



# Study of Divorce Practice in the Present Social Context

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**ABSTRACT:** Divorce by mutual consent is normally obtained in relaxed atmosphere. This indicates the longing of the spouses for relief from turbulent marital life. It reflects the changing scenario in which an understanding that divorce is a social arrangement to end acrimonious marriages, is gradually increasing.

**KEYWORDS:** divorce, mutual, social, practice, marriage, scenario

## I. INTRODUCTION

Since the 1970s, it has become easier to get a divorce in the West, both from a legal and a social point of view. This resulted in a gradual increase in the number of divorces in most Western countries.

According to the UK Office for National Statistics (ONS), in 2019 there was an 18.4% increase in divorces between heterosexual couples in England and Wales, compared to 2018. There were near twice as many divorces between same-sex couples in 2019 as in 2018, shows the analysis.

Divorce is the legal dissolution of an adult couple relationship by a court or other legal authority to terminate the legal contract of marriage. Because divorce is a legal sanction, most countries have records of the number of adults who marry and then divorce. Some adult relationships end suddenly, while others seem to fall apart over a long period of time. International estimates of divorce range from approximately 30 percent to 60 percent of marriages. Conversely, separation is referred to as the dissolution of a couple's relationship without legal intervention. This includes adults who never marry but who live together and then separate and couples who separate but do not legally end their marriages. There are no accurate prevalence rates for the number of couples who separate. Most divorced and separated couples are likely to feel a range of intense emotions, such as sadness, anger, fear, loneliness, and confusion over the uncertainty of the future. The dissolution of an adult relationship is described as the second most stressful life event, following the death of an immediate family member. Although divorce and separation can occur at any stage of an adult relationship, most literature focuses on parents who separate and the impact of the separation on the children. Separating adults who do not share children have been encouraged to "decouple," while those who share children have been encouraged to work cooperatively for the interests of their children.[1,2,3]

The consequences of divorce and separation are far-reaching, and social workers in various fields of practice frequently are called to assist children and families' adjustments to these major life changes. Experienced and emergent social workers need access to current and relevant information regarding the dissolution of adult relationships in order to help clients navigate through the intersections of family law and mental health services. The Association of Family and Conciliation Courts (AFCC) provides an excellent opportunity for social workers to become more aware of the issues relevant to divorce and separation. This interdisciplinary association provides current information about training opportunities, standards for practice, and professional resources essential for increasing knowledge in this area. Another good introductory source is the Department of Justice Canada Key Publication list, which includes valuable sources on topics such as child custody, child support, the courts, and divorce. For a broader overview of divorce trends, Parke 2013 and DiFonzo and Stern 2013 provide a comprehensive introduction to the legal, clinical, and policy implications of structural family change and divorce. Ahrons 2004, Amato and Booth 2000, and Hetherington and Kelly 2002 are seminal longitudinal works that have followed divorced and separated families over decades and provide an important overview of the various family trajectories associated with these life changes.

The term "divorce" is something that does not require any introduction. Divorce is often termed as the difficult and painful dissolution of a marriage but it is a pretty regular occurrence these days, for better or worse. It has affected almost everyone, whether they have experienced it as a spouse or a kid, or know someone who has experienced it as a spouse or a child. The repercussions of divorce are well-known, but the intricacies of the divorce process are less well-known.

The first thing about divorce is that it is very common and nothing to be ashamed of. In foreign countries, divorce is such a common process that it is nearly impossible to predict who will take divorce in the current future or who is taking divorce today. The second thing to keep in mind about divorce is that it is a long-established and venerable



institution. Divorces have been happening for as long as humans have been marrying. The ease with which a divorce may be acquired, the social stigma associated with divorce, and the degree of influence religious and governmental forces have over divorce have all changed dramatically through time and between countries. Further, the term “divorce” is not awful, it has arisen due to marital conflicts, and therefore, considering it a social stigma is wrong. It is just a process of separation when two people are not happy with each other.

#### Social aspects of divorce in India

In Indian culture, marriage is a holy institution, and divorce is considered taboo. Although the situation is improving as the younger generation is becoming more independent, the term “divorce” is still frowned upon. As a result, dealing with divorce in India necessitates a great level of emotional stability and endurance on both spouses’ parts.

Divorce in India is still not as common as it is in the West. In India, one out of every 100 couples seeks a divorce, whereas, in the United States, half of all marriages result in divorce. Despite the fact that India’s divorce rate is lower than that of Western countries, the number of divorce cases is steadily increasing as a result of different social and economic changes. Also, talking from a legal point of view, divorce is not a major issue because everyone has the right to live their life freely and according to their choice. [4,5,6]

In modern Indian society, a woman’s role is not confined to that of a housekeeper. Women of the new generation have achieved economic parity with males. As women become more economically independent and autonomous, the concept of “compromise in marriage” is rapidly diminishing. Modern Indian men and women do not believe in marital compromise in the same manner that our forefathers did. But it is our patriarchal society that exaggerates the issue of divorce. As a result, women are the ones that suffer the most. They become the target of either harsh criticism or unfathomable sympathy. Women who have been divorced are conditioned to feel that they are weak and incapable of surviving in the harsh world without the help of a man. The culture rejects their requests for a second marriage or partnership. They are referred to as “damaged goods” and other derogatory words. Men, on the other hand, continue to live in a calm setting following their divorce. They are still considered bachelors regardless of their age. This does not imply that women are the only ones who suffer. Men, too, are affected. However, as compared to women, their ratio is smaller.

Marriage and divorce are unavoidable parts of life. While marriage helps you to adjust to a new partner and family, divorce trains you to become mentally stronger and more self-reliant. Divorce can be granted for a variety of reasons, including adultery, cruelty, desertion, religious conversion, mental illness, and venereal infections. In the past, divorce law was skewed heavily in favour of women. This implies that patriarchal views and notions have an impact on the law. However, with the law’s revision, the law now treats men and women equally.

#### Impact of divorce on mental health

Marriage dissolution isn’t usually a joyous occasion. Divorce is frequently accompanied by disappointment, the loss of dreams, and lowered expectations. Divorce also brings with it a slew of legal, financial, parental, emotional, and practical concerns that force the afflicted spouse to drastically alter their duties and routines, which can take years to recover from. Divorce has been identified as a risk factor for mental health disorders and has been linked to negative mental health outcomes. Divorce, in particular, has a detrimental impact on a family’s financial stability, social environment, academic/employment performance, as well as the family’s psychological and physical well-being.

