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# ON THE ROCKS

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## CAN MARRIAGE SURVIVE IN SPAIN?

Words by **Alberto Díaz**

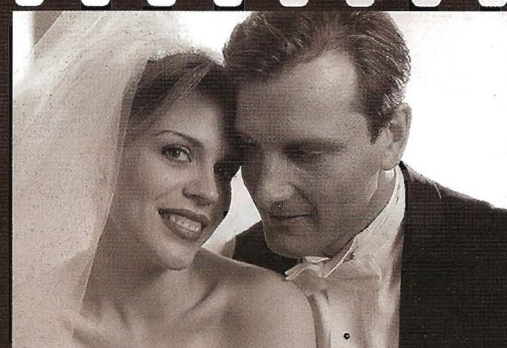
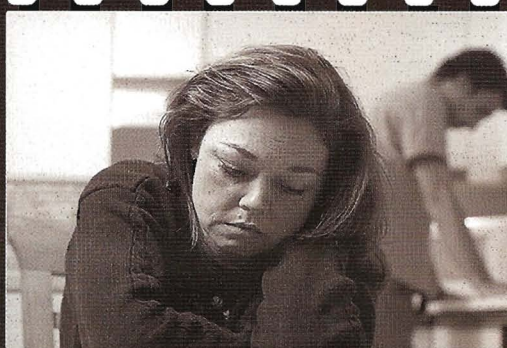
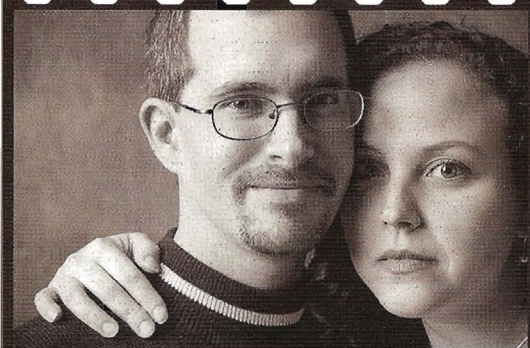
You might be surprised to know that Spain now has one of the highest rates of divorce in Europe, with 1 in 2.3 marriages affected. This equates to a marital break-up every 3.7 minutes. To make matters worse, the country has a shocking domestic violence problem, which yet again came to a head when four women were killed by their partners on 'Black Tuesday' (26<sup>th</sup> February 2008).











This brought the number of women murdered by their partners this year to 17 by the end of February, setting 2008 on target to exceed the horrors of previous years. Clearly, seismic changes are dangerously vibrating through Spanish society.

In fact, it is not surprising that tremendous pressures have been placed upon the old-fashioned, family values normally associated with Spain. Suppressed by the long, deeply conservative dictatorship of Franco (1939 - 1975), Spain remained in a time-lock throughout the heady decades of North European liberalism between the 1960s and 1980s. Flower power, the Pill, mobility of population and the sexual and social revolution of the First World bypassed Spain completely. Indeed, until 1981 it was not even possible to get divorced legally.

Suddenly, in 1978, Spain established a secular constitution on lines similar to the rest of democratic northern Europe. This propelled the country into new uncertainties, driven by unprecedented freedom and liberality. This was enhanced by unimaginable wealth as the country dramatically accelerated from its position as thirteenth biggest economy in the world in 1973 to its present position as eighth. All of a sudden, it was possible to get divorced, homosexuality was tolerated, incomes rose, personal expenditure increased and the equality of women became, at least in theory, acceptable.

However, these changes have produced considerable social friction. Deep down, much of Spain is still a conservative, patriarchal society with close-knit and often immobile communities. It has, therefore, come as a shock for the Spanish male, in particular, to find that not only does his wife or partner have to work, due to rising living costs, but that she expects equality as well. For the first time in Spanish history, women have real independence. Or at least the illusion of it. They are as well-educated as men, earn their own incomes and can divorce as they see fit.

