1 869	1 932
11-15	1 392	1 508	1 554	1 658	1 687	1 784	1 784
16-20	1 128	1 226	1 310	1 380	1 257	1 316	1 340
21+	939	1 067	1 181	1 271	1 428	1 553	1 765
Total	8 143	8 666	8 978	9 402	9 138	9 316	9 664

### Divorce by the duration of marriage

The distribution of divorce by the duration of marriage (Tab. 3.4, Graph 3.8) has, as compared to the past, a changed shape. While before 1990 in the SR, the marriages after 4 years of duration were most frequently divorced; in 1999 this distribution had a non-remarkable and quite a flat top in the age of 4-8 years. The average length of divorced marriages was 12.3 years, the median was 11.2 years. This change in the structure of divorced marriages by duration is also a consequence of the decrease in nuptiality in nineties.

### The results of divorce proceedings

For a long time, the share of petitions for divorce made by women is twice higher than the share of petitions for divorce made by men. The same is true about the positively arranged petitions. In 1999, 12457 divorce proceedings were finalised in the SR. In 3858 cases (31.0%) the petition was made by men, in 8587 cases by women. From this total, in 9664 cases the court proceeding ended by a divorce (of which in 3053 cases the petition for divorce was made by man), in 186 cases the divorce was refused, in 1937 cases the petition was taken back, in 77 cases the proceeding was ceased, in one case the marriage was said to be invalid and in 592 cases the court decided in another way. The average length of the divorce proceeding was 6.6 months regardless the result.

The following were the most frequent reasons for refusing the petition for divorce: a frivolous attitude to marriage (39.2%), interest of youngsters (21%), a short, not serious, breakdown (19.9%), elimination of distorting causes (8.1%).

In most of cases (88.7%), the marriage was divorced under the agreement of married couples, in 989 cases against the proposal of one involved party, in 99 cases during the stay of husband or wife abroad.

Among the reconciled marriages (the petition taken back or the proceeding ended after the interruption) there were 1442, i.e. 71.2%, marriages with young underage children, among the refused petitions there were 53 marriages (82.2%) with underage children, among divorced, there were 6836 such marriages (70.7%). The average number of underage children within the divorced marriages with underage children was 1.5.

### Divorce by causes of divorce

In table 3.5, the overview of divorces by causes, as the court stated them, is presented. As for the previous years, also in 1999 the most frequent cause of divorce was personality differences (51.2% from the part of man and the same as for the woman), from the part of man it continued with alcoholism (12%), infidelity (10.9%) and the lack of interest in the family (10.4%).

At the woman's part, further most frequent causes are other causes (7.1%) and infidelity (6.1%). In 3.2% of cases, the court did not discover the cause from the part of man (the cause of divorce is then generally the infide-

lity of wife) and in 24.4 % the court did not find out the cause at woman's part (the cause of divorce is then generally the alcoholism of the husband).

Tab. 3.5: Divorce by causes in 1999

Cause on the part of man	Cause on the part of woman											Num.	%
	0	1	2	3	4	5	6	7	8	9			
Cause not given	0	0	0	33	170	71	1	0	9	0	25	309	3.2
Over-hasty marriage	1	0	379	0	0	0	0	0	0	0	0	379	3.9
Alcoholism	2	827	0	20	114	43	12	0	6	0	137	1 159	12.0
Infidelity	3	684	0	11	133	48	6	0	10	0	160	1 052	10.9
Lack of interest in the family	4	612	0	3	64	223	3	0	9	0	92	1 006	10.4
Ill-treatment, criminal conviction	5	137	0	5	19	10	6	0	1	0	24	202	2.1
Personality differences	6	0	0	0	0	0	0	4 947	0	0	0	4 947	51.2
Health reasons	7	10	0	0	4	3	0	0	25	0	8	50	0.5
Sexual incompatibility	8	0	0	0	0	0	0	0	0	87	0	87	0.9
Other causes	9	89		14	87	31	0	0	13	0	239	473	4.9
Total		2 359	379	86	591	429	28	4 947	73	87	685	9 664	100.0
%		24.4	3.9	0.9	6.1	4.4	0.3	51.2	0.8	0.9	7.1	100.0	

