

## DIVORCE

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### MAJOR FINDINGS

- Between 1990 and 2011, the number of marriages fell almost by half, more precisely, from 66,405 to 35,750. The number of marriages contracted in 2011 was by 5,000 smaller than in 2007. However, the number of divorces fell to a smaller extent in the same period, from 24,888 to 23,200, which is a decrease of less than 2,000 as compared to 2007.
- The total divorce rate, which is an estimate of marriages ending in divorce, steadily increased between 1990 and 2007, reaching 0.45, then practically stagnated till 2010. This means that almost half of the marriages contracted in 2007 and in the following years are likely to break up.
- The age of the divorcees is also steadily increasing from 1990. In 2010 the average age of women at the time of divorce was 39.3 years, while that of men was 42.1, which means an increase of more than one year in the last three years for both sexes.
- The average duration of dissolved marriages is rising, too. In 2010 couples broke up after having been married for 12.9 years, so the duration of dissolved marriages grew by six months as compared to 2007. The rate of divorces following a long marriage similarly increases. While in 1990 only 14.6 per cent of all divorces terminated a marriage of 20 years or more, in 2000 this rate was already 21.6 per cent, and in 2010 it reached 27.5 per cent. Between 2007 and 2010 the increase was 3 per cent.
- There are minor children in about 60 per cent of the families broken up by divorce. In one third of the marriages dissolved in 2010 there was one, in one fifth there were two, and in 7 per cent of such families there were three or more children under age. These rates remained basically unchanged in the last three years.
- Public opinion polls indicate that the attitude towards dissolved partnerships changed considerably in the past decade and a half. The requirement that parents should stay together in the interest of their children even after the breakdown of their partnership has definitely lost its force. In 1994 nearly one fifth of the persons interviewed fully accepted this view and every second person dismissed it, while in 2009 only every eighth person agreed and two thirds of the interviewed definitely disagreed with the idea.
- Cohabitation is more likely to be broken up than marriage. Every third cohabitation terminates within five years, while only 10 per cent of all marriages are dissolved in the first five years. Twenty-eight per cent of couples living in cohabitation still live in consensual union in the fifth year of their partnership but nearly 40 per cent marry their partners in the meantime.
- Divorce as a judicial act and actual separation do not necessarily coincide. Most couples go to live separately before the sentence for divorce is pronounced. Moving apart is the most frequent in the year and a half around the date of the divorce.

## MARRIAGE AND DIVORCE

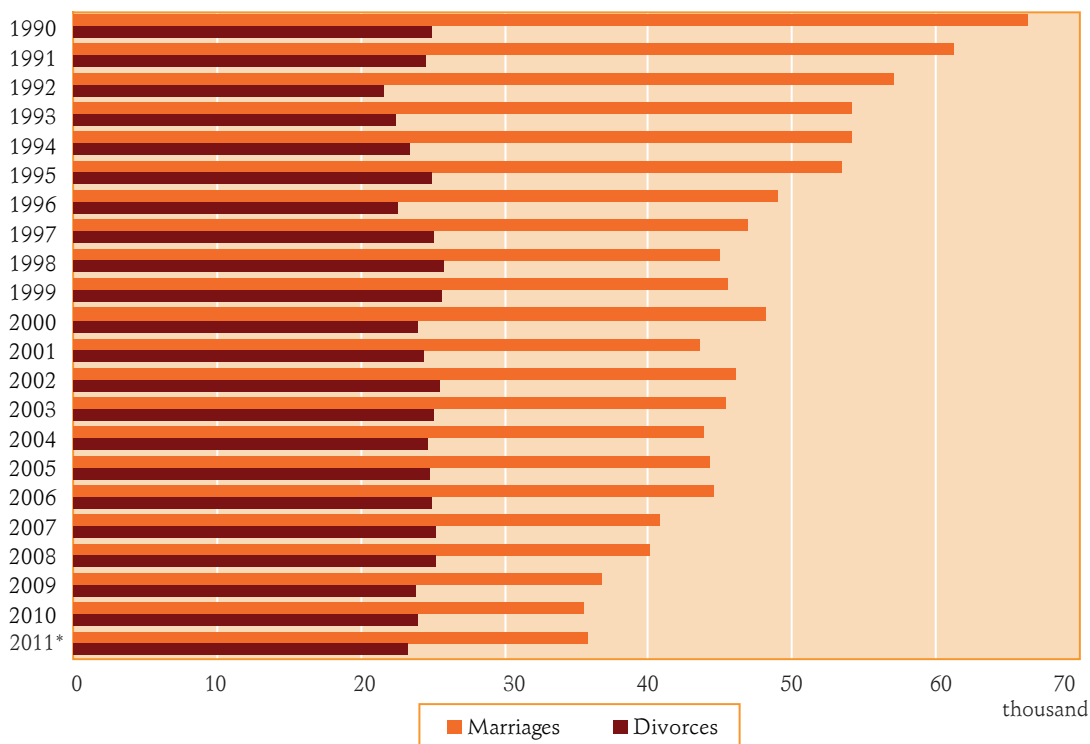
Divorce is the legal dissolution and annulment of a marriage by a valid decision of a judge. The data on divorce slightly underestimate the instability of marriages as there are couples<sup>1</sup> – two to three per cent of all couples – who live separately without being divorced.