Certainly, the present PSOE government under Zapatero has presided over a country that has become one of the most liberal in Europe. Homosexuals have been granted the same rights as heterosexuals and a controversial 'express divorce law' was passed in 2006, making the process quick and easy. Indeed, it is now possible to divorce after three months of marriage with no evidence of blame required. You can even secure an uncontested divorce for under 600 euros using the internet ([www.divorcioexpress.com](http://www.divorcioexpress.com)).

The ease with which divorce is possible has shocked the establishment, which has seen a rise in the divorce rate of 277% between 2001 and 2006. This drove Eduardo Hertfelder of the Institute of Family Policy to state that this was "authentic social suicide". Meanwhile, Benigno Blanco, president of the Spanish Forum for the Family, now likens the current marriage contract to "trash". Without doubt, the traditional building blocks of society and their time-honoured certainties have been dismantled in a very short time indeed.

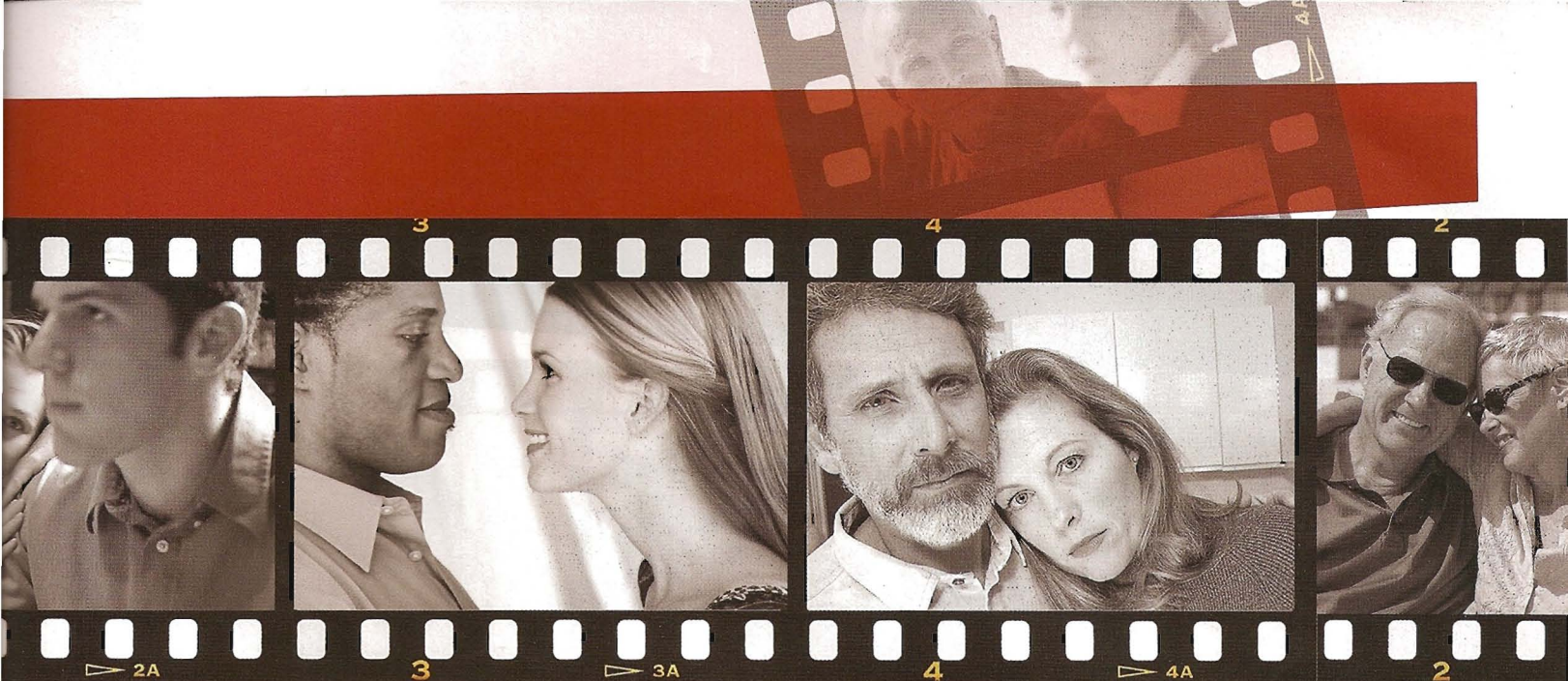
Exacerbating existing social problems are the major headaches of immigration and a severely troubled economy. These are impacting upon personal relationships by placing further stress upon family life and relationships. Permissive immigration controls have allowed an explosion