Divorce exacerbates addictions and depressions, which are the most common mental diseases. Addictions are usually linked to a lack of personal responsibility, which can lead to the other spouse taking on too much duty. Because their primary goal is to satisfy their addiction need, an addicted individual finds it difficult to be intimate in their relationships. Addicted people also have a tendency to blame the world or other people for their unhappy marriage, including their partner.

#### Impact of divorce on children

Divorce has a significant impact on the parent-child connection. Usually, it is seen that children, as well as custodial parents, do not have that connection which a child and parent should have. Due to a lack of understanding and connection, both the parties are in tension. Furthermore, divorce necessitates a clear definition of child rights in the current environment, as well as how they must be represented in a divorce case.

Children are unquestionably distressed by divorce. Outside of the family, a child faces a lot of issues and problems fitting in with a traditional society due to the stigmatisation of divorce. It is usually observed that children who see their parents’ divorce have lower educational prospects than children who grow up in intact families because they cannot cope with their surrounding family environment. The physiological behaviour of the child is the most evident influence



within the family. In the post-divorce period, there are also children who are left with a guilty conscience that because of them their parents got divorced, especially if they are regular witnesses to the parents' feuds.

Furthermore, step-families are frequently problematic, as children struggle to adjust to their new step-parent and extended step-family. Children learn how to interact with others by observing how their parents interact with one another. Divorce instills in them an unspoken distrust of their partners. Divorce also raises the likelihood of young people fleeing their families due to conflict with a parent.[7,8,9]

Legal aspect of divorce in India

Divorce is one of life's most devastating events for any couple. Furthermore, if the divorce is disputed in India, it can be a lengthy and costly process. Even couples who agree to divorce must show that they have been separated for at least a year before the courts would hear their case.

Divorce rules in India, like other personal problems, are linked to religion. The Hindu Marriage Act of 1955 governs the dissolution of marriage among Hindus, Buddhists, Sikhs, and Jains, the Dissolution of Muslim Marriages Act of 1939 governs Muslims, the Parsi Marriage and Divorce Act of 1936 governs Parsis, and the Indian Divorce Act of 1869 governs Christians. On the other hand, the Special Marriage Act of 1954 governs all civil and inter-community marriages.

## II. DISCUSSION

Divorce petitions

Now, if the marriage is valid, considering all the conditions mentioned above, and there's a dispute between the parties after marriage, a couple can get a divorce if both spouses agree, or either spouse can apply for a divorce without the other's approval.

Divorce with mutual consent

The courts will consider a divorce with mutual consent if both the husband and wife agree to divorce. However, in order for the petition to be allowed, the couple must have been separated for at least a year or two years (depending on the relevant laws) and be able to demonstrate that they are unable to live together. Even though neither husband nor wife wants it, they often consent to a no-fault divorce since it is less expensive and less stressful than a contested divorce. Custody, support, and property rights for children could all be jointly agreed upon.

The Hindu Marriage Act of 1955, the Special Marriage Act of 1954, and the Indian Divorce Act of 1869, all provide for divorce by mutual consent. The provisions of mutual consent divorce are specified in Section 13B of the Hindu Marriage Act, Section 28 of the Special Marriage Act, and Section 10A of the Indian Divorce Act.

For the petition of dissolution of marriage, the petition should be presented to the court and the couple only needs to prove that they have not been living as a husband and wife for a period of one year or more and they are not able to live together in future. Keep in mind that living apart does not always imply living in different places. The Supreme Court of India held the same in the case of Sureshta Devi v. Om Prakash (1991), stating that living apart does not always entail living in distinct areas. The parties can live together but not as husband and wife. Further, before giving divorce, the couples are provided with a period of 6 to 18 months, called a cooling-off period, to settle their disputes and give their relationship a second chance.

However, in *Devinder Singh Narula v. Meenakshi Nangia* (2012), it was determined that such an amount of time does not need to be maintained and that if the situation requires it, the marriage must be dissolved even before the six-month period has expired. In another case, *Rajiv Chhikara vs. Sandhya Mathu* (2016), the Delhi High Court's Division Bench ruled that renegeing on a settlement is equivalent to mental abuse. According to the court, the parties had been living separately since 2009 and their relationship was beyond repair. In such a case, if one spouse insists on maintaining the marriage link, it is equivalent to subjecting the other to a severe mental cruelty condition.

Muslims can get divorced by mutual consent in two ways: khula divorce and mubarat divorce.

- Khula: In this type of divorce, the wife considers asking her husband for a divorce based on mutual consent. In the case of *Mrs. Sabah Adnan v. Adnan Sami Khan* (2010), it was held that khula is a recognized form of divorce.
- Mubarat: In Mubarat, the husband and wife agree to divorce each other. When one party makes an offer, and the spouse agrees, the divorce is final.



Divorce without mutual consent

In marital ties, there are some rights and responsibilities of each partner. All of the Acts specify the reasons for filing for divorce. The Hindu Marriage Act of 1955, the Special Marriage Act of 1954, the Indian Divorce Act of 1869, and the Dissolution of Muslim Marriages Act of 1939, all allow a husband or wife to submit a divorce petition. There are various grounds on which a petition can be filed in the context of a contested divorce. It's not like a husband or wife can just ask for a divorce without giving a cause. [10,11,12]

There are 9 grounds mentioned under Section 13(1) of the Hindu Marriage Act, 1955 on which either the husband or the wife could sue for divorce. The following grounds are mentioned below:

**Adultery**

Adultery is the first ground. A divorce petition can be filed if the husband or wife has sexual relations with someone other than their spouse. It must be demonstrated that the period during which the spouse was living an adulterous life was so closely related to the filing of the petition in terms of time that the petitioner had a reasonable belief that the respondent was living in adultery at the time the petition was submitted. In the case of *Dastane v. Dastane* (1975), the Supreme Court declared that if personal connections are involved, particularly those between a husband and wife, there is no need for proof beyond a reasonable doubt.

**Cruelty**

Cruelty has now been made a reason for divorce and judicial separation under the Marriage Laws (Amendment) Act, 1976. Before that modification, it could only be used as a basis for judicial separation, not divorce but this was upheld in the decision by the Supreme Court in the case of *Dastane v. Dastane* (1975). The term "cruelty" is used here to refer to both mental and physical abuse. Further, the Supreme Court ruled in the case of *Mayadevi v. Jagdish Prasad* (2007) that any sort of mental abuse suffered by either spouse, not just the woman, but also the man, can lead to divorce on grounds of cruelty.

