

Status Quo of Divorces in Zimbabwe

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ABSTRACT

Divorce rates in Zimbabwe have been steadily increasing over the past few decades, sparking concerns about the stability of marriages and the welfare of families. This study which was carried in Midlands Provinces, examines the current state of divorces in Zimbabwe, investigating the trends, causes, and consequences of divorce in the country. Targeting five hundred participants through mixed methods approach, making use of interviews, focus groups and questionnaires to the divorced, children from divorced families, lawyers, counsellors, religious and community leaders, the research reveals a complex picture of marital breakdown. The findings indicate a significant rise in divorce rates, particularly among urban couples, with major causes including infidelity, material disputes and communication breakdown. The study also highlights social, economic, emotional, financial, physical health and mental health implications of divorce. Furthermore, the research identifies gaps in the legal and support systems, hindering effective divorce resolution and post-divorce recovery. This study contributes to the understanding the status quo of divorce rate in Zimbabwe, informing policy and practice to mitigate the negative impacts and promote healthy relationships and family well-being.

Keywords: Divorce, Causes, Consequences, Family, Marriage, Rate, Trends, Zimbabwe

INTRODUCTION AND BACKGROUND

Divorce is referred to as official separation of spouses, initiated by one partner or affected by the judgement or decree of a court, or by agreement of both spouses. Based on Hawkins et al, (2012:7) in Journal of Divorce and Remarriage, there are nine causes of divorce followed by the %. The first reason being growing apart at 55%, not talking together 53%, money problems 40%, personal problem of spouse 37%, infidelity 37%, not getting enough attention 15%, advice from spouses friends 11%, spouse working too much 9%, religious differences 9%. International studies have found highly endorsed reasons for divorce to be marrying too young, communication problems, incompatibility, spousal abuse, drug and alcohol use, religious differences. 20% of Zimbabwean marriages are likely to end in divorce, of the 2 735 divorce cases filed in 2022 at the High Court in Bulawayo, Masvingo, Harare, Mutare and Chinhoyi, 1561 were completed. Bulawayo recorded 613, Harare 1731, Masvingo 145, Mutare 156, and Chinhoyi 90 divorce matters. The divorce rate in the country is estimated to be at least 44.2% in the year 2022.

According to Kanokanga and Partners (2022) Zimbabwe is a 'no fault' jurisdiction. In terms of section 4 of the Matrimonial Causes Act [Chapter 5:13] ('the Act') there are two main grounds for the dissolution of marriage, namely: Irretrievable break – down of marriage; and Incurable mental illness or continuous unconsciousness of one of the parties to the marriage. Another contributing factor of divorces especially in Zimbabwe is economic hardship. As a way of survival strategy, both man and women end up looking for partners who are capable to take care of them. Formal employment is now a nightmare to the majority of Zimbabwean and this has some negative consequences. Another factor of divorce is poverty, and according to Herald of 26 October (2017) highlighted that divorce rate in Zimbabwe has being mainly facilitated by poverty. In Zimbabwe, areas such as Epworth, Harare, Zimbabwe, it was reported that some man may even send their wives to go for prostitution as way to have bred on table. Poverty includes lack of no food, shelter, clothing, money and other basic life needs. Inability to provide food on the table had destroyed marriages as women may end up opting for other man who



are capable to feed them.

It has been noted again due to economic challenges, many women are now breadwinners and are busy working for the family while some man are not responsible. Women who are financially independent may be less likely to stay in an unhappy marriage. Another way that social norms may be affecting divorce is through the changing views of divorce itself. In the past divorce was highly stigmatized in Zimbabwe, but this has changed. The legal process of divorce was long and tiresome as compared to current status and this has caused people to opt for divorce even just for a small misunderstanding.

Divorce is a master plan for varies challenges ranging from social, economic, psychological, emotional and physical consequences. The process of divorce to those with children or in custodian of such end up hurting the little innocent ones. Divorce affects academic performance of children. Living standards are compromised I the process, for example a couple with property, they end up sharing and in some cases they even sell such assets. Due to the fact that the African culture doesn't not tolerate divorce, the divorced people end up suffering stigma and negative labels on them, which may make them to withdraw from social and religious gatherings.