In comparison with the previous years, a decrease in the appearance of nearly all causes occurred, except for the personality differences or the lack of interest in family. In 1990, the court stated the differences in personality, opinion and interest in 2767 cases (31.2%); in 1999 it was in 4947 cases (51.2%). This absolute and also a relative increase might be caused by the changing

practise of courts (the court does not further investigate what is hidden under this universal cause of divorce), by changing of the attitude of husbands to the divorce procedure (a certain form of divorce by an agreement), or by an increasing non-readiness and inability of people to live in wedlock.

### Divorce by regions

Tab. 3.6: Selected indicators of divorce in regions of the SR in 1999

	BL	TA	TC	NI	ZI	BC	PV	KI <sup>3</sup>
Divorce petitions	1 857	1 209	1 244	1 803	1 322	1 985	1 187	1 850
Divorces	1 460	970	1 008	1 427	1 049	1 495	839	1 416
Divorces in % (SR=100%)	15.1	10.0	10.4	14.8	10.9	15.5	8.7	14.7
Crude divorce rate	2.37	1.76	1.65	1.99	1.52	2.25	1.07	1.85
Divorce index	47.7	35.3	34.2	39.8	29.0	47.1	19.9	35.4
Mean age at divorce - males	39.5	36.8	37.7	37.7	37.3	37.7	37.3	38.1
Mean age at divorce - females	37.0	34.4	35.2	35.2	34.8	35.0	35.0	35.5
Mean marriage duration at divorce	12.9	11.6	12.5	12.4	12.1	12.4	11.8	12.6
Divorces with under-age children (%)	66.4	71.0	75.1	67.0	76.9	72.5	73.4	67.7

In Slovakia divorce is very differentiated in regions, which is caused mainly by the different level of religiosity. However at the level of regions, despite many differences are refined, the divorce index in the region of Bratislava is 2.4 times higher than in the region of Prešov.

Similarly as in the case of other phenomena we can see another type of the demographic behaviour in the South of Slovakia and the Western of Slovakia where the second demographic transition has run faster and a

different type in the North and East of Slovakia, where the second demographic transition is running slower with more inertia being deep-rooted in traditional patterns. Regions situated in between of these extreme measures create an intergrade also in the demographic behaviour. The regions with the highest divorce are the following: Bratislava, Banská Bystrica and Nitra (the crude divorce rate is 2.0-2.4, the divorce index 40-48%); regions with the lowest divorce are: Prešov and Žilina (the crude divorce rate 1.0 – 1.5, divorce index

<sup>3</sup> See Tab. 1.10

20-28%). The intergrade is formed by the regions of Trnava, Trenčín and Košice having the divorce characteristics at the average Slovak level (Tab. 3.6).

Thanks to Bratislava, the divorce in the region of Bratislava differs from other regions not only by high values but also by nature. The high crude divorce rate is, on the one hand, caused by the fact that in the region of Bratislava the share of inhabitants in the reproduction age is the highest and, on the other hand, the number of divorces of older marriages (often without the underage children) is high. In comparison with other regions, in the region of Bratislava the mean age at divorce is significantly higher, the average duration of marriage is

higher, the share of marriages being under the divorce procedure and having the underage children is lower and also their average number is lower. The region of Bratislava is marked by an unusually high proportion of divorces caused by the “differences in personality, opinion and interest”. This cause of divorce was assigned by the court to even 70% cases. In 94% cases married couples agree on the divorce what witnesses the high social acceptance of divorce.

A disagreement of one party involved was more often in the regions of Žilina, Prešov and Trenčín, thus there, where the number of divorces is lower.