**Desertion**

The Marriage Laws (Amendment) Act, 1976 introduced desertion as a basis for divorce to Section 13. It was previously exclusively a basis for judicial separation. Desertion is now a legal basis for judicial separation and divorce. It refers to leaving the marriage house and abandoning one's spouse. If a husband or woman abandons his or her spouse for two years or more, it is grounds for divorce.

**Conversion**

A Hindu marriage can be dissolved by a divorce decision if the respondent has converted to another religion and no longer considers himself a Hindu. As a result, the party who continues to be Hindu has the right to divorce under this law.

In *Sarla Mudgal v. Union of India* (1995), the Court held that a Hindu husband's second marriage following his conversion to Islam is void because it violates fairness, justice, and good conscience, and thus falls under Section 494 of the Indian Penal Code. Another case of *Khambatta v. Khambatta* (1933) is in which a Muslim married a Christian woman in the Christian form. The wife converts to Islam, and the husband gets a talaq divorce. The Court ruled that the divorce was lawful under these circumstances.

**Unsoundness of mind**

It becomes a ground for divorce if the spouse suffers from an incurable mental disease to the point where it is reasonable not to expect to live with him or her. The phrase "mental disorder" is defined as "mental sickness, arrested or incomplete development of the mind, psychopathic condition, or any other disorder or impairment of the mind, including schizophrenia" in the first explanation of Section 13. In cases like *Anima Roy v. Prabadh Mohan Roy* (1969), *Kartik Chandra v. Manju Rani* (1973), *C.J. Joy v. Shilly* (1995) and *Kollam Padmalatha v. Kollam Chandrasekhar* (2000), the court maintains that the person must be able to comprehend the marriage contract and the duties and responsibilities that it entails.

**Virulent and incurable disease**

Divorce is also possible due to an incurable form of leprosy and venereal illness. When it is undisputed that the respondent has had leprosy, the petitioner has the burden of proving that the disease is virulent and incurable.

**Presumption of death**

A divorce may be granted if the respondent has not been known to be alive for a period of seven years or more by people who would have naturally heard of it if that party had been alive. Further, it was established in the case



of *Nirmoo v. Nikkaram* (1968) that if a person presumes his or her spouse's death and marries another person without getting a divorce decree, the spouse might contest the legitimacy of the second marriage after his return.

#### Judicial Separation

If the partners who were living separately under the decision of judicial separation have not cohabited for a year or more can apply for divorce. Further, the birth of a child as a result of a single act of sexual intercourse does not imply that the couple will resume their relationship.

#### Restitution of conjugal rights

A divorce petition can be filed if the husband or wife gets a decree of conjugal rights and there is no restitution of conjugal rights for a period of one year or longer. In the case of *Shanti Nigam v. R.C. Nigam* (1971), it was decided that if a wife wants to work and feels that for the upkeep of the family that she should also work and she would go to her husband whenever it is possible for her to do so, the husband could also come to her at his own convenience. In such a situation it cannot be said that she has withdrawn herself from the society of her husband.

#### Irretrievable breakdown of Marriage

In pursuant to the cases, *Miss Joden Diengdeh v. S.S. Chopra* (1985) and *Navin Kohli v. Neelu Kohli* (2006), recommendation to insert "irretrievable breakdown of Marriage" as a ground of divorce, the Law Commission of India undertook a study of the subject and, after reviewing existing legislation and various Supreme Court and High Court judgments on the subject, recommended that irretrievable breakdown of marriage be included as a ground for grant of divorce in its 217th Report on "Irretrievable Breakdown of Marriage – another Ground for Divorce" submitted on March 30, 2009.[13,14,15]

Speaking of the Muslim community, men in the Muslim community can divorce at any time without having to file a petition. However, Muslim women can only divorce for certain reasons listed in Section 2 of the Dissolution of Muslim Marriage Act. Following are the conditions under which the petition of divorce can be filed:

1. If the husband's whereabouts have been unknown for four years or more;
2. When the husband fails to provide maintenance to the wife for a period of two years;
3. The husband is imprisoned for at least 7 years;
4. When a spouse has not met his marital obligations for three years;
5. Husband's impotence at the time of marriage, and if it persists;
6. Mental ill-health;
7. Husband's communicable sickness;
8. If the wife was married before the age of 15 and repudiates the marriage before the age of 18; and
9. Husband's cruelty.

Under Section 10 of the Indian Divorce Act, Christians can apply for a divorce in the following cases:

1. Adultery;
2. Conversion from Christianity to a different faith;
3. For at least two years, the person had an incurable mental illness;
4. For two years, the person was infected with communicable sickness;
5. Presumption of death if the spouse's whereabouts have been unknown for seven years or longer;
6. When one of the partners willfully refuses to complete the marriage;
7. If no recovery of conjugal rights occurs within two years of the date on which the decision was issued;
8. 2 or more years of desertion;
9. Cruelty;
10. If the husband is guilty of rape, sodomy, or bestiality, the wife can file for divorce.

### III. RESULTS

In the Western world, divorce may be a common occurrence. One of the most vocal opponents of this family issue is the eastern world. Divorce is still a taboo subject in society today. A couple may marry in a beautiful wedding and appear to be the happiest people on the planet, but what happens next is unclear. They might either live a life of fairytales or experience the greatest nightmares. If the situation becomes worse, the couple will file for divorce.

Divorce is not governed by a single rule; instead, each religion has its own set of laws that govern marriage and divorce. A husband or wife can submit one of two types of divorce petitions. If they agree to divorce, a divorce petition by mutual consent is filed. If one of the parties to the marriage wants to file a divorce petition, it is referred to as a



contested divorce, and there are grounds such as cruelty, adultery, communicable disease, mental disorder, and so on, on which the petition can be filed in court by either the husband or wife.

It is by now commonplace to say that families have changed and have become increasingly diverse, due to industrialisation, globalisation, gender equality, and individualisation, to name just a few of its causes. This growing diversity is exemplified by declining fertility rates, postponement and retreat of marriage, alternatives to marriage, children born outside of marriage, recomposed families, and families based not on biological descent but adoption or surrogacy (Sobotka & Toulemon, 2008; Widmer, 2010). Divorce is also part of these global demographic trends. It has progressively acquired a cross-national border character and, as a result, has become particularly complex, involving various parameters of difference. To wholly grasp these changes systematically, the present Special Issue examines divorce in transnational families using combined transnational and intersectional perspectives, dubbed here “transborder intersectionality.”