Aim of the Study

To understand the status quo of divorce rates, causes of divorce, its implications and solutions that can help reduce the divorce rates.

Objectives

- 1. To understand the current status quo of divorce rate.
- 2. To explore causes of divorces.
- 3. To explore the implication of divorce.

LITERATURE REVIEW

Introduction

Divorce rates are an important indicator of social and familial dynamics within a society. In Zimbabwe like many other countries changes in divorce rates can reflect shifts in societal values, economic factors and legal regulations. Zimbabwe has experienced notable changes in its divorce rates over the years. Historically divorce rates were relatively low due to both cultural factors and legal constraints. However, these rates have shown an upward course over the past few decades. According to the United Nations, the crude divorce rate in Zimbabwe increased from 0.6 per 1000 population in 1980 to 1.7 1000in 2015 (United Nations, 2019). The increase of divorce rate indicates a shift in societal attitudes and potentially changing economic and legal factors.

Global Overview

Divorce has existed for as long as humanity came into existence and is common in many societies. However, the rate of divorce was very low in the past compared to the number of divorces being recorded in the past few decades. Globally, divorce statistics indicate an increase in many countries. United States has the highest rates of divorce. The U.S. Census Bureau (2022), reported that the divorce rate in the United States was 3.6 per 1,000 populations in 2018, suggesting that approximately 827,261 divorces were recorded in 2019, with the total number of divorces since 2000 exceeding 8.3 million. In another report according to the United States National Center for Health Statistics, approximately 4 to 5 million people get married each year in the United State and 42 to 53% of the marriages end in divorce. Additionally, the American Psychological Association, says that 40 to 50% of first marriages end in divorce and the divorce rate for second marriages is reported to be much higher, with approximately 60 to 67% of second marriages ending in divorce. In Germany, 187,640 marriages were dissolved in 2011 and 148,066 in 2018. In the UK divorce is also on the increase, divorce rates were lower in the 1960s and increased in the 70s, 80s and 90s (UK office for National Statistics, 2020). In 2021, there were 113,505 divorces granted in England and Wales, showing an increase of 9.6% compared with 2020 when there



were 103,592 divorces (National Statistics Office, 2022).

According to Tone (2020) both man and woman in China have the right to file for a divorce and the grounds for divorce include: mutual agreement, bigamy, domestic violence, abandonment A new marriage law was implemented for women to be able to divorce their husbands. This causes an increase in divorce rates. Social change as a result of economic growth, industrialisation and urbanisation in China has led to high divorce rates. Also since more women have access to higher education and economic independence, this has also led to an increase in divorce rates.

Similarly, in India social change, higher literacy, Industrialisation, urbanisation and women's higher employment rate have led to a rise in divorce rates in India. Divorce has led to an increase in difficulties for women for example they are facing a lot of financial hardships. In Philippines they do not practice divorce because it's not legalized. Most of the population are Roman Catholics hence they cannot apply for divorce only Muslims who are 5 % of the population are able to do so. However, a bill passed by the Philippines House of Representatives is giving hope to proponents of divorce. It will legalize divorce in cases of infidelity abandonment and abuse.

In Africa divorce is also very common. Clark and Otto (2015) highlighted that 33 countries in sub-Saharan Africa had more than 20% of first-time marriages end in divorce within 20 years. Statistics also indicate that 10% of African women are widows and out of every six women, one is a divorce (Sheykhi, 2020). In Ethiopia, divorce is commonly practiced. According to Mekonnen, Kassa & Ayalew (2019), 45 per cent of first marriages in Ethiopia end in divorce. A 1994 population and housing census in Addis Ababa reported that "among 506, 852 married couples 97,147 were divorced".

According to Walle (2016) Statistics in Africa show that 10 percent of African woman are widows, and out of every six women, one is a divorcee. Hence, an increase in female headed households. In South Africa were they practice civil marriages and customary marriages divorce process usually takes a long time as in both marriages divorce must be dissolved in court. According to the law in South Africa legal separation does not exists if one is no longer living with her husband and are not divorced the law recognises the couple as married.

In Niger divorce easily takes place as divorce courts take place on side walks around which lots f man and women gather to see what is going on.

