Divorce In American Families

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Abstract

The paper is going to present the findings of the research on the topic of divorce in relation to American families today. Modern families face issues of marriage, and divorce is a trend that can't be left unnoticed. The research sources information, data, and statistics from articles from newspapers, journals, press and also from the internet. The subject of research takes the following approach guidelines:

- What is divorce?
- Grounds and origin of divorce
- Leading causes that are resulting in divorce in American families
- Aftermaths of the divorce process: effects on children, divorcing partners, financial impacts and the effect of divorce on society.
- Is there a bright side to divorce?
- Ways to solve increasing marriage disputes and divorces in American families today
- Conclusion based on the findings of the research

Introduction

Divorce is the legal dissolution of a marriage union. It is the termination of a matrimonial union when spouses fail to agree on issues facing their marriage, hence the reason for the separation. By this, there is the reorganization of the legal duties and the abandonment of former obligations in the union setup. However, the dissolution of the marriage should not be mistaken for the annulment of the marriage, legal (de jure) separation or de facto separation when the spouses stop cohabiting. The topic of divorce in the country is inescapable. A popular celebrity like Dwayne Johnson divorced his wife, Dany Garcia, after ten years of marriage. Denise Richard, an actress, and Carlos Estevez divorced just after three years of marriage on the grounds of alcohol and drug abuse. According to data retrieved from the CDC (2014), the divorce rate in America has doubled over the period. In the United States, 40-50% of couples will either end up separated or divorced, with approximately 6.8 divorces per 1,000 population. Out of this, 3.2/1000 population of married women is 16,9 /1000 women, and almost two-thirds of divorces are filed by women. The US is currently ranked sixth in divorce cases worldwide, with Russia leading the list. There was a case scenario of a family divorce in my neighbourhood that triggered me to pick the case topic of divorce in the modern family. This gave

me the urge to dig deeper and research the origin, causes, and grounds of divorce and the effects of marriage dissolution on the children, economic issues in the family and the divorcing partners.

Grounds And Origin Of Divorce

The term divorce originates from the Latin word ‘divortere’, meaning to separate or turn into different ways. Originally, the procedure of divorce was easy, and divorce was the norm of every marriage. In the Roman era, the husband only needed to issue his wife with a divorce certificate in the presence of witnesses. After the domination of Christianity, medieval churches discouraged divorce. In America, differences in divorce laws among different states persisted. In the majority of the states, the spouse seeking the divorce was required to present the ‘fault’ or the reason for the divorce. Such faults included adultery, abandonment, cruelty, illness or other reasons. Despite the presentation of the claims, the process was against the public interest, and the civil court more often failed to grant the dissolution. Americans from strict states would move to ‘divorce mill’ states to achieve faster divorces. After the ‘no-fault’ divorce law was brought into practice in California in 1990, other states followed suit, and the process eased.

At present, divorce in the country is under the jurisdiction of the state government. Grounds for divorce are the regulations that govern the circumstances that allow for divorce in the country. In all states, the process of divorce requires a legal process and the approval of the court or any other legal authority where the law outlines the guidelines of the process. In general, divorce is based on two grounds: fault and no fault. A fault divorce requires the couple to provide reasons and allegations as to why they need to have the divorce. The couples are also required to provide proof of the accusation provided. The partner accused of the allegation can file a defence against the allegations to prevent the process from happening. However, the defence is always expensive, and the divorce ends up happening. This used to be the only way to carry out the process, and it was a difficult one. In a no-fault divorce, an allegation and proof of the accusation are not required to grant the divorce. This makes the legal process easy since no requirement or reason for the divorce is needed. Grounds and faults for divorce include adultery, drug abuse, imprisonment, domestic violence and constant arguments, desertion, untreatable illnesses or mental or other forms of disabilities.

When the court approves the divorce, the sanction may involve the issue of spousal support (alimony), the mandate on the custody of the children and guidance of child visitation for the other spouse, child parenting, support and distribution of wealth or debt accumulated over the marriage period. The wealth may be distributed equally or in percentages, depending on how it was acquired. After the legal process, the spouses are declared single and are free to remarry again.

States impose the minimum period a marriage should last before filing for a divorce, with Idaho and Nevada having the shortest period of one and a half months. No-fault grounds are allowed for both unilateral and mutual contests, apart from a few states that do not allow unilateral contests.

In a covenant marriage, couples restrict themselves from going for divorce and instead opt for counselling and mediation.

Causes Of Divorce

Infidelity is unfaithfulness in marriage due to intimacy or having a practical love affair with someone else without the consent of the spouse. The extramarital affair is perhaps the most common cause of the breakdown in most marriages, which would later lead to the dissolution of the marriage. Other causes include lack of intimacy and affection with one's spouse, lack of sexual appetite with one's spouse, and long-distance relationships. According to an article on marriage.com, Infidelity begins with an innocent relationship: "It starts as an emotional affair which later becomes a physical affair" (Shellie, 2018).

Money and financial issues: According to research carried out by Citibank, 57% of divorces are attributed to money problems. Financial problems include disagreements over resource obligations, struggles over who controls the money and other resources, sabotage over extravagant use of money, and fear of one spouse making more money than the other, among other communication pertaining to money. Money is a major cause of marriage breakdowns in many families.

Quick marriages: Partners may rush into marriages and later find they were not meant for each other. Surprisingly, couples blame each other for being unprepared. According to research, the highest rates of divorce in such marriages happen to couples over the age of 20. And the divorce happens in the first year of their marriage anniversary.