The term “transnational family” refers to a social unit in which the members are separated by migration but maintain contact despite the geographical distance (Bryceson & Vuorela, 2002). It also includes intact units such as migrant families (Charsley, 2012) and “mixed couples” in which the partners possess different nationalities and/or ethnicities (de Hart et al., 2013; Fresnoza-Flot, 2017; Yeoh et al., 2013). Our focus on divorce in these families stems from two observations. First, although marital break-up often has a cross-national-border dimension (Frank & Wildsmith, 2005; Suzuki, 2017), divorce remains largely an unexplored terrain in transnational family scholarship. And second, transnational families as an object of analysis continue to be at the fringe of divorce studies. Therefore, it is time to devote significant attention to a divorce involving these families, more so at the present age of family (re)composition. To highlight the special issue's contributions, we begin this introduction with two literature reviews: one on divorce in general, and the other on divorce in transnational families. This exercise exposes the scholarly tendencies and gaps needing immediate attention in the study of divorce traversing nation-states’ borders. After this, we explain the heuristic value of the transborder intersectionality approach to the study of divorce. We then discuss the influential forces – social and legal norms, social networks, and categories of difference – in the lives of couples (notably women) in the five empirical papers in our Special Issue. We conclude with some directions for the future study of divorce in transnational families.

The rich literature on divorce since the 1950s reveals the major trends occurring worldwide (Amato, 2010; Cherlin, 2017; Clark & Brauner-Otto, 2015; Glendon, 1989; Goode, 1993; Härkönen, 2014), such as the rising number of divorces and the widespread institutionalisation of divorce. It identifies the plurality of forces influencing individuals’ decision to dissolve marital bonds, shaping their experiences of divorce procedures (see Ver Steegh, 2008), and determining the outcomes of marital breakdown (for instance, Baitar et al., 2012). It also shows that divorce is a complex process involving social actors beyond the separating partners. Divorce occurs at the macro, meso, and microlevels of human lives, which indicates the importance of being attentive to the relationality of different actors and layers of social lives (e.g., Afifi et al., 2013). Despite the important insights that the divorce literature offers, there are still tendencies and lacunas that need urgent attention to advance the divorce scholarship further.[16,17,18]

First, the tendency to separately analyse the structuring forces of divorce produces varying or even contradicting results when the context or focus of the study changes (Amato, 2010; Härkönen, 2014). For example, at the microlevel, scholars expose separately multiple factors that need to be examined to understand divorce. The impact of women's employment on conjugal relations has been shown contingent on the quality of marriage (happy or unhappy) (Schoen et al., 2002), but other studies demonstrate that social contexts (Vignoli et al., 2018), social class belonging (Kaplan & Herbst, 2015), and division of paid and unpaid labour between partners (Bellani & Esping-Andersen, 2020) are also influential. Investigating the simultaneous interaction of different factors influencing divorce has, as far as we know, not been carried out yet. The trend of treating categories or factors one at a time or simultaneously but not looking at their intersections continues to thrive in the divorce literature. This tendency perpetuates although feminist research with its introduction of gender-sensitive perspectives has been dynamically informing family studies for the last decades (for instance, in the analysis of the division of domestic labour and care: see Baxter et al., 2005; Gerstel & Gallagher, 2001; Hochschild, 2003), including the intersectionality approach aiming to “unpack relationships of power” (Ferree, 2010, p. 420; see also Few-Demo, 2014). Whereas scholarly works on divorce from a gender perspective are numerous (e.g., Cooke, 2006; Fahs, 2007; Voorhoeve, 2014), those following an intersectional approach remain so far rare (e.g., Feinstein, 2017; Kaplan & Herbst, 2015; Milton & Qureshi, 2020). There is, therefore, an urgent need to conduct studies on divorce adopting an intersectional approach. Doing so will provide fresh insights on divorce as a relational process, as a site of power struggles, and as a turning point in an individual's life course. We return to this discussion on intersectionality in a deeper fashion later in this paper.



Second, much of the divorce scholarship suffers from “methodological nationalism” (Wimmer & Glick Schiller, 2002), in which a nation-state is automatically taken as a research site, focus, or context. This approach overlooks the possible interconnections and interactions among multiple national contexts in socio-cultural, economic, and legal terms that are increasingly vital parts of individuals’ experiences of divorce. At the microlevel, methodological nationalism is visible in the scholarly focus on normative couples in which the partners share the same nationality and ethnicity in one nation-state, which overshadows the increasing divorce cases of couples in transnational families. As Estin and Stark (2007, p. 2) remark, “[w]ith the process of globalisation has come an increase in the migration of individuals and families.” This change intensifies “the incidence of transnational families” and brings “into sharp focus the need for workable rules of international family law” (ibid.). As divorce remains strongly legal in many aspects, its further theorisation should therefore include the case of transnational families, as social units enmeshed in two or more countries with different social and legal norms. The dominant narratives in the divorce literature of “modern families” – fragile, diverse, “individualised” in Giddens’ sense (1992) – generally exclude transnational families. We suggest that to wholly apprehend contemporary changes in the institution of the family within a nation-state and across the globe, scholars should avoid treating divorce cases involving transnational families as only a sub-field of divorce studies, but rather incorporate them into the mainstream divorce scholarship and directly draw from them in developing more heuristic analyses of divorce. To grapple with the process of divorce involving transnational families and its after-effects, scholars need to go beyond the borders of the nation-state and adopt a more global perspective in their analysis. By including the countries to which the separating partners have ties in the study, methodological nationalism can be avoided.

Finally, the voices and subjective experiences of separating couples and/or their families are most often silenced in divorce literature due to the methodological tendency to adopt a macro, quantitative analysis (however, see, e.g., Kaganas & Day Sclater, 2004; Madden-Derdich & Leonard, 2002). Qualitative research with an ethnographic approach and mixed methods studies on divorce help scholars uncover the nuances of individuals’ divorce experiences and provides answers to the “whys” that quantitative data most often engenders without explanations beyond the economics of divorce. For instance, it has been documented that many fathers in postdivorce contexts fail to fulfil their financial obligation to their children because of insufficient income or unemployment (Municio-Larsson & Pujol Algans, 2002; Nelson, 2004). However, qualitative studies of divorce reveal that nonresident fathers adopt alternatives to satisfy their father role, which privileges direct contact with their children to develop an in-depth and lasting relationship (Simpson, 2020). These alternatives include giving gifts directly to them (ibid.) and increased interactions in different social settings (Weil, 1996 cited in Silverstein & Auerbach, 1999). Hence, to avoid homogenising discourses that eclipse diversities and silence the voices of social actors in family studies, scholars should uphold further qualitative and mixed methods research on divorce. With our Special Issue, we intend to demonstrate what qualitative studies that break out of the confines of the nation-state through transnational and intersectional approaches can bring to the study of divorce.