In South Africa, in 2021, there were 18,208 divorces that were granted and in 2022 the figure increased to 20,196, showing a 10.9% increase in divorces yearly. The crude divorce rate also increased from 30 divorces per 100,00 estimated resident population in 2021 to 33 divorces per 100,000 in 2022 (family laws, 2022). The black African population had the highest divorces in 2021 and in 2022, accounting for 50.4% of divorces in 2021 and 54.7% in 2022. The white population had second highest divorces with 30.1% in 2021 and 19.4% in 2022 (Divorce laws, 2022)

In Zimbabwe divorce rates have been rising over the years like in many other countries worldwide. Nowadays, divorce is no longer a shame, but has become common unlike in the past. It has been noted that divorce rate in Zimbabwe since 2000 has been rising at 9% per year (Nemukuyu 2015). The rise in the statistics has seen an average of 2500 cases in 2017 passing through the courts. According to the United Nations (2019), the crude divorce rate in Zimbabwe increased from 0.6 per 1000 population in 1980 to 1.7 per 1000 in 2015. The increase suggests a change in societal attitudes, economic and legal factors.

Causes of divorce

Age at first marriage

Those who marry early for example in their teen years are at high risk of divorcing their partners as they will not be mature enough. Marriage is not for the fainthearted as it requires maturity, patience, commitment and tolerance. Those who marry for the first time in their teens are prone to divorce because most in many cases their partners are usually also young and less matured intellectually, emotionally, and experientially as compared to older couples who can manage to sacrifice and react in a more mature way. Young married partners usually fail



to make sound decisions and are easily affected even with small issues. In Africa teenage marriage is common among the illiterate and certain religious sects. Divorce rate is also high due to financial pressure, unemployment, low educational level and more premarital pregnancy (Enang, 2003).

Changes of social Status

This is a high cause of divorce as one person may feel that they deserve a better improved person when their social status and lifestyle has changed for example when they feel they now have money than their spouse. A little uplifting may bring new friends, social status and consequently new way of life (Roy 2006). Hence, a spouse might fail to meet the standard of life of their partner and may marry a new person to fit in their status. The opposite is also true if someone's social status drops they may look for someone else to marry because of shame. Educational backgrounds also contributed to divorces mainly when one partner feels more or less educated than the other and fail to adjust.

Addiction of substances

People can become addicted to substances, behaviours or other people. Addictions can destroy people's lives and often they lead to divorce. Addictions can make people lose control over their lives and this can mean loss of friends, family and even marriages. Addicts often exhibit behaviour that is unacceptable in a marriage, for example lying, stealing, betrayal of marital trust, and consequently addiction makes the list of top reasons why couples divorce (Top reasons for Divorce 2014: E-copy).

Religious Reasons

Religion is expected to bring stability in marriages but when people get married and later they decide to change their beliefs this can cause divorces. Conflicts may arise due to different beliefs and one may choose to divorce than to be constantly fighting with his or her partner. Chief Engr. Duke Effiom and Mrs. Dorrathy Effiom, when the wife decided to change from the husband's church to Brotherhood of the Cross and Star, this led to divorce (Eyo 2016:49). Married couples who have different religious beliefs are at high risks of divorcing as this cause a lot of instability in marriages. Religion which is ought to be a pillar of the society sometimes becomes a caterpillar wherewith a society is destroyed (Okon 2011:230). In some churches prophets may prophesy that one's partner is not good for them as he or she may be accused of bewitching his relatives or the partner may be referred to as a sinner, worse if he or she shows signs of not wanting church. Religious differences is one of the contributing factor to the increase of divorce rates.

Effects of divorce on children

Children who come from divorced families sometimes engage in criminal activities and immoral acts. They dropout from school, engage in addiction, commit sex before marriage, theft, and develop delinquent behaviour (Adamu and Temesgen, 2014). In most Western countries children from divorced families experience health, behavioural problems and they suffer a lot emotionally. The consequences of divorce progress further into adulthood. Adults whose parents are divorced have lower educational attainment, greater levels of depression, lower income levels, worse physical health and a higher likelihood of ever being divorced (Amato and DeBoer, 2001).

