The Divorce and It's Psycho-Social Impact on the Couple

Iulian APOSTU¹

¹ PhD, Scientific Researcher, Institute of Sociology, Romanian Academy,
phdiulian@gmail.com

Abstract: The image of divorce in Romania is very much dependent on stereotypes that consistently distort the real situation of Romanian families. Thus, the most common stereotype, unfortunately, in some scientific publications, is that of marital disaster generated by the high divorce rate and the accelerated growth rate. A second problem is the acceptance of the condition of being divorced, because within social mentality divorce is still seen as a negative statute, through which an individual is appreciated. Beyond the objective reality of divorce indicators in Romania, that show stability and low values of divorce in the last 3 decades, the issue of mentalities regarding divorce and the image of divorcees still needs updating. For Romania, the difficulty of deciding to get a divorce also depends on the social context, on the legitimacy of the action at the level of the extended family group and, at the same time, on the assumption of a certain social image of the divorced individual. The study aims to analyze the functional changes of individuals separated by divorce and to highlight the new challenges of functional reorganization. The paper is based on the functionalist theory - Talcott Parsons (1967) and Robert K. Merton (1968) - and proposes a type of qualitative research with the help of a semi-structured interview.

Keywords: *divorce; family; functionality; conflict; mediation.*

How to cite: Apostu, I. (2020). The Divorce and It's Psycho-Social Impact on the Couple. *Logos Universality Mentality Education Novelty: Social Sciences*, 9(2), 44-53. doi: 10.18662/lumenss/9.2/43

1. Introduction

Divorce legislation has evolved over time depending on social conditions and demographic strategies promoted by different political systems. If the traditional space allowed less freedom for divorce (restriction promoted by the social system in general, and the impact that theology had on communities), modernity requires greater personal autonomy in establishing marital status.

The traditional space was full of rules: the rules established by the legislative forum, traditions, customs to which were added theological imperatives. The hierarchical family system was also a strong influence, the patriarch having the right to decide on the whole family group, therefore, the partners still had a filter to pass in the process of marital dissolution.

The modern family, however, has a smaller number of members, and the partners and their children are no longer subject to such rigid external imperatives that would place the same pressure against their own decision. The expression of this freedom is also felt in the legislative system, which, since 1989, has gradually implemented a series of changes that increasingly simplify divorce proceedings. Simplifying divorce proceedings could be seen as an action that further raises awareness and supports individual freedom, or it could become a key source in increasing divorce rates in the coming years. Exposing and commenting on these legislative issues by comparison could answer our questions about the medium and long-term consequences of divorce.

2. Divorce - psycho-social dynamics and statistical landmarks

In selecting a marital partner, in the decision of getting married but also in that of dissolving it, the members of the extended family group still feel the need to intervene and influence the opinions of young people. It should be appreciated that the current generations of young people come from families with a much higher level of traditionality than the contemporary social framework implies and the cultural transmission of values (Sandu et al., 2020) also receives a diminished influence of cultural landmarks specific to community culture. As an argument, the data of the latest Gender Barometer (2019) show an obvious inequity between partners in terms of the distribution of domestic tasks: it is the task of women to iron clothes (82%), to wash clothes (80%), to prepare food (77 %), wash dishes (73%) and clean (71%). Moreover, if in the Gender Barometer of 2000, the percentage of those who consider it rather the duty of women to manage

household chores was 63%, 2 decades later their percentage decreased only to 58% (Gender Barometer Romania, 2019).

By this we cannot assume that the whole generation of young people feels this influence and that there are no social groups that promote individual and conjugal autonomy, but the high frequency of indicators showing role inequality describes a society in which functionality, in the form of distribution of domestic roles or Gender attitudes, is not yet fully correlated with modern principles of social equity. These aspects also explain a certain social reluctance to any transgression from the natural rhythm of family life, in our case, by legal separation.

According to the legislation, the previous regulations on divorce (those before the 1989 Revolution) had a restrictive vision on the reasons for the dissolution of marriage, because it allowed divorce only in "exceptional cases" (art. 37) and the effect was that the divorce rate was reported continuously to be below the value of 1 ‰. The freedom obtained during the 1989 Revolution would create the premises for an increasing freedom of divorce within the legal framework. Thus, in 1993, art. 38 of the Family Code allowed divorce, without specifying the reasons, if both partners agreed to the legal separation. Since 2011, after the repeal of the Family Code and the entry into force of the Civil Code, the simplification of divorce procedures in its administrative version (divorce via notary and the county registrar) has once again created the premises for an increasing divorce rate. However, the analysis of the statistical data from the National Institute of Statistics proves the opposite - the divorce indicators have constantly kept their percentages between 1.4 ‰ - 1.5 ‰. Thus, if in 1990, the Romanian divorce rate was 1.42 ‰, in 2019 it was 1.36 ‰. Statistical data show a higher share of divorce in urban areas than in rural areas, by 2010, urban divorce being approximately twice as high as in rural areas. It is also interesting to note that, after the legislative changes in the Civil Code regarding divorce, we would have expected the indicators of divorce to have a slight upward trend, but the statistical reality was counterintuitive: in 2011, the divorce rate was 1.59 ‰, in 2012 - 1.4 ‰, in 2013 - 1.27% and in 2014 the lowest value in the last 30 years was registered - 1.22 ‰. (NIS, n.d.).