Partnerships underwent a considerable change as to their form in the past few decades. Cohabitation is gaining ground and ever fewer marriages are contracted. The full survey of dissolved partnerships takes, therefore, into consideration both

cohabitation and marriage. In the present study we speak first about the dissolution of marriages by divorce for which we have a great number of statistical data.<sup>2</sup>

In the past two decades, the number of newly contracted marriages decreased considerably. In 1990 it was still over 66,000, while in 2011 it did not quite reach 36,000. Taking the last four years into consideration we find that the decrease was the greatest in 2009 with 3,500 marriages less than in the previous year. The willingness to get married displays a falling tendency, though in 2011 a slight rise could be observed (Fig. 1).

**Fig. 1. The number of marriages and divorces, 1990–2011**



\* Preliminary data, partly estimates. Source: Statisztikai tükör, 2012:17.

Source: KSH Demográfiai Évkönyv (Demographic Yearbooks) for the years 2000 to 2010.

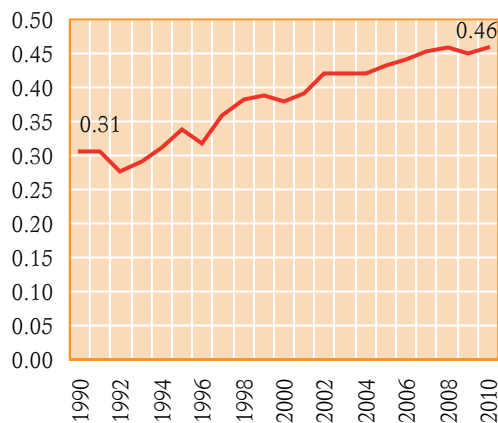
<sup>1</sup> *Turning Points of the Life Course. Demographic Panel Survey, 1st and 2nd waves. Demographic Research Institute of the Hungarian Central Statistical Office.*

<sup>2</sup> *The respective data on cohabitation will be dealt with later.*

The number of divorces between 1990 and 2011 fluctuated between 22,000 and 26,000 every year, the lowest ones being in 1992 and 1993. Between 2009 and 2011 the situation improved a bit (in 2011 the respective figure was 23,200), whereas the number of marriages was gradually falling from 2006 onwards (Fig. 1).

Beginning with the late 1970s, more marriages terminated every year – either by divorce or by the death of one of the partners – than were contracted. In the past three years the number of terminations was twice as high as that of newly contracted marriages.

**Fig. 2. Total divorce rate, 1990–2010**



Source: KSH Demográfiai Évkönyv, (Demographic Yearbooks) 2000 to 2010.