Effects of divorce on women

Women experience an income decline of about 30% while men experience about 10% drop in income (Bogale, 2008). In most cases women are the custodians of children and custodial mothers are more anxious, depressed, angry and self-doubting than married mothers. The mothers also become less affectionate to their children as they communicate less with them, punish them more and constantly discipline the them. Divorced mothers experience greater number of stressful events such as demotions, lay-offs, accidents, critical illnesses and problems with their parents as compared to married women. Most mothers face financial problems and other stressful life events after divorce.



Theoretical Framework

The social exchange theory which was propounded by Homans (1958) guided this study. Social exchange theory states that people calculate benefits and costs before they enter into relationships (Wood, 1995). It goes further to argue that marriage is an institution that is largely influenced by money. Wealth can be seen as a great influence in marriage institutions and this can be traced to the Zimbabwean history. Bridal wealth (roora) has now being commercialised as many family members are asking for too much money despite the new law in Zimbabwe which states that men can now pay lobola only if they want to as a bride price. This framework is relevant due to the current economic challenges of Zimbabwe which has become one of the major contributions to divorce rate.

METHODOLOGY

The research was conducted with the mixed approach where both qualitative and quantitative research methods were used to understand the status quo of divorce in Zimbabwe.

Qualitative research

In-depth interviews

The research was conducted using in-depth interviews with a diverse group of people who have experienced divorce. In these interviews, the participants were asked about their experiences, factors that led to their divorce and the impact of divorce in their lives. This is significant to the research because it gave insight into the personal and cultural factors that influence divorce.

Focus group

10 Focus group with an average of 15 participants were conducted and gave them an opportunity to share their experiences and opinions.

Quantitative research

Questionnaires

500 Structured questionnaires were distributed to collect quantitative data and 90% were returned.

Participant setting

The research had a target group which involved the divorced, religious and community leaders, counsellors and couples and children from single parents. Both male and female participated in this research

Data analysis

Data was collected on the status quo of divorces in Zimbabwe and it was analysed. The qualitative data was analyzed using thematic analysis while quantitative data was analyzed using descriptive and inferential statistics. This combination of methods allowed the researcher to gain a deeper understanding of the complex factors contributing to the high rates of divorce in the country.

Ethical Considerations

The research has also considered the ethical implications, ethical issues such as privacy, confidentiality informed consent and potential harm to participants. Creswell (1994) emphasizes the importance of ethical data analysis in research. He argues that all aspects of research, including data analysis, must be conducted with a high degree of integrity and transparency. This means making sure that the data analysis process is free from bias, and that the results are reported accurately and fairly. Creswell also stresses the importance of protecting the rights of research participants, including their right to privacy and confidentiality. Confidentiality was also prioritized.



Overall, ethical, data analysis is essential for maintaining the integrity of research and ensures that it is conducted in a fair and ethical manner.

RESULTS AND DISCUSSIONS

Status quo of divorce rate

According to Independent (2023) Zimbabwe has recorder a 100% increase in divorce cases last year. Which is a matter of concern. Even though it's suggested to be a solution for a toxic relationship, it negatively impacts many parties, children, family and community at large. It causes depression and increase risks of alcohol abuse. Statistics from the Judiciary Service Commission show that in 2020, 1117 couples divorced and in 2021, 1351 divorced. In 2022, 2735 divorced against 13 436. Hence, 20% of Zimbabweans marriages are likely to end in divorce. Harare has the highest rate of divorce which is 1731, followed by Bulawayo with 613, followed by Mutare with 156, then Masvingo 145 and Chinhoyi 145.

Divorce and the New Marriage Act

From the research divorce rates have increased because of the Marriage Acts which continues to give freedom to other relationships outside one partner. The Unregistered Customary Law union (UCLU) which accepts a polygamous marriage has shuttered many marriages thus increasing the divorce rate. According to John C, (2022), Civil marriages under the Marriage Act were considered superior and handled differently upon divorce. But now all marriages are treated equally, giving women in polygamous marriages more rights to inherit property. In a polygamous marriage man can marry many wives under customary law. The new law is now giving rights to 'girlfriends' but in Zimbabwe. This has given many women a chance to date rich men without fear so that when the husband dies, they can inherit many properties.

In the history of divorce, divorce was allowed only in infidelity cases, abuse and abandonment. Men are no longer afraid to tell their wives that they want to marry the second wife because of this marriage law. This causes women to prefer divorces than sharing their husbands with another woman. The new marriage bills don't focus on reconciliation between conflicting parties.

