

# Separation and Divorce

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# Intro

- Divorce is a persistent fact of the American marital & family life cycle, & one of the most important forces affecting & changing American lives & families today.
- **B.** In 1974, a watershed was reached when more marriages ended by divorce than by death.
- 1. Today, approximately 50 % of all new marriages are likely to end in divorce.
- 2. About one in five American families is a single-parent family; more than half of all children will become stepchildren by the year 2000.

- **C.** Researchers traditionally looked on divorce from a deviance perspective: Social scientists are increasingly viewing divorce as one path in the normal family cycle.

# Measuring Divorce

- **A.** There are nearly 20 million divorced people aged 15 & older in the United States, representing over 9% of the population.

# Divorce Trends in the United States

- **A.** Both marriage & divorce rates have declined.
- **B.** The marriage rate is at its lowest point since the 1930s.
- **C.** As to divorce, after three-quarters of a century worth of increases (with the exception of the 1950s), in more recent years the rate has declined.

# Factors Affecting Divorce

- **A.** It may be difficult to discover the underlying reasons for an individual divorce, but researchers have found various factors related to divorce.
- **B.** It is often difficult to view divorce in terms of **societal factors** because the pain of divorce seems so uniquely personal.
- 1. The shift from an agricultural society to an industrial one undermined many of the family's traditional functions. As a result of losing many of its social & economic underpinnings, the family is not a necessity.

- 2. **Social integration**-the degree of interaction between individuals & the larger community is emerging as an important factor in the incidence of divorce. Geographic location in the U.S. is related to divorce rates.
- 3. American culture has traditionally been individualistic. The individual is viewed by many as having priority over family when the two conflict.

- **C. Demographic factors** that appear to be related to divorce include employment status, income, educational level, ethnicity, & religion.
- 1. Among whites, a higher divorce rate is characteristic of low-status occupations & unemployment.
- 2. The higher the family income, the lower the divorce rate for both whites & African-Americans. The higher a woman's individual income, the greater her chances of divorce.
- 3. For whites, the higher the educational level, the lower the divorce rate.

- 4. African-Americans are more likely than whites to divorce. This may be due to the strong correlation between socioeconomic status & divorce.
- 5. Frequency of attendance at religious services tends to be associated with the divorce rate. By religion, the lowest divorce rate is for Jews, then Catholics, & then Protestants.

- **D.** Different aspects of the life course may affect the probability of divorce.
- 1. Adolescent marriages are more likely to end in divorce than are marriages that take place when people are in their twenties.
- 2. Premarital pregnancy by itself does not significantly increase the likelihood of divorce. If the pregnant woman is an adolescent, drops out of high school, & faces economic problems following marriage, the divorce rate increases dramatically.
- 3. There is a higher divorce rate in remarriages.

- 4. Those whose parents divorce are subject to intergenerational transmission, the increased likelihood that divorce will later happen to them.
- a. It is now estimated that parental divorce increases the chance of their children's marriage ending within the first five years by as much as 70 %.
- b. The increased risk of divorce holds in second marriages as well as first marriages & is especially great if both spouses experienced parental divorce.
- **E.** The actual day-to-day family processes may be the most important factors affecting divorce.

- 1. A strong link between marital happiness & divorce appears to be true only during the earliest years of marriage. Alternatives to one's marriage & barriers to divorce appear to influence divorce decisions more than marital happiness.
- 2. It is not clear what relation children have to divorce.
  - a. The birth of the first child reduces the chance of divorce to almost nil in the year following the birth.
  - b. One of the most significant findings in research indicates that parents of sons are less likely to divorce.

- c. Premaritally conceived children & physically or mentally limited children are associated with divorce.
- 3. Kitson & Sussman (1982) found that the four most common reasons given for divorce were, in descending order: personality problems, home life, authoritarianism, & differing values.
- 4. All 50 states have adopted no-fault divorce, the legal dissolution of a marriage in which guilt or fault by one or both spouses does not have to be established.

# The Stations of the Divorce Process

- **A.** The **divorce process** is not a single event, but rather a complex process: Anthropologist Paul Bohannan outlines a process made up of six "divorces:"
- **B.** The emotional divorce is when at least one partner begins to put emotional distance into the marriage: The heart of the marriage is missing.
- **C.** The legal divorce is the court-ordered termination of a marriage: Many unresolved issues of the emotional divorce may be acted out.

- **D.** The *economic divorce* entails the settlement of the property of the marriage: Alimony & child support may be required.
- **E.** The *co-parental divorce* includes the issues of child custody, visitation & support, as well as the impact of the divorce on the children: This may be the most complicated aspect of divorce.
- **F.** The *community divorce* involves changes in the social context, such as relationships with in-laws & friends.

- **G.** The *psychic divorce* is accomplished when the former spouse becomes irrelevant to one's sense of self & emotional well being. Bohannon regards the psychic divorce as the most important element in the divorce process.

# Marital Separation

- A. The crucial event in marital breakdown is the act of separation. Divorce is a legal consequence that follows the emotional fact of separation.
- 1. The uncoupling process usually begins as a quiet, unilateral process, as the dissatisfied person begins to turn elsewhere. The process appears to be the same for married & unmarried couples & for gay & lesbian relationships.