The frequency of divorce is measured by various rates. The total divorce rate takes into account both the number and the duration of marriages, eliminating by this the bias resulting from the changes of these factors year by year. This rate compares the number of divorces granted in a given calendar year to the number of marriages contracted in the same year and, on the basis of the divorce rate by the duration of the marriage, it estimates the percentage of the marriages most probably ending in divorce. In 1990 this rate was 31 per cent, while in 2010 it already reached

46 per cent, which meant that almost every second marriage ended before the divorce court. Throughout the discussed period this estimate was steadily growing but between 2007 and 2011 it stagnated on 45 or 46 per cent (Fig. 2). Besides the growing social acceptance of divorce and its becoming easier as a legal procedure, the growing rate can be attributed also to the fact that couples today expect their marriage to fulfil primarily their emotional needs and are apt to break up once these needs are not fulfilled.

The total divorce rate is the best for an international comparison of the frequency of divorce (Table 1). In Hungary, more marriages ended with divorce than the European average for a long time but in the recent years the divorce rate was more around the average. Between 1990 and 2010 the frequency of divorce increased almost in all countries but recently the tendencies have changed. In Scandinavia divorce is traditionally frequent but between 2004 and 2010 Norway and Denmark witnessed a considerable drop in the number of divorces. Although the rate was slightly increasing in Southern Europe (Bulgaria, Cyprus, Italy, Greece, Romania) and in Poland, these countries still produce the lowest divorce rates in Europe. Spain witnessed a growth from 31 in 2004 to 46 per cent in 2010, so this country also belongs to the middle section by now.

The situation in East Central Europe is varied. The frequency and dynamics of divorce differs from country to country. In Poland and Romania the willingness to get divorced is low but while in Poland it rises towards the end of the period, in Romania it remains on the same level. The total divorce rate of Slovakia is moderately high but shows an upward tendency. In Hungary and in the Czech Republic the divorce rate is high but while in Hungary it is steadily

rising, in the Czech Republic it remains the same throughout the period 2004–2010 after a sharp rise in the previous years. These differences are caused by a number of factors, e.g., by economic, religious, and legal ones.

**Table 1. Total divorce rates in some European countries**

Country	1990	1995	2000	2004–2005	2009–2010
Austria	0.33	0.38	0.43	0.46	0.43
Belgium	0.31	0.55	0.45	0.56 <sup>a</sup>	0.62
Bulgaria	0.17	0.18	0.21	0.31	0.28
Cyprus	0.07	0.15	0.21	0.24	0.27
Czech Republic	0.38	0.38	0.41	0.49	0.50
Denmark	0.44	0.41	0.45	0.47	0.40
Estonia	0.46	0.66	0.47	n.d.	0.41
Finland	0.42	0.48	0.51	0.50	0.49
France	0.32	0.36	0.38	0.43 <sup>c</sup>	0.45
Germany	0.29	0.33	0.41	0.46	0.43
Greece	0.12	0.15	n.d.	n.d.	0.2 <sup>e</sup>
<b>Hungary</b>	<b>0.31</b>	<b>0.34</b>	<b>0.38</b>	<b>0.42</b>	<b>0.46</b>
Italy	0.08	0.07	nd.	n.d.	0.17
Latvia	0.44	0.35	0.34	0.36	0.56
Lithuania	n.d.	0.30	0.39	0.45	0.42
Luxembourg	0.36	0.33	0.47	0.49	0.50
The Netherlands	0.30	0.36	0.38	0.35	0.35
Norway	0.43	0.45	0.45	0.49	0.44
Poland	0.15	0.14	0.17	0.23	0.26
Portugal	0.12	0.16	0.26	0.33	0.36 <sup>d</sup>
Romania	0.19	0.20	0.19	0.21 <sup>a</sup>	0.20
Russia	0.40	0.50	n.d.	n.d.	n.d.

<sup>a</sup>2003; <sup>b</sup>2001; <sup>c</sup>2002; <sup>d</sup>2007; <sup>e</sup>2008.