" the day my husband told me that he wants to marry a second wife, l knew that the woman did not love my husband, all she wanted was money and the properties that l worked for. The only thing that l had to do was to divorce my husband and share the property before she comes" one of the participants revealed this.

One of the weaknesses of law is failure to address causes of divorces in order to avoid such rather it empowers parties to be in a position to gain from the divorce proceedings.

Parents who are going through a divorce may become less caring or overprotective to their children. This also lead to poor communication between parents and children, as well as a decrease in the amount of time that parents spend with their children. It also causes health problems to the divorced people and as a result may suffer from diseases such as Blood Pressure (BP), Ulcers etc.

Causes of Divorce

Unemployment

Unemployment increases issues of domestic violence which increases rates of divorce. With the problems in the country and the unemployment rate being as high as it is and the associated financial problems, the pressure within families has also increased. When families go through difficulties such as unemployment it will stress them and can lead to alcohol or drug abuse. Unemployment remains a global threat pushing many people to participate in various unlawful and dangerous activities. In Zimbabwe, a weak economy and domestic sociopolitical challenges pushed unemployment rates. It has caused many husbands to engage into drug abuse as a way to cover up their stresses. Generally, unemployment is one of the root causes of domestic violence. The more men spend time at home without anything to do, the more likely to have quarrels with their wives.



Poverty

The study showed that the majority of divorces were causes by poverty. If a men fails to provide food on the table, it will cause war and fights in the house. According to the study, women don't respect men who fail to be breed winners. It was also revealed that unemployment of men causes women to end up into promiscuity trying to feed their children and this surely has a negative impact in marriages. If the partners fail to adapt to the unemployment situations, they continue to fight almost daily and end up divorcing.

Financial Management

Some ccouples fail to manage their finances well. For example, who keeps the money or how to spend the money can be the bases of a divorce. Failure to balance in terms of using money can be another contributing factor. The study revealed that some argue in terms of what should be bought first or next.

Infidelity

According to the study, betrayal of trust through infidelity has caused more divorces. Mainly women don't want to share their husbands with other women and this will cause divorces.

"it's better to divorce than to share my husband with others, a man who loves you will not disrespect you by having other girlfriends.

Another woman said so.

Communication problems

Poor communication was indicated as one of major reasons of divorces. Couples without proper good communication skills are vulnerable to divorce even over small issues.

Religion

The research revealed that religious beliefs is also contributing to divorces. Another partner may belief in this religion while the other don't agree in it. This challenge was discovered mainly among religious leaders.

I had a vision of having my own church while he didn't want me to have it because he wanted me to be submissive to his church, so I decided to part ways so that I concrete with the vision of God.

When the other partner feels that his or her religion must be prioritized over the religion of the other partner and if this don't happen, a divorce will be not avoidable.

Other issues

The study revealed other causes of divorces such as

- 1. Personal character/bad habits
- 2. Parenting disagreements
- 3. Step parenting
- 4. Lack of commitment
- 5. Differences in values and goals
- 6. Lack of intimacy
- 7. Lack of commitment to marriage
- 8. Frequent arguments
- 9. Abuse
- 10. Trust issues
- 11. Personal Issues



- 12. Lack of independence
- 13. In-laws and extended family
- 14. Career conflicts
- 15. Lack of forgives
- 16. Personal growth apart
- 17. Academic differences
- 18. Social status differences
- 19. Religious beliefs
- 20. Laziness

Implication of divorce

Divorce has implications which ranges from social, financial, emotional, legal, physical, women and children implications.

Emotional Implication

Divorces causes grief and loss. It brings sadness, emptiness and sorrow. Divorcing its not as easy as people may think. This study revealed that couples who experience divorce will go days feeling the gap and emptiness in their spirits.

When I divorced I had a serious pain and its like a wound in my heart. I could miss my partner for months. One of the respondents revealed that. Anxiety, stress and depression is associated with divorce.

Financial implication

Divorce brings all progress to zero. Divorced couple sufferer the need to restart life and this has serious negative implication to finances. Instead of acquiring more assets together you will start to think of sharing property and start life again. Divorce brings economic instability. During divorce couples will need to engage lawyers and this has negative impact to finances.