While the study of divorce largely ignores transnational families, the study of transnational families lacks attention to divorce. Since the 1990s, the study of transnational families has surged (e.g., Baldassar & Merla, 2014; Bryceson & Vuorela, 2002; Mazzucato et al., 2015). Much of the literature on these families has focused on how family ties are maintained across borders, “through regular contact in the form of family visits, telephone calls,” or social media, “by financial support through remittances or gifts, performing care tasks, ritual and material culture, and emotional and moral support” (de Hart et al., 2013: 994; see also Baldassar, 2007; Baldassar & Merla, 2014; Mason, 2004; Zontini, 2004). Marriage across borders is seen as both the result of transnational networks (Charsley, 2013; Sportel, 2016) and one of the means to maintain transnational kin ties. For these reasons, marriages have received considerable attention in transnational family literature (Charsley, 2013; Liversage, 2012). However, what happens after such marriages break up through divorce has drawn less scholarly interest. How can we understand the disruptive life event of divorce in the context of “transnational social spaces” (Faist, 2004)?

The literature on divorce in transnational families remains limited in number (e.g., Al Sharmani, 2017; Fresnoza-Flot, 2019; Caarls & Mazzucato, 2015; Constable, 2003; Kim et al., 2017; Liversage, 2013; Mand, 2005; Parisi, 2017; S. Quah, 2018; Qureshi, 2016; Rosander, 2008; Sportel, 2016) but it is empirically rich in qualitative data, with emphasis on the narratives of migrant divorcees and on different transnational contexts: Africa-Europe, Asia-Asia, Asia-Europe. These studies have valuable insights relevant to the present Special Issue, as they unveil the remaining lacunas to address in the study of divorce in transnational families. Drawing simultaneously from the general transnational family scholarship, we explain below our principal observations regarding works on such divorce.

First, as the literature focuses almost exclusively on women, they show the gendered hierarchies of power at work in transnational social spaces with significant implications for migrant women seeking a divorce, creating their precarious social position. Scholars seek to avoid the binary of “victimhood versus agency” by looking at migrant women's struggles and strategies to negotiate the implications of divorce (S. Quah, 2018), thereby showing a more nuanced



situation. Nonetheless, migrant women may also occupy a privileged situation in times of marital breakdown. For example, women may be in a position of power when they are the sponsors of male marriage migrants (Beck-Gernsheim, 2007; Liversage, 2013) or when they claim to be victims of their partner's abuse to assert their citizenship rights (Odasso, 2020). This situation calls for a more inclusive analytical approach in the study of divorce in transnational families to expose a diverse picture of conjugal dissolution and move beyond the image of migrant women as victims of transnational marriage and divorce. An intersectional approach (Crenshaw, 1989) appears suited to this scholarly enterprise, as it allows a thorough examination of the intersection of gender with other axes of power such as social class and ethnicity. We will return to this issue below.[19]

Second, studies of divorce in transnational families show that migrants' transnational social spaces remain highly relevant even in case of a marital break-up. For instance, the development of new (religious) discourses and norms created in transnational social spaces enable migrants to claim divorce as a right to end marital problems (Al-Sharmani, 2017). Nonetheless, a less mentioned aspect of transnational social spaces is the impact of travelling discourses of information, perceptions, and family norms (see Moors & Vroon-Najem, 2020). These discourses may be seen as a form of "gossip", as they serve to entertain, inform, and influence behaviour in migrants' transnational networks (Dreby, 2009). Travelling discourses also influence norms on what a "proper" transnational divorce should look like among Nongovernmental Organisations (NGOs) and legal professionals (I. D. A. Sportel, 2011), as well as state discourses on problematised categories of migration that are translated into policies and have effects within communities. As hegemonic ideologies of romantic love and ideal family produce powerful exclusionary and inclusionary effects on cross-national-border marriages based on individuals' gender, ethnicity or "race," and social class (Wang & Chen, 2017), they may also influence the divorce process involving transnational families. Therefore, it is highly relevant to address the intersecting social norms and ideologies regarding marriage and the family in the transnational social spaces of separating or divorced couples.

Third, studies on divorce involving transnational families illustrate that the breakdown of a marriage does not "end" family ties but is instead a continuation of the "kin work" that is required to maintain family ties across borders (Mand, 2005). Such family networks may protect divorcees from far-reaching consequences of divorce, such as loss of migration status (Liversage, 2013). However, the general literature on transnational families shows that transnational family ties cannot always offer the support that migrants need. As Baldassar (2007) has shown, emotional and moral support is a vital part of kin work across borders, but is hardly self-evident, as it relies on capacity (ability), obligation (cultural expectation), and negotiated commitments. The latter refers to particular histories of family relationships as developed during the migration process. In the case of "mixed" marriages, the choice of a spouse may determine the extent and level of support provided to or sought for by the divorcees. For instance, those contemplating divorce or involved in divorce proceedings may not always seek to inform their family members abroad about their marital problems or decision to divorce (see Ryan, 2008). In addition, ties with the country of origin may be forced upon migrants against their wishes, such as in the cases where marriage partners are left behind as a way to break up without a formal divorce (Constable, 2003; Liversage, 2013; Sportel, 2013), or when migrants lose their residence permit as a result of divorce. Seeking support from kin abroad may come from a lack of support and opportunities in the country of residence, as much as the closeness of family ties between family members "here" and "there" (Ryan, 2008). Hence, we need to move beyond the understanding of transnational families as offering mutual support to reveal the difficulties, conflicts, and tensions that may arise, changing in this process the family trajectory.