Drugs and substance abuse: Drugs and substance abuse may also be another reason for divorce. After marriage, the partner may develop an addiction to drugs such as alcohol, cigarettes or other types of hard drugs. This may have a negative impact on the marriage. The other partner may fail to tolerate these behaviours and hence file for a divorce.

Weight gain, outgrown each other: Partners may change abruptly over time in physical appearance or even character. A spouse may gain excessive weight or develop a character that affects self-esteem. With this, couples may start feeling uncomfortable with each other, and this ends up in a lack of intimacy that may later lead to divorce.

Lack of communication: Communication is a crucial element in marriage, and when withdrawn, such a marriage will no longer work. A spouse may stonewall to avoid disagreements and hence fail to cooperate in finding a solution to the problem facing them. Keeping secrets and failing to be transparent is one of the effects of a lack of proper communication in the marriage. Communication forms the basis of a successful marriage, and when one of the spouses fails to communicate and express his or her take on issues involving their marriage, there is every possible cause of a breakdown and later divorce.

Perceived lack of care, affection, and intimacy: Couples living together with no passionate feelings of connection to each other end up being like roommates rather than spouses. When the couple stops loving and caring for each other, they end up being like strangers, and the only thing they will think of will be divorce.

Unrealistic expectations: Couples who get into marriage with lofty expectations may end up hurt when it dawns on them that the expectation can't be achieved.

Constant arguing: Couples who keep on arguing and always tend to disagree on almost everything have zero chance of coping together and keeping their marriage. Partners who keep on having the same arguments over and over feel they are not heard and listened to, or their opinions are not being respected. The other partner may also be reluctant to listen and feel he or she is never right. Such couples end up in divorce.

Effects Of Divorce

a) Effect on Children

When things don't go right in the marriage, children suffer most from the fallout. Despite the innocence of the soul, children are the most doleful victims of this battle. Short-term effects of the divorce may cause the child to be aggressive and violent, have a fear of being abandoned, lack of concentration in class, loss of social interaction and bedwetting for young children. For long-term effects, kids may develop peculiar behaviour, and others tend to stay away from any kind of social interaction. Divorce menaces the children's lives by lagging their academic progress. Research shows children from families undergoing divorce or divorce are likely to perform poorly in their academics. Divorced parents have less time to supervise and guide their children in their studies. The children will tend to marry and cohabit earlier; there are increased cases of teenage pregnancy. Future effects include having children out of wedlock and experiencing divorce or separation, while others may decide never to get married at all.

b) Effects of divorce on older parenting

Research from Agree and Glaser (2009) shows older separated fathers have poor relationships with their children compared to a normal family. Another research shows that old parents over the age of 70 years or with disabilities are less likely to care for and receive affection from their stepchildren compared to their biological children. Biological children are likely to provide affection three or four times compared to stepchildren (Pezzin, Pollak and Schone, 2008).

c) Impact on the divorcing partners

Divorce may be a form of relief to the partners from a burdened marriage. One will get the time and freedom to do whatever one wishes without fear of any obligations and relief from annoying in-laws. However, according to sociologists, victims of divorce experience various long-term economic, physical, mental health and social consequences. Anger arising from the divorce may lead one into crime and drug abuse in order to overcome the emotions. Individuals may experience stress, mood swings, irritability or depression.

d) Effects of divorce on financial stability.

When couples separate, their joint economy is separated and will likely weaken thereafter. This is due to the increased expenses of running the household separately as well as the costs incurred during the divorce and thereafter. Research shows that divorced spouses need, on average, 30% more income to maintain the standard they were living prior to the divorce (Deborah 2016). Almost half of the American families that undergo divorce end up in financial crisis and poverty. 75% of women who file for welfare benefits are forced to do so due to their disrupted marriages. Divorce has devastating effects on family income and on the future generation. For example, family income for children living with both parents averages 43,000 dollars, compared with 25,000 dollars for children living with divorced parents. Divorce also reduces the household net worth substantially.

e) Divorce and its impact on the society

The nucleus and the building unit of the society is the family setup. The breakdown of marriage will hence threaten society's stability. What image do divorced parents display to society, to the children who look upon the divorcing parents and to the young couples out there who are about to get married? To believers, is divorce right in God's eyes? It leads to questioning whether marriages are worthwhile or whether families are important anyway. To the sociologist, marriage does more than just unite two people. It provides hope for society to thrive and become productive. According to a Legal Zoom article, a society that hopes to flourish and perpetuate itself needs to honour the normal family unit and rear children in a responsible manner (Vrouvas 2016).

Divorce breeds poverty in society, particularly in children and the ladies who surrender their jobs to marriage and are later left helpless. After the divorce, 77-88% of mothers and children are left in poverty.

f) Positive sides of a divorce

Research also shows that divorce may liberate one from the slavery of abuse and torture and save one from the negative influence of a bad partner. It gives one the freedom to choose what one wants

to do with one's life without any obligations.

Divorce is only advantageous when the marriage is in high conflict, and separation is the only way to keep the children from the physical and mental torture and hostile environment. The child will also become less prone to addiction.

Conclusion And Possible Measures

Divorce is the most difficult period during the life of a married couple. Marriages will never be smooth, and disagreement will always be evident in any marriage. However, divorce should not be the answer to the problems; couples are advised to use other ways of settling their disagreements with the help of marriage experts. Research carried out at the University of Chicago shows that couples are no happier than before the divorce. People who marry similar spouses are less likely to divorce. According to a newspaper article, "married people are better off compared to their single counterparts" (Bella 2018).

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