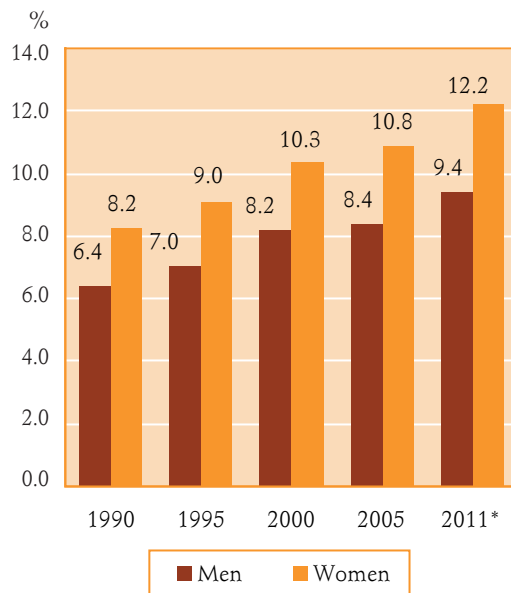
nd: no data.

Source: Demográfiai évkönyv (Demographic Yearbooks) 2007; Eurostat, author's calculations.

The distribution of the population by marital status is determined most of all by the rate

of marriages and divorces but it is influenced also by the rate of widowed persons and remarried ones. Between 1990 and 2010, the rate of divorcees in the population grew slowly but steadily, that of divorced women always preceding that of divorced men (Fig. 3). The rate of divorced men grew in the given period from 6.4 to 9.4 per cent, and that of divorced women rose from 8.2 to 12.2 per cent, so the rate rose by half in both cases. Divorced men are more likely to remarry than divorced women. This phenomenon is partly caused by the fact that due to the higher mortality of men there are more females than males in advanced age groups. Being divorced does not necessarily mean that a person does not have a partner since cohabitation is popular among divorcees.

**Fig. 3. The rate of divorced persons within the total population by sex**



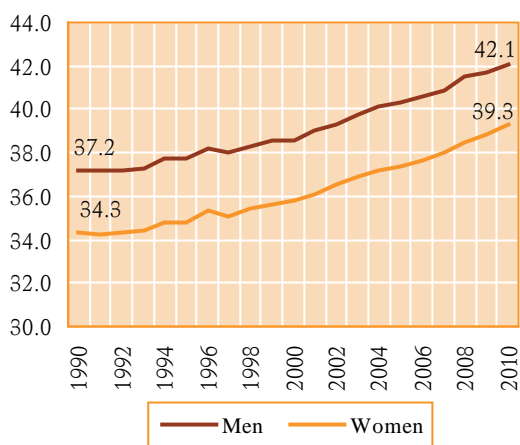
\* Estimated data for January 1, 2011.

Source: KSH Demográfiai Évkönyv ((Demographic Yearbooks) for the years 2000 to 2010.

## DISSOLVED MARRIAGES

Following a stagnation between 1990 and 1993, the mean age of just divorced persons has been steadily increasing. From 2000 onwards the increase has been even more abrupt than before for both women and men (Fig. 4). The average age of men at the time of divorce in the discussed period rose from 37.2 to 42.1 years, and that of women rose from 34.3 to 39.3, i.e., on average, the couples were five years older at the time of divorce than twenty years earlier.

**Fig. 4. Average age of men and women at the time of divorce, 1990–2010**



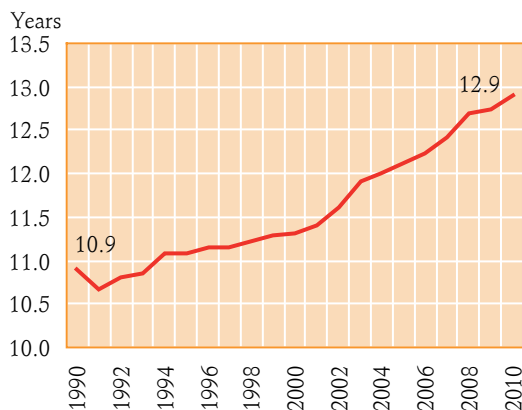
Source: KSH Demográfiai Évkönyv ((Demographic Yearbooks) for the years 2000 to 2010.

In the last three years, between 2007 and 2010, the mean age at divorce rose by 1.2-1.3 years regarding both sexes. The difference in age between divorced spouses remained almost unchanged, it was about three years. The process runs roughly parallel with the rise in the age at marriage. The only difference is that the latter rose faster before 2000 than the age at divorce.<sup>3</sup> The rising age at divorce can be attributed to

the fact that the number of divorces increased among the middle-aged and the elderly, while it decreased among those under 30.