Finally, although the law is vital in shaping the geographical and temporal trajectories of transnational families and may even create such families by preventing them from being together in one country (Ho, 2013; Fresnoza-Flot, 2009), it is absent or only a marginal topic in much of the general literature on transnational families. Most studies start from the assumption that law in a transnational context may offer opportunities for "cherry-picking" for some, while others in the same group are disadvantaged (Ackers & Dwyer, 2004). However, as Kim et al. (2017) convincingly argue, the laws and policies of both receiving and sending countries may also do the opposite in producing legal precariousness. This becomes particularly evident in the issue of transnational divorce which is a social, emotional, and legal process. As already mentioned, transnational families are, especially in the stage of break-up and divorce, not merely cooperative units, but full of tensions, conflict, power struggles, and inequalities (Dreby & Adkins, 2010), which means that the law may work out differently for different family members. As transnational families are potentially involved in multiple legal systems (Fresnoza-Flot, 2019; Kim et al., 2017; Qureshi, 2016; Sportel, 2016), the question of these systems' implications and how those involved in a divorce negotiate or rather "navigate" (Sportel et al., 2019) those legal systems is of utmost importance. These legal issues may involve the divorce proceedings, obtaining legal representation, residence rights after divorce, financial consequences, and postdivorce co-parenting arrangements for children (S. Quah, 2018). Thus, to understand ruptures in transnational families, it is highly relevant to find out the structures and legal norms in which these families are enmeshed.





The advent of the intersectionality perspective in gender studies in the 1980s and the transnationalism perspective in migration studies in the early 1990s generates separate but mutually reinforcing epistemologies. Whereas transnationalism signifies cross-national border practices, ties, and activities linking two or more countries to one another simultaneously (Schiller et al., 1992), intersectionality refers to the understanding that gender, “race,” and social class are interconnected: gender is always about “race” and social class, and “race” is also gendered and classed (Crenshaw, 1990). On the one hand, an intersectional approach allows us to explore how ethnicized social class and gendered categories work together in the process of divorce of transnational family members, “institutional arrangements, and cultural ideologies and the outcomes of these interactions in terms of power” (Davis, 2008, p. 68). On the other hand, it is through a transnational approach that a study of divorce can uncover the interactions among nation-states’ laws, institutions, and gender norms during the divorce process, which permits us to understand how power relations and identities unfold across national borders.

In the research field of divorce, in general, an intersectional approach offers an effective analytic tool to capture the complexities of marital dissolution, as it treats categories of difference as “interrelated and mutually shaping one another” (Collins & Bilge, 2020). By including all possible social markers and concentrating on intersections that produce tensions and inequalities (see S. E. Quah, 2020), intersectionality goes beyond the usual single- or double-category analysis in divorce studies. For instance, Milton and Qureshi (2020) remark how youth- and marriage-oriented heteronormativity in British society and South Asian diasporic communities, respectively, puts middle-aged divorced British white women and British South Asian women seeking a new partner in a marginalised situation. Drawing from the perspectives of these women, the authors pinpoint the intersecting categories that lead to their marginalisation: gender, age, and social class for British white women and gender, age, and “race/ethnicity” for British South Asian women. They also reveal the (re)production mechanism of inequalities regarding intimacy and the nuances that intersecting categories bring to individuals’ postdivorce experiences. Indeed, it is through an intersectional approach that scholars can simultaneously grapple with the different forces shaping (post-)divorce, identify which specific categories intersect, and reveal the resulting inequalities, marginalities, and privileges that such intersection produces. An intersectional approach can capture multiple categories of differences influencing divorce, its process, and its implications. That is why the contributions in the present Special Issue do not restrict their analyses to only one category.

As regards context, it is through a transnational approach that a study of divorce can go beyond the so-called “domestic intersectionality” in which the analysis is restricted “to the confines of the nation” (Mahler et al., 2015, p. 101). In fact, in recent years, we observe a scholarly move from domestic intersectionality to what we dub as “transborder intersectionality” – an analytic approach that brings to the fore the heuristic value of “a transnational perspective on intersectionality” (Fresnoza-Flot & Shinozaki, 2017), an intersectional perspective on transnationalism (Amelina & Lutz, 2019), and a “transnational intersectionality” perspective in which interacting social hierarchies are situated “in the context of the empire-building or imperialist policies characterised by historical and emergent global capitalism” (Grabe & Else-Quest, 2012; 159). Using this approach combining transnational and intersectional approaches in our special Issue, we scrutinise the divorce process in transnational families while considering the different socio-legal and cultural contexts within which such conjugal dissolution occurs. A transborder intersectional approach privileges the focus on the lives of nonconventional social units such as transnational couples and families. These units’ cross-border practices compel us to entertain the possibility that divorce involving them also has transnational dimensions. Focusing on nonconventional families adds nuances, diversities, and challenges to normative stories present in divorce literature, as studying the experiences of these families necessitates qualitative data with rich narratives and field anecdotes. That is why our Special Issue includes ethnographic data gathered in different contexts and with emphasis on the divorcees’ standpoints.

Concerning the literature on divorce in transnational families, our Special Issue takes part in the ongoing development of the concept “transnational divorce” (see Constable, 2003; S. Quah, 2018; I. D. A. Sportel, 2014). This concept has been understood in the divorce literature as “a marital dissolution transcending national borders, [that] concerns individuals and/or groups beyond the couple, and involves multiple interacting categories from which to glean power dynamics and their implications” (Fresnoza-Flot, 2020 in this Special Issue: 3). We uncover the inequalities that such divorce entails using an intersectional approach, which illuminates state policies and social norms shaping an individual's divorce experience. It offers insights into the power of context – social and legal norms as well as social structures – in which transnational families find themselves inhabiting. Moreover, the analytical interest of our Special Issue in the transnational mechanism of rupture allows us to look at families where solidarity might be broken or needs to be redefined. By fixing the regard to break-up rather than to the maintenance of family ties and solidarity within transnational families, we shift the scholarly gaze to power imbalances and tensions in transnational family literature more generally and modify the conventional view of family rupture as a problematic event. Joining feminist family scholars, we view divorce here not “as a crisis” but rather as “an opportunity for challenging pervasive structures of



societal inequalities” (Ferree, 2010, p. 421). These structures affect families, and families take part in these structures’ social (re-)production.

Five empirical research-based papers comprise the present special issue, and all of them adopt qualitative data-gathering methods. These contributions examine the experiences of transnational couples and involve migrants from Asia (Fresnoza-Flot, 2020; Lévy, 2020; and Qureshi, 2020), Africa (Sportel, 2020; see also Gaspar et al., 2020), and Latin America (Gaspar et al., 2020). They engage in meaningful dialogue with one another by bringing to the fore the dominant elements and forces that shape the lives of the separating or divorced couples in their transnational social spaces: social and legal norms, social networks of support, and categories of difference.