From the perspective of issues between spouses, legal separation also highlights a type of behavior - a greater availability for divorce in women than in men. The contemporary space ruptures to some extent the old values of the masculine status, and in this respect, their dependence on women is growing. Thus, the old characteristics that gave legitimacy to the status of men are no longer as well validated, so men must demonstrate their qualities through family, professional and relational skills. Today, "many mature men

are function like boys, having difficulty relating to women as peers." (Zimbardo & Coulombe, 2020, p. 25)

As a rule, the divorce decision is easier for the material independent partner to make. In a study on divorce cases, the share of women who file a lawsuit for legal separation is 68, 75%, if housing is common. When the home belongs to the man, he files for divorce in a percentage of 61.9%, while when the home belongs to the wife, the share of women initiating the divorce procedure is 94.44%. (Apostu, 2015, p. 389)

We can start from the premise that marital negotiations have an additional challenge from a cultural perspective, which makes the man wait for the woman to adapt to the status characteristics, while some women want their men to confirm their masculinity on the other.

We can start from the premise that marital negotiations are given an additional challenge from a cultural perspective, which makes the man wait for the woman to adapt to the status characteristics, while some women want their men to confirm the masculinity that they already assume through the perceived status itself. Moreover, Iluț remarks that "the independence given by financial gain, the change of the traditional roles in the family, the working hours of the wife can affect the level of satisfaction of the husband". (Iluț, 2005, p. 177). For this reason, marital conflicts sometimes seem difficult to manage because neither partner seems willing to accept the other's culture.

Analyzing once again the national statistical resources we notice the fact that 21.8% of the total divorces were initiated in the first 4 years of marriage and that in the first 9 years of marriage, the total Romanian divorces in 2019 were 40.83%. (NIS, n.d.)

3. Divorce - decision, handling and psycho-social consequences

Emotionally, the decision to divorce is not easy for many people. For a certain category of respondents, the decision to divorce did not become difficult when making the decision of separation itself but because of the effects produced by the legal separation of the two partners. Thus, the reconstruction of the functional system, the reordering of priorities, the condition of single parenthood and all the other conditions related to the relative tolerance of a society were the main problems in managing the divorce process.

An important aspect to note in the management of divorce is the fact that during the negotiation of the separation the spouses also used their children as a resource against the other partner. Also in this regard, the stress

generated by the initiation of divorce proceedings has made some people overestimate the negative effects of separating children from one of the parents (negative image of the child at school, his difficulties of acceptance and adaptation etc.) (Cetea Voiculescu, 2019). Thus, as a form of resistance to divorce, but also as a post-divorce trauma, the fear of social failure, both from one's own perspective and from the perspective of one's own children, creates the general framework of sources of frustration and medium-term psychological trauma that make it even more difficult for the divorcee to adapt.

At the same time, the divorce decision often appears to be made when the spouse has reached their limits when faced with the stress generated by marital conflicts. In this sense, for some, the decision to divorce did not come from them, but they were simply faced with the fact: leaving the marital home, unilateral decisions taken under the impulse of a tense moment, the relocation of one of the spouses with another partner etc.

The decision to divorce is even more difficult when it comes after several years of marriage, because there is a feeling of attachment for the person next to you and a routine life, and the feeling of loss is much more strongly felt. For most people, change is one of their fears, and divorce is ultimately a major change in a person's life. Thus, marriage, through all its functions (solidarity, economic, biological, socialization) builds a set of mutual dependencies between partners. It presupposes a common set of rules, of roles, a relationship in which each one depends on the other through what they assumed conjugally should be like. All this functional construction is dissipated by the very decision of divorce, each partner being obliged to rebuild their entire system of functionality and role.