With the exception of 1991, the average duration of dissolved marriages was rising throughout the whole period, from 10.9 years in 1990 to 12.9 years in 2010 (Fig. 5). The accelerated increase in 2007 and 2008 was followed by a more moderate one in the next two years.

**Fig. 5. Average duration of marriages at the time of divorce, 1990–2010**



Source: KSH Demográfiai Évkönyv ((Demographic Yearbooks) for the years 2000 to 2010.

Whereas the number of divorces wavered only moderately in the period in question, the distribution of dissolved marriages by duration did change. The rising duration of marriages at the time of divorce is caused by a decreasing rate of divorces following shorter marriages, and by an increasing rate of divorces after longer marriages. The rate of divorce in the case of marriages lasting less than 5 years fell from 27 per cent in 1990 to 18.6 per cent in 2010. A similar decrease occurred in the category 5 to 10 years. There is, however, an increase in the case of marriages lasting longer than 20 years. Their share in 2010 was by

<sup>3</sup> See Chapter 1 in the present volume.

13 percentage points higher than their value of 14.6 per cent in 1990. In the past three years the rate of marriages dissolved after 5 to 9 years is definitely decreasing, while that of those lasting 20 years or longer is clearly increasing (Table 2).

**Table 2. Distribution of marriages dissolved in a given year by duration, 1990–2010 (per cent)**

Year	Duration				
	0–4 years	5–9 years	10–14 years	15–19 years	20–x years
1990	27.0	24.1	19.5	14.8	14.6
1991	28.0	24.6	18.0	14.9	14.6
1992	26.5	24.9	18.3	15.5	14.9
1993	26.2	25.1	17.5	15.4	15.8
1994	25.2	24.5	17.5	15.4	17.4
1995	23.8	25.6	17.5	15.3	17.7
1996	23.9	25.2	17.6	13.5	19.8
1997	22.5	25.6	18.5	14.2	19.2
1998	23.0	24.8	18.1	13.6	20.6
1999	22.1	24.8	18.3	13.6	21.1
2000	21.6	24.6	19.0	13.2	21.6
2001	21.7	23.7	18.8	13.6	22.1
2002	20.9	23.3	18.8	14.2	22.7
2003	19.7	22.4	19.6	15.2	23.1
2004	20.2	21.6	19.3	15.4	23.5
2005	19.3	21.9	19.7	15.9	23.3
2006	19.5	21.7	18.7	16.0	24.0
2007	19.2	21.5	18.1	16.3	24.9
2008	18.6	21.6	17.5	16.2	26.1
2009	18.4	22.2	16.9	16.0	26.5
2010	18.6	20.8	17.2	15.9	27.5

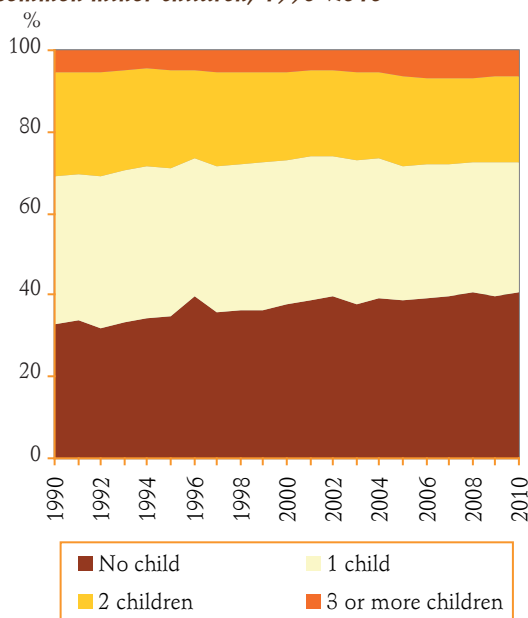
Source: KSH Demográfiai Évkönyv ((Demographic Year-books) for the years 2000 to 2010.