As case studies, our Special Issue concentrates on two forms of transnational families: one with members geographically separated from one another due to migration, and the other on “mixed” families. We use the terms “mixed marriages,” “mixed couples,” and “mixed families” despite their problematic character. As all marriages display similarities and differences, it is only those differences marked as significant by the social environment, that make a marriage “mixed” (see de Hart, 2019; Collet, 2012). The main markers of difference in this Special Issue are nationality and ethnicity.

Mixed families are rarely studied in transnational family scholarship, although they may have family ties across borders (Sportel et al., 2019). In examining divorces in the above family forms, our Special Issue highlights mainly women's perspectives, subjectivity, and agency. We are aware that this emphasis on women's divorce stories – although two of the contributions also include experiences of men (Sportel and Qureshi) – may contribute to the association of “gender” with “women” (Sarti & Scrinzi, 2010) and to the overvisibility of women (Çingir Kocadost, 2017) in heterosexual partnerships in migration studies, at the expense of other minorities such as lesbians, gay, bisexual, transgender, and queer (LGBTQ) and experiences of men. Nonetheless, since women are central in the so-called “global marriage market” and comprised 48% of 281 million international migrants in 2020 (IOM, 2020), it appears heuristic to delve into their experiences and examine from the ground the way meso- and macrolevel structuring forces influence individuals’ family lives (microlevel).

Below, we highlight three main topics that come out of the contributions of the special issue: the impact of family and migration laws, family networks and local ties, and the intersecting categories of difference in the lives of divorcing or divorced couples.

The contributions in the Special Issue demonstrate the relevance of law and legal status in different forms – nationality, citizenship, permanent settlement status, and civil status. Migration and/or family laws in divorcing couples’ country of residence and migrant spouses’ country of origin affect the divorce process. These often-differing legal norms shape power relations between separating or divorced partners and engender, most often than not, marginalised positions in social hierarchies in transnational social spaces.

The special issue's contributions show once more that the impact of migration law is virtually impossible to escape (see Kim et al., 2017; Strasser et al., 2009). In France, Lévy (2020, p. 9) observed that some Chinese divorced women decided to marry a French man to regularise their migration situation due to their undocumented status. In the British context, Qureshi underlined that “immigration rules see and create migrant spouses as legal persons of dispensable and of questionable value.” Up to the acquisition of an independent residence permit or citizenship, often after several years, marital break-up faces the migrant spouse with the risk of immigration removal. Although Qureshi wrote about the British context, such a situation is quite similar in other European countries.

The contributions also unveil the precarious position of migrants in family law. For example, in Gaspar et al. (2020) contribution, Brazilian and Cape-Verdean migrant women in problematic marriages may not automatically opt for divorce due to their unstable migration status linked to the absence of Portuguese citizenship. Once divorced, these women may be locked inside the country due to the prioritisation of child custody and visiting rights of the citizen father. This makes a return to the family in the home country impossible or highly unfeasible, at least not with the children. In one case, the family law in the divorced couple's country of residence interacted with the family law in the migrant spouse's country of origin producing a favourable situation for the latter spouse. Fresnoza-Flot shows that Filipino migrant women may end up in an economically disadvantaged situation after a marital breakdown in Europe but find themselves in legal advantage over the former husband relating to marital properties in the country of origin. The above studies (Fresnoza-Flot, 2020; Gaspar et al., 2020) exemplify that law is not a neutral system externally working on social relations, but part of a normative order working together with hierarchies of power and producing meanings of what “proper” families, “proper” wives (Bonjour & De Hart, 2013) and “proper” divorces (I. D. A. Sportel, 2011) are or ought to be. [18,19,20]



The earlier mentioned discourses on transnational marriages, as a legal gateway to migration – “marriages of convenience” (D'Aoust, 2013; see also Gaspar et al., 2020 and Lèvy, 2020) and bezness (Sportel, 2020) – and as a way to access the nation (Qureshi, 2020), run counter the continued legal precariousness of migrant partners in transnational families after a marital break-up in their receiving countries (Fresnoza-Flot, 2020; Gaspar et al., 2020; Lévy, 2020), or in their cross-border social spaces (Kim et al., 2017). Whether and how migrants can address this legal precariousness also depends on their transnational family networks.

As already mentioned, studies on transnational families illustrate that cross-national-border networks offer different forms of mutual support and resources across borders (Baldassar & Merla, 2014). In this special Issue, the analysed experiences and narratives of (wo)men divorcees offer a rather mixed picture.

As observed in previous studies on divorce in transnational families, divorce does not necessarily break up transnational ties. As “migration is an ongoing emotional journey” (Ryan, 2008, p. 301), the stay-behind family members most often continue to offer varied and vital support throughout the transnational couple's marriage, raising children, and subsequent divorce process. This family support may offer the opportunity for migrant women to return home if postdivorce life has become too difficult to handle in the country of residence. Hence, divorce is not an individual matter but a transnational affair involving natal family members and social networks across borders. In some cases, in the migration literature, divorce may also trigger migration (outbound or return) and transnational practices (Kim et al., 2017), like what transpired to the Chinese women in Lévy's study in this special Issue. Whereas women's divorce from their Chinese husbands pushed them to migrate to France, their desire to secure the well-being of their children left under the care of grandparents motivated them to work and send remittances to China. Likewise, Qureshi shows in her study of Pakistani Muslim families in the UK the vital role of extended kin in Pakistan in finding a potential spouse after divorce from the first marriage. The examples that Lévy and Qureshi provided in their respective contributions bring to the fore the role of extended family members (siblings, in-laws, parents, and grandparents) living across borders as actors in key events in transnational families.

Nonetheless, whereas transnational family networks are essential in facilitating migration, providing support, and enabling migrants to return home, divorce may deter or prevent migrants from relying on them and may weaken transnational ties. As the contribution of Gaspar et al. (2020) in this special Issue shows, the Brazilian and Cape-Verdean women migrants in Portugal who sought divorce from their Portuguese husbands were reluctant to seek support from their families abroad. Feelings of shame prevented them from discussing their problems with their parents and, in some cases, from even telling them about the divorce, let alone asking for support. In Qureshi's study, divorce turns some individuals away from their transnational families: for example, when they choose an intra-national remarriage or when their cousins in Pakistan sabotage their search for a potential marriage partner. Another example can be found in Fresnoza-Flot's contribution: a Filipino woman's divorce in Belgium negatively affected her relations with her mother abroad, who disapproved of her decision to dissolve her mixed marriage.