- 2. Uncoupling does not end when the end of the relationship is announced, or even when the couple physically separates. Acknowledging that the relationship cannot be saved represents the beginning of the last stage of uncoupling.
- **B.** Most newly separated people do not know what to expect & many feel as if they have "lost an arm or a leg."
- 1. Separation distress, situational anxiety caused by separation from an attachment figure, is a common experience.

- 2. Sooner or later the negative aspects of separation are balanced with the positive aspects, such as the possibility of finding a more compatible partner, or constructing a better life.
- 3. During separation distress, almost all attention is centered on the missing partner & is accompanied by apprehensiveness, anxiety, fear, & often panic.
- 4. Although sometimes the immediate effect of separation is not distress but euphoria, almost everyone falls back into separation anxiety.
- 5. As the separation continues, separation distress slowly gives way to loneliness.

- 6. A person goes through two distinct phases in establishing a new identity following marital separation.
- a. The **transition period** begins with the separation & is characterized by separation distress & loneliness. The transition period generally ends within the first year.
- b. The **recovery period** usually begins in the second year, when the individual has created a reasonably stable pattern of life. Emotional intensity related to the former spouse declines, yet the individual still has self-doubts.

- C. Dating again presents problems such as meeting new people, being part of a singles subculture, dealing with childcare, coping with strained finances, & facing sexual feelings.
- 1. The functions of dating after separation/divorce include:
  - (1) sending the message to the world that the individual is available to become someone else's partner,
  - (2) enhancing the individual's self-esteem, &
  - (3) initiating the individual into the singles' subculture to explore new freedoms.

- 2. Several features of dating following separation & divorce differ from premarital dating:
  - (1) Dating does not seem to be a leisurely matter;
  - (2) Dating may be less spontaneous;
  - (3) Finances may be strained; &
  - (4) Separated & divorced men & women often have a changed sexual ethic.

# Consequences of Divorce

- **A.** Most divorces are not contested & are settled out of court through negotiation; however, divorce is still a complex legal process involving highly charged emotions.
- **B.** Unanticipated consequences of no-fault divorce may have placed older homemakers & mothers of younger children at a disadvantage.
  - 1. One of the most striking differences between two-parent & single parent families is poverty.
  - 2. The majority of single mothers become poor as a result of marital disruption.

- 3. Husbands typically enhance their earning capacity during marriage, while wives often quit or limit their participation in the work force to fulfill family roles. This limits wives earning capacity when they reenter the work force.
- 4. About a quarter of divorced women enter a spell of poverty sometime during the first five years following divorce.
- **C.** Employment opportunities of divorced women are constrained by the necessity of caring for children.
- 1. Separation & divorce dramatically change many mothers' employment patterns.

- 2. Most employed single mothers are on the verge of financial disaster.
- 3. Gender discrimination in unemployment & lack of societal support for childcare condemn millions of single mothers & their children to poverty.
- **D.** Alimony is the money payment a former spouse makes to the other to meet his or her economic needs.
- 1. Child support is a monetary payment made by the noncustodial spouse to the custodial spouse to assist in child-rearing expenses.

- 2. The Child Support Enforcement Amendments & the Family Support Act require states to deduct delinquent support from fathers' paychecks, authorize judges to use their discretion when support agreements cannot be met, & mandate periodic reviews of award levels to keep up with inflation rates.
- 3. Child support awards are historically small, usually amounting to 10% of the noncustodial father's income & less than half of the child's expenses.
- **E.** There are numerous noneconomic consequences to divorce.

- 1. Compared with married people, divorced individuals experience more psychological distress, poorer self-concepts, lower levels of psychological well-being, lower levels of happiness, more social isolation, less satisfying sex lives, & more negative life events.
- 2. They also have greater risks of mortality & report more health problems.
- 3. Compared to married people, divorced women & men are three times as likely to commit suicide.
- 4. Divorced individuals have more difficulty raising children.

- 5. For some people divorce is associated with positive consequences such as higher levels of personal growth & greater autonomy.

# Children and Divorce

- **A.** A traditional nuclear family, merely because it is intact, does not necessarily offer an advantage to children over a single-parent family or stepfamily.
- 1. Children living in happy two-parent families appear to be the best adjusted, & those from conflict-ridden two-parent families appear to be the worst adjusted:
- Children from single-parent families are in the middle.

- 2. The key to children's adjustment following divorce is the lack of conflict between divorced parents.
- 3. Telling children their parents are separating is very difficult; whether or not parents are relieved about the separation, they often feel extremely guilty.
- **B.** Divorce involves a series of events & changes in the life circumstances of the children, not an isolated incident.
- 1. Children react differently to divorce because of factors such as temperament, sex, age, & past experiences.