The dissolution of a marriage bears down hard on the children of the couple. Cases of divorce affecting minor children are especially

important to examine. The rate of such divorces fell from 67 per cent in 1990 to 60 per cent in 2010 (Fig. 6). The rate of those with one child under age dropped from 36 to 32 per cent and that of those with two dropped from 26 to 21 per cent. However, the percentage of those with three or more children rose slightly, from 5.3 to 6.7 per cent. These rates were practically unchanged in the past three years.

The rate of couples with no children at the time of divorce increased in the period in question, which is due to the fact that the age at the birth of the first child is increasing, too, so many couples break up before having a child.

**Fig. 6. Distribution of divorces by the number of common minor children, 1990–2010**



Source: KSH Demográfiai Évkönyv ((Demographic Year-books) for the years 2000 to 2010.

The decrease in the frequency of divorce among couples with children is primarily due to demographic causes rather than to the society's negative approach to the phenomenon. Public opinion became far more permissive in this respect in the period

between 1994 and 2009. The traditional requirement that parents should stay married in the interest of the children until they grow up practically disappeared.

Public opinion polls in 1994 and 2009<sup>4</sup> wanted to know whether people still agree with the statement that even unhappy marriages should not be dissolved in the interest of the children (Table 3).

**Table 3. "Parents should stay together even if they are no longer happy"**

*Opinions of men and women between 18 and 50 years of age, 1994, 2009 (per cent)*

	Year	Men	Women	To-gether
Agrees	1994	21.0	15.8	18.4
	2009	13.1	11.4	12.2
Partly agrees	1994	35.0	26.6	30.5
	2009	24.7	19.3	22.0
Disagrees	1994	43.9	58.3	51.1
	2009	60.8	68.6	68.8

Source: S. Molnár 2010:46.

The requirement that parents with children should stay together even if they are no longer happy in the interest of their children definitely slackened in the period of fifteen years between the two polls. Whereas in 1994 nearly one fifth of the interviewed agreed with this view and only every second person disagreed with it, in 2009 only every eighth person agreed and two thirds of the interviewed definitely rejected the idea. The change of opinion was more marked in the

case of men but women tended to reject staying in an unhappy relationship for the sake of the children to a greater degree already in 1994. The cause of this might be that women are more affected with the situation as children mostly stay with their mothers after the dissolution of a partnership.

## DISSOLUTION OF COHABITATION

Data collection with regard to cohabitation began already during the 1970 census and has been going on on an even larger scale ever since.

However, the duration, i.e., the beginning and the end of cohabitation cannot be determined as easily as in the case of marriage since it is not signified by a legal act, cohabitation being a consensual relationship<sup>5</sup>. Consequently there are no statistical data available either as to their beginning or as to their termination. A census or microcensus is able only to determine their number and duration up to that date. The longitudinal panel data survey Turning Points of the Life Course makes it, however, possible to estimate the rate of the dissolution of cohabitations.

The stability of marriages and cohabitations differs considerably. Cohabitation tends to terminate within a relatively short time or turns into marriage. Every third cohabitation comes to an end within 5 years, whereas the rate of marriages broken up within 5 years is below 10 per cent. Twenty-eight per cent of all cohabiting couples continue to live in this kind of partnership after 5 years, while nearly

<sup>4</sup> DRI public opinion poll from 1994, for the results see Pongrácz 2011:92; OTKA research project *A családi értékek és a demográfiai magatartás változása (Changing family values and demographic attitudes)*, KSH NKI (2009)

<sup>5</sup> There are two ways of making cohabitation official. In the case of couples of different sexes the relationship can be registered following a declaration of intention in the presence of a notary public, while in the case of couples of the same sex there is a legal form named „registered cohabitation”, which is similar to legal marriage although the differences are also numerous, e.g., they are not allowed to use one another's name or adopt children.