Furthermore, separating or divorced individuals resort to their local social networks for assistance and sometimes combined them with their transnational support networks. Without the latter networks, the migrant spouses of Brazilian and Cape Verdean origins in Gaspar et al. (2020) study sought legal and other assistance from social networks and migrant NGOs available in Portugal. For migrant spouses who underwent domestic violence, as Fresnoza-Flot and Qureshi exposed in their respective papers, public structures of support in their receiving countries matter to secure themselves legally and emotionally. Lévy's study also finds out how Chinese divorced women resorted to constructing local ties through remarriage with French men to get out of illegality and stabilise their migration status. All these observations point to the significant role of local social networks in the lives of divorced women, the importance of rethinking the role of transnational networks, and how the two are linked.

The contributions in this Special Issue reveal the intersecting categories in the lives of divorcees in transnational families and the broader structural forces shaping individuals' divorce experiences and narratives. They point out the importance of socially situating categories of difference to understand inequalities in (post-)divorce situations fully.

The three common and salient intersecting categories identified in this special issue are gender, social class, and ethnicity or “race.” The study by Gaspar et al. (2020) suggested that some migrant women found themselves in disadvantaged situations linked to their gender (being a mother), social class (insufficient economic resources), and ethnicity (socially suspected of using marriage for instrumental purposes). Fresnoza-Flot noticed that gender and social class interact “when family roles as mother, daughter, or wife influence” Filipino women's decision-making during the divorce process and when their economic situation constraints or facilitates their actions. Finally, Lévy's study shows that in China where an intact family is highly valued, divorced women migrate abroad due to the combined effects of their gender (mother role for their stay-behind children) and social class (limited economic resources). These categories



– gender and social class – also interact sometimes with other axes of power such as filiation (Fresnoza-Flot, 2020), religious belonging, and generation (Qureshi, 2020; Sportel, 2020). What influences the intersection of these categories appears to be the broader social context the divorcing couples inhabit. This observation points to the interconnectedness between individual lives and macro-structural forces. Macrolevel social forces (immigration, family reunification, and divorce policies, as well as social norms surrounding the family) trigger the interaction among categories of difference, resulting in the disadvantaged position of migrant women. In brief, we observe heterogeneous divorce situations not only across groups but also within each group of informants with the same national and/or ethnic origin but inhabiting different national contexts. This observation affirms the power of context in shaping and diversifying individual family trajectories, as each context presents varied forms of inequalities stemming from the simultaneous interaction of “transnational, regional, cross-cutting, and unique national issues that structure gendered differences and concerns” (Boss, 2012; 70).

In addition, the contributions in this Special Issue lay bare the dominant social norms in different national contexts as reflected in the conventional discourses, narratives, and idea(l)s about “good” marriage, family, and divorce. In all nations, social and moral norms on family and gender affect divorce experiences in significant ways as especially feminist studies have shown (e.g., Boyd, 2003). In transnational social spaces, specific discourses on the migrants’ experiences circulate, linking family and gender with ethnicity. Several contributions exhibit the impact of such discourses, narratives, and idea(l)s on marriage and divorce on individual experiences. As Gaspar et al. (2020, p. 5) noted in their study, the discourses within Portuguese society about Brazilian women sexualised and erotized these migrants, which (re)produces a Brazilian female identity “constantly demanded and negotiated through daily interactions in the marital and labour market, as well as in social relationships.” These women’s marriages with Portuguese men are viewed in this regard as vested with “instrumental” interest. Within the British-Pakistani migrant population in the UK, where Qureshi conducted her study, stereotypes of “freshies” (newly migrated partners) impact the ways transnational marriages are perceived and ultimately also divorce. The link between public discourses on marriage migration, fraudulent (sham) marriages, and narratives of transnational marriage partners on divorce is central in Sportel’s contribution. The author explains that the gendered bezness narrative was dominant to give meaning to a wide range of migrant male misbehaviour, which she especially found among Dutch-Egyptian couples, but can also be observed in a broader European context (see Odasso, 2020). The bezness narrative is a discourse built on the notion that migrant men fake love to extort citizen women for money or use them to gain residence or citizenship rights. The bezness narratives have also been employed politically and informed the laws applied to cases of transnational divorce (ibid.) that in turn, are among the most important structural factors affecting transnational families.

The present Special Issue foregrounds the empirically based analysis of conjugal rupture through combined transnational and intersectional approaches in what we call “transborder intersectionality”. It brings together the general divorce scholarship and the emerging research field of divorce in transnational families. By doing so, it identifies some future directions in the study of divorce involving transnational families.

Given that our Special Issue was not able to focus on fathers and children, we recognise the need to include them, notably their voices, in the analysis. At this moment, the transnational family scholarship has been slow to recognise the role of men and the impact of father-child separations on parental roles (Mazzucato & Schans, 2011; Poeze, 2019). To go beyond normative narratives of divorce of traditional nuclear families breaking up, scholars should also include the standpoint of LGBTQ couples, which remain largely marginal in family studies. There is increasing visibilization of these couples in marriage studies and queer migration scholarship (see Chauvin et al., 2020), but these couples’ divorces still await to be examined in divorce studies on the one hand, and migration studies on the other hand. The other direction to take in the study of divorce in transnational families concerns the adoption of a comparative approach and mixed methods. The Special Issue also underlines the value of cross-comparison of qualitative studies as it illuminates individuals’ subjectivity and agency, as well as the intersections between micro-, meso-, and macrolevel structural forces producing inequalities.

#### IV. CONCLUSION

Such comparison can be extended to a particular diasporic group of migrants who are residing in different countries, or to various social groups with migration backgrounds who reside in one nation-state but are enmeshed in transnational social spaces. Finally, to contribute to the development of a transborder intersectional approach to divorce, the direction to take points to the consideration of time in the analysis. Since individuals in the context of migration experience different temporalities as they inhabit their transnational social spaces, scholars of divorce should pay more attention to the role of generation and other life course events. In this case, it appears useful to integrate into the study individual actors’ “narrative arc” that reflects the development of their stories “over time due to the interactions of individual characters” (Statham, 2020, p. 1568).



To effectively pursue the above directions in the study of cross-national-border divorce, the power of context should always be considered in the analysis, notably at the present time of the COVID-19 pandemic during which many cases of geographical separation of partners and marital break-ups have been reported across the world.[20]

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