Most of the time, divorce is associated with a series of traumas, some specific to the separation process, others related to assuming the status of a divorced person, to reconsider roles, especially in the case of divorced couples with children and some trauma concerning the restoration of married life with another partner. In all these new contexts of challenge and adaptation, members of the extended family, the group of friends, colleagues, therefore, the community can play a positive role through various forms of acceptance and support or, conversely, can increase the stress associated with the legal separation. From this point of view, the criticisms regarding the decision of separation or the decision of the initial selection of the conjugal partner can make the psychological recovery of the person who bears the trauma of divorce even more difficult. The study also identified a number of cultural issues regarding the acceptance of divorce, which is understood not as a trauma of the couple separating but as a stain on the

overall image of the extended family. These studies show that a part of the contemporary society is still dependent on the old traditional imperatives, marriage being justified for a person's status rather than for the internal harmony of the marital couple. This aspect also explains the lack of courage to assume the legal dissolution of some young people who anticipate the criticism of the members of the reference community rather than their support. It can affect self-confidence, further delay in adaptation to the new condition, and at the same time create difficulties in building a new marital relationship.

In the case of divorced respondents who acted as parents, the fear that they would not be financially successful with their children, that they would not be able to manage them emotionally or the fear that divorce would affect their image were great obstacles in accepting divorce and subsequently in starting separation procedures. And in this sense, the difficulties encountered by the participants in the research are multiple. These are the following: financial difficulties, difficulties in terms of authority over the child, managing bank loans, living with the ex-husband, sharing, adjusting to the new life, relocating children. Disorders caused by divorce are not limited to partners and their relationships with the extended group of relatives, friends etc.

The study showed that, although custody was common in all cases, the parent who had to leave the home where the children remained felt the strongest trauma of separation. For them, the trauma was even greater due to the fact that the tendency of the children was to criticize, either the partner who started the steps for separation, or the one who left the common home. Divorce with children requires even more parental attention than in the case of marriage. Their emotional vulnerability, the subjective tendencies to find the spouse responsible, the insecurity felt by them but also by the divorcing parents sometimes becomes so confusing that children become resources through which replies of revenge are transmitted between ex-spouses directly or subtly. According to the data of the study, all these elements built the premise of a generalized dissolution in which the extended family structure was affected. The restoration of the family group, even at the subsystem level (the mother's relationship with the children or the father's relationship with the children) was difficult to achieve due to the emotional impact that the divorce generated.

Another difficulty caused by divorce for the two spouses is all the procedures that should be followed, for example the sharing or management of loans. These difficulties involve stress, emotional load, which could affect the spouses, risking depression.

The antithesis between the socially displayed image and the conflict over the entire period of legal separation shows the gap between the tense state of the divorcees and their state of adaptation to a new stage of life from a functional adaptation and role structure point of view. Returning to a perceived safety zone by adjusting to the new status sometimes has the effect of regulating the relations between the ex-spouses, especially of the two parents with their children. Overcoming the periods of stress specific to separation subsequently creates premises for a minimum functional participation for the upbringing and education of children. Although, as identified in the research, relationships between ex-spouses carry a certain dose of restraint, frustration, tension, they have a legal obligation to participate equitably for the upbringing and socialization of their own children.

Depending on the nature of the conflict but also on its consequences, another category of partners see maintaining the relationship with the ex-husband as a way to prolong the same agony, and the reunion does nothing but activate the old sufferings. For some people, divorce leaves the trauma difficult to resolve, especially for partners left in a material or emotional deficit difficult to recover (material inability to cope alone, domestic violence, aggression against children etc.).

From the point of view of adapting to a new life, for most subjects it is not an easy thing to accomplish. Once they lost their self-confidence, it is quite difficult to regain it and the process is influenced by the personal abilities of the individual, their resources but also the support of the reference group. The effects of marital failure are felt at a level of self-esteem, in the relationship with others, in the reluctance to build new relationships, in the sensitivity to the status of being divorced, of social criticism etc.

Restoring life with another person is quite difficult, because, for at least a while, many of them experience the feeling of disappointment, frustration, despair or distrust. At the same time, the new partnerships also encounters difficulties of internal cohesion, intimacy and the overall relationship because they come from an experience of relational failure and the tendencies of reluctance, retention are evident in the first phases of a new romantic fusion. Therefore, the new partner is also meant to compensate for the shock of separation and to emotionally balance the divorced person. The experience of divorce made some think of another level of relational autonomy, accepting a form of cohabitation that implies a non-marital status, considering that the new marital status can have can be

fulfilled not by legal procedures, but by taking part in specific religious services.

4. Conclusions

The problem of divorce in Romania and the social image it generates shows a gradual increase, but the traditional cultural influences have not completely disappeared. The decisional dilemma regarding divorce does not only concern the aspects of the functional reorganization of the life of each partner but, in sufficient cases, also the anticipation of some problems regarding the social image of each of them. In this context, many of the families of origin still see in divorce not only the problem of the legal separation of their own child, but a problem of image of the extended family in the social system of the reference community. For this reason, in such situations, the perspectives of the divorcees are not the same as the perspectives of the family group, which makes the support itself not enough but, on the contrary, the attitude of the extended family builds up an additional set of tension.