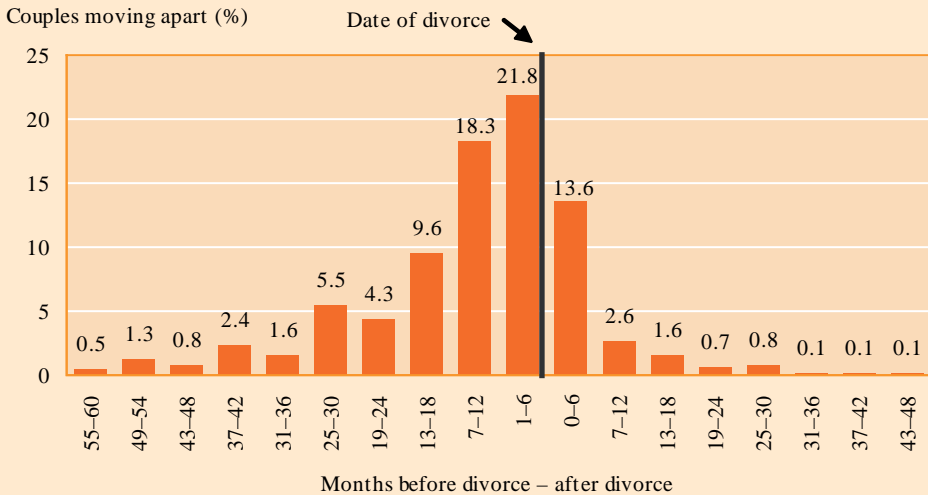


**DISSOLUTION OF MARRIAGE.  
THE TIMING OF LEGAL AND ACTUAL  
SEPARATION**

The date of divorce is the date when the marriage is finally and legally dissolved by the court. It is, however, well known that the actual termination of living under the same roof, i.e., moving apart, rarely coincides with the legal act, though it usually takes place some time in the year or a year and a half around it. According to a survey about men and women divorced in 2000, 40 per cent of the interviewed had moved apart some

time in the year before the sentence for divorce was pronounced and another 14 per cent did so within six months following it. The number of separations beginning more than a year before divorce was hardly more than 30 per cent and that of persons moving apart later than six months following it was 7 per cent. (It is interesting to note that 6.2 per cent of the interviewed did never move apart possibly due to housing problems. No data are available for 4 per cent of the interviewed in this respect.) This means that the actual day of pronouncing the divorce found merely 25 per cent of the divorcees under the same roof.

*The timing of moving apart as compared to the date of divorce (months)  
Men and women divorced in 2000 (per cent)*



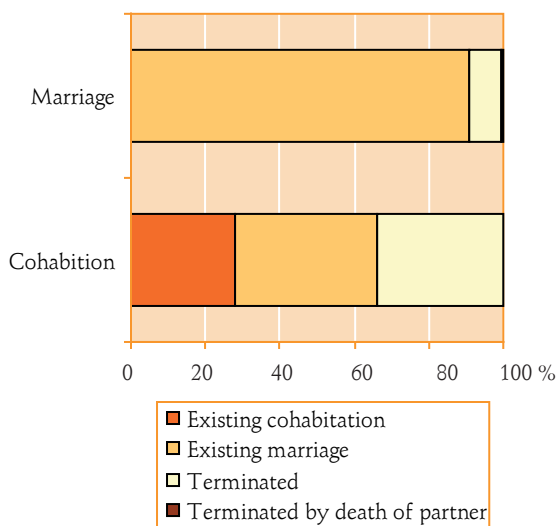
The available statistical data on divorce contain only the actual address of the couple at the time of filing for divorce, making the examination of the rate and timing of separation prior to or following actual divorce impossible. The ratio of persons to be divorced can, however, be established by the various types of settlements due to their moving apart prior to divorce. Between 1990 and 2010 the average rate of such separations was 19 to 23 per cent, which is

much less than the one established by the survey referred to above. The reason for this can be partly that information is available only to the period prior to the legal act of divorce and partly the fact that this type of calculation cannot take into account movements within the same settlement and migration between settlements of the same legal status (e.g., within a village or from a town to another). Unregistered migration can similarly not be followed.



40 per cent of them marry their partners in the meantime. (0.2 per cent of the marriages contracted after cohabitation came to an end in the first five years due to the death of one of the spouses, while the respective figure for those marrying without previous cohabitation was 0.6 per cent.)

**Fig. 7. Partnership status 5 years after their beginning\***



\*All partnerships established between 1970 and 1999. Data from the survey Turning Points of the Life Course, author's calculations.

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