- 2. There appears to be a three-stage process of divorce for children:
  - a. the initial stage characterized by high stress, escalated conflict, & unhappiness,
  - b. the transitional stage characterized by restructuring of the family & by economic & social change, &
  - c. the restabilization stage with the post-divorced family established.
- C. There are six developmental tasks that children must undertake when their parents divorce:
  - 1. acknowledging parental separation,
  - 2. disengaging from parental conflicts,

- 3. resolution of the loss of the familiar parental relationship, as well as their everyday routines & structures,
- 4. resolution of anger & self-blame,
- 5. accepting the finality of divorce, &
- 6. achieving realistic expectations for later relationship success.
- **D.** Children's responses to divorce vary by age group.
  - 1. Younger children may react with feelings of guilt, anger, sorrow & relief.
  - 2. Most children, regardless of their age, are angry because of the separation.

- 3. Very young children tend to have temper tantrums while older children become aggressive.
- 4. For adolescents, parental separation is traumatic.
  - a. Adolescents tend to protect themselves by distancing themselves & appearing cool & detached.
  - b. Adolescents are likely to be angry with both parents, blaming them for upsetting their lives.

- **E.** Children's adjustment can be increased by: parents discussing issues prior to the separation; continuing the child's involvement with the non-custodial parent; lack of hostility between the parents; good emotional & psychological adjustment to the divorce on the part of the custodial parents; & practicing good parenting skills.
- **F.** The greatest damage occurs when parents use children as pawns after a divorce.
- **G.** There is a variety of perspectives on how & why divorce affects children.

- 1. Children of divorce suffer a reduction of income; a weakening of ties with their fathers; a loss of "residential stability;" problems in school; & a greater likelihood of becoming teen parents.
- 2. Not all children suffer these negative consequences.
- 3. Most adults & children adapt to divorce within two to three years.
- 4. Hetherington identified distinctive patterns that divorced men & women display including enhancers, goodenoughs, seekers, swingers, competent loners, & the defeated.

- 5. Longitudinal data indicate that 90 % of children with divorced parents achieve the same level of adult well being as children of continuously married parents.

# Child Custody

- **A.** Standards of court-awarded custody are generally based on the best interests of the child or the least detrimental of the alternatives available.
- **B.** In practice, the courts usually favor the mother for custody because:
  - 1. women usually prefer custody, men do not,
  - 2. tradition has given women custody, &
  - 3. the law is biased towards women & the rearing of children.
- **C.** Types of Custody

- 1. **Sole custody** is when the child lives with one parent, who has sole responsibility for physically raising the child & making all decisions regarding his or her upbringing.
- a. This is the most common custody arrangement in the U.S., accounting for 85% of all divorce cases.
- b. Women have traditionally been responsible for child rearing, thus, sole custody is the closest approximation to the traditional family.
- c. Many men do not feel competent, or are not perceived as competent in day- today child rearing responsibilities.

- 2. **Joint custody**, in which both parents continue to share legal rights & responsibilities as parents, is becoming increasingly accepted, accounting for 10 % of cases.
- a. In **joint legal** custody, the children live primarily with one parent, but both parents share in decisions regarding the children.
- b. In joint physical custody, children live with both parents dividing time more or less equally between the two households.
- c. Joint custody has numerous advantages, but it also requires parents to work out both the practical logistics, as well as their feelings about each other.

- 3. **Split custody** splits the children between the parents, usually with girls living with their mother & boys with their father.
- **D. Noncustodial Parents**
- 1. **Noncustodial** parent involvement exists on a continuum regarding caregiving, decision-making, & parent-child interaction.
- 2. Noncustodial parents are primarily men, many of whom suffer from the disruption or disappearance of their father role following divorce.
- 3. Children tend to have little contact with the nonresidential parent. The reduced contact seems to weaken the bonds of affection.

- **E. Custody Disputes & Child Stealing**
- 1. As many as one-third of all post-divorce legal cases involve children.
- 2. Each year, about 350,000 children are abducted by family members in child custody disputes.

# Divorce Mediation

- **A. Divorce mediation** is the process in which a mediator attempts to assist divorcing couples in resolving personal, legal, & parenting issues in a cooperative manner.
- **B.** Mediators generally have professional backgrounds *in marriage counseling, family therapy or social work.*
- **C.** A primary goal of mediation is to encourage parents to view shared custody as a viable alternative.

- **D.** Mediators try to help couples develop communication skills to negotiate with each other & suggest ways to minimize conflict.
- **E.** Mediation is not a panacea for the difficulties of divorce—the stresses & conflicts of divorce are real & painful.

# What to Do About Divorce?

- **A.** How can we reduce the rate of divorce? Is the high rate due to the ease & acceptability of divorce?
- **B.** Is divorce the problem or is it a solution to other problems?
- **C.** Whitehead & others encourage the idea of emphasizing the benefits of stable, life-long marriages.
  - 1. To "dismantle the divorce culture."
  - 2. To "restigmatize divorce."

- **D.** There is the legal aspect to make divorce harder to get & to do away with no-fault divorce.
- **E.** Many states have enacted a two-tiered system of marriage in which couples are allowed & encouraged to consider covenant marriages, marriage laws that require couples to undergo premarital counseling, swear to the lifelong commitment of marriage, & promise to divorce only under extraordinary circumstances & only after seeking marriage counseling.