Beyond the associated emotional costs, the separation of spouses is also a challenge for the complete reorganization of the system of functionality and role for each partner and, at the same time, for the reconstruction of another strategy through which they, as parents, relate to their children. For this reason, the decision to divorce is not just a matter of legal separation but of a total reorganization in a non- married life and it must be seen in relation to the individual's ability to adapt and his psychological and social needs. Sometimes, however, the forms of support are confusing, because, as the respondents point out, they rather take the form of pity or compassion. Therefore, to some extent, this form of affective participation shows vulnerability, understanding of failure or pity for the situation of the divorced person, aspects that strengthen the drama rather than support healing.

For some of the separated partners, divorce is not only perceived as a failure of the married couple but as a failure of an institution - marriage. The drama of dissolution substantiates for some an awareness of failure that they no longer want to confront in a similar situation, which is why they later opt for a non-marital cohabitation. For them, the marital relationship is viewed according to Giddens' premises of a "pure relationship", which considers that a relationship lasts as long as the feeling of love lasts. (Giddens, 1997) For this reason, the availability to invest in the new

relationship is lower, at least in the early stages of development, precisely because of the reluctance to credit its functionality.

Another problem identified with broad legitimacy is that of contextual single parenting. Beyond the situations in which some of the parents completely separated from their children, there is a wide category of those who want to participate in their upbringing. There is a wide spread idea that through divorce the phenomenon of single parenthood is born, however, the logic of the courts but also that of the parents, for the most part, is that of co-participation. In our case, contextual monoparentalism can be defined as the state of separation between parents, and implicitly of one of them from their common children, by changing the residence (Cătărașu, 2019), but it does not always imply the estrangement between the departed parent and his own children, especially in the general logic of the legal framework of joint custody.

And yet, if the courts are encouraged to place spouses in the context of further responsibilities for the betterment of children, there are enough cases where the effects of such strategies have the consequence of maintaining conflict rather than stimulating partner cooperation for the good of their own children. These are the situations that delay subsystemic healing of each of the separate partners and, at the same time, of the relationship of each of them with their respective children. This constantly fuels their conflicts, maintaining the unhappiness of each of them. For them, support in one's own environment derives from the continuous validation of the other's dysfunction rather than the healing of themselves.

References

- Apostu, I. (2015). *Căsătoria între stabilitate și disoluție* [The marriage between stability and dissolution]. Tritonic.
- Cătărașu, L. F. (2019). *Evaluarea impactului migrației părinților asupra comportamentului infracțional al copiilor rămași acasă* [Assessing the impact of parental migration on the criminal behavior of children left at home]. Lumen.
- Cetean Voiculescu, L. (2019). *Dreptul familiei și actele de stare civilă. Note de curs și manual de seminar* [Family law and civil status documents. Course notes and seminar textbook]. Lumen.
- Giddens, A. (1997). *Transformarea intimității. Manual sexual pentru elite* [Transformation of intimacy. Sexual manual for elites]. Antet.
- Grümberg, L., Rusu, A., & Samoilă E. (2019). *Barometrul de gen: România 2018* [Gender barometer: Romania 2018]. Hecate.
- Iluț, P. (2005). *Sociopsihologia și antropologia familiei* [Sociopsychology and family anthropology]. Polirom.

- Merton, R. K. (1968). *Social theory and social structure*. The Free Press.
- National Institute of Statistics of Romania, Tempo online database.
<http://statistici.INSSE.ro:8077/tempo-online/#/pages/tables/insse-table>
- Parsons, T. (1967). *Sociological theory and modern society*. Free Press.
- Romanian Parliament. (1953). Legea nr. 4/1953 (Codul Familiei), republicată prin Legea nr. 4/1956, cu modificările aduse prin Decretul nr. 779/1966 [Law no. 4/1953 (Family Code), republished by Law no. 4/1956, with the amendments brought by Decree no. 779/1966].
<http://legislatie.just.ro/Public/DetaliiDocument/Afis/20281>
- Sandu, A., Huidu, A., & Furnză, A. (2020). Social perception of ethical values in the Romanian post-secular society. *Journal for the Study of Religions and Ideologies*, 19(55), 105-120. <http://jsri.ro/ojs/index.php/jsri/article/view/1187>
- Zimbardo, P., & Coulombe, D. N. (2020). *Masculinitatea furată* [Stolen masculinity]. Trei.