Spiritual Implication

During divorce it is difficult for people to maintain their faith.

I am a pastor, when I had a divorce, it was not easy for me to preach at church even to pray. My spiritual life was serious affected. One of the participant revealed this.

Physical Health Implication

Health consequences is one of the challenges of divorce. People may pretend to be strong but generally, divorce drains family's health. Some will start to develop different diseases such as BP, ulcers, diabetes, headaches and other diseases associated to stress and depression. Research revealed that some will have sleeping disorders due to divorces.

Mental Health Implication

Due to over thinking and the divorce process itself, it can affect mental health of families involved. During divorce phase, a lot happens such as need for dialogue in terms of property sharing, custody of children and sometimes trying to reconcile and this process affects couples, families and the close people mentally. If divorce not managed well, it becomes a death trap and in some cases lives may be lost.

"my husband committed suicide when I openly declared to leave him due to abuse, he said he prefer to see me suffering with him than to let me go free and we had a serious fight till he decided to leave him and that was for good". Said one of the responded.



Divorce on children

Divorce has affects children emotionally, psychologically, socially, spiritually and financially. One of the respondents admitted that divorce of her parents was a worse scenario to them;

After divorce of my parents, my father married another wife who was very cruel to my young brother and we were seriously traumatized that I thot of killing my young brother and myself.

Another responded said;

...I later moved from my father's house to seek employment as a maid, unfortunately I was sexually abused by the father of the house I was working for.

Some of the respondents indicated that life changed from urban settings to rural settings after divorce of their parents.

"I had no option when my mother and father divorced, my mother went with me to her parents' rural home where the conditions of living was not conducive, I later ran away to the big city where I decided to live in the streets smoking weed and taking all drugs to relief myself from the traumatic experiences I encountered not knowing I was killing myself with substance abuse".

Therefore, divorce causes detrimental effects to children, family and community at large. It has negative psychological, social and emotional on the lives of families, groups and communities. Children of divorced parents end up rushing into early marriages where they will suffer sexually, physically and forced into getting pregnancy at young age. They will also get divorce at young age. Thus increasing the divorce rate in Zimbabwe.

Divorce on Women

Research revealed that, women are the most vulnerable in terms of divorces. Due to patriarchal tendencies most of women remain with children though with limited resources. Women may end up in prostitution after divorce as way to survive. It's easy for men to move to another marriage soon after divorce as compared to women who will suffer loneliness and depression.

"..... I was a pastor but after divorce I end up having boyfriends to survive"

One of the participant revealed this.

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

In conclusion, this study found that the status quo of divorce rate has a number of significant effects on individuals, families and the society as a whole. The status quo of divorce rate is s complex issue with farreaching consequences. They are many factors that contribute to divorce rates such as infidelity, financial stress, poor communication and lack of intimacy, addressing these factors require a comprehensive approach. Another conclusion that can be drawn from the status quo of divorce rate is that there is need for increased research and data collection. Although they are many researchers on divorce and its effects, there is still need for more information on the factors that contribute to divorce rates, the impact of divorce on divorced people, children, families and community at large. Statistics of divorces is increasing highly and this is a serious concern.

Recommendations

There is no one single factor that causes divorce but it is s combination of multiple factors that can contribute to the overall divorce rate. Given the negative effects of divorce on individuals and children, families and the society, it is important to consider ways to reduce divorce rates. The first recommendation for addressing the status quo of divorce rate is to promote a stronger and moral support for marriage institution. It is critical to



provide greater access to marriage counselling and marriage education programmes. Measures such as like premarital counselling is critical and to come up with policies to discourage divorces. Early marriages must be discouraged as well as to create opportunity for employment and creation of wealth in Zimbabwe is vital and an important tool to fight the high divorce rate.

Policies and programmes which promoted the family institution is critical to have in Zimbabwe and it will have a significant impact on reducing the divorce rate and improving the health and well-being of families. These programs are effective in reducing the livelihood of divorce and increasing the stability of marriages. It is also important to address the issues of economic inequality as researches has viewed that they are significant factors in divorce rate. Lastly it is important to continue to collect and analyse data on divorce rate to get a better understanding. The researcher highly recommends the next research to create a framework to reduce high rate of divorces in Zimbabwe.

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