of immigrants over the past six years, with the Red Cross World Disasters Report (2006) claiming that they now make up 11% of Spain's total population. This is changing the very nature of many urban areas, particularly coastal towns, and placing incredible stress upon a creaking infrastructure. Many schools and medical centres are now overwhelmed, creating increasing friction and discontent amongst the native Spanish.

Meanwhile, the purchasing power of the Spanish salary has barely changed since 1997, whilst living costs

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have risen enormously along with the prices of property. Mortgage rates have nearly doubled and household debt in 2006 was 110% of disposable income. With few matters creating greater stress upon a relationship than financial difficulties, the high rate of divorce and domestic violence is likely to continue. Indeed, the current property crash will have ominous implications for already hard-pressed families. The EU expects a 3.7% rise in the cost of living this year and FUNCAS (the Spanish Savings Bank Foundation) are predicting that the economy will only grow by 2.5% and that unemployment will be considerable. Frighteningly, according to the CIA World Factbook (2007), Spain also has the 162<sup>nd</sup> worst current account balance in the world.

To their credit, in 2005, the PSOE government passed a law for Comprehensive Protection Against Domestic Violence in an effort to deal with abusive relationships. 27 specialist courthouses (Courts for Violence against Women) with significant protective powers have now been set up throughout Spain.

"For the first time in Spanish history, women have real independence. Or at least the illusion of it"

However, deaths due to domestic violence have actually increased from 68 in 2006 to 71 in 2007, together with a significant rise in complaints.

Of course, making effective complaints against abusive partners easier and the courts more responsive is bound to bring to light domestic violence that had previously been concealed. Nonetheless, there is certainly anecdotal evidence to suggest that domestic violence remains significant and may rise. This appears to be in part due to the large number of immigrant families now living in Spain, many of whom live in appalling conditions

## key moments

**1931** Women granted the vote

**1981** Right to divorce established

**2005** Law against domestic violence enacted (setting up 27 courts and protection rights); law granting equal rights to homosexuals; 3-month amnesty for immigrants in Spain

**2006** 'Express divorce law' enacted - divorce possible after three months with no blame required





whilst undertaking the least desirable, poorest paid and hardest work in the country. As the effects of the recession in Spain starts to bite and immigrants find work ever more difficult to obtain, it is quite possible that the appalling tragedies of domestic violence and marital break-up will become even worse.

To some extent, Spain's social problems can be put down to the 'growing pains' of a country that has evolved radically in a very short period of time. Those changes have brought tremendous advantages and

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improvements, but also real stress to a Spanish population and lifestyle that had been largely unchanged for centuries. The question now is whether Spain can come to terms with the dynamics and pressures induced by the past few years, whilst retaining a workable and family-friendly society. ■

## the facts

- Upon taking office in 2004, Prime Minister Zapatero launched a crusade against domestic violence, stating that it was Spain's "worst shame" and an "unacceptable evil".
- In the same year he labelled equality of the sexes an "emblematic task" and made a woman - Maria Teresa de la Vega - Spain's first deputy prime minister, whilst giving 8 out of 16 cabinet posts to women.
- 509 women were killed in domestic violence incidents between 2000 and 2007.
- According to the Instituto Nacional de Estadística, working Spanish women earn on average 29% less than men.





**Sandra Pascual Tomas** is a petite and very elegant divorce lawyer in her mid thirties with bright, intelligent eyes. She is a picture of calmness, which is complemented by her offices (Centre de Mediocio Familiar Iure) in Gandía. These are modern and painted in soft pastel colours. One room has been set aside as a play area for small children and has an array of toys, whilst the conference room has a deliberately relaxed ambience. Sandra works with her partner, Rosa Gomez Torres, and speaks in well-modulated, thoughtful tones.

"Of course, the divorce rate is high in Spain. Our country is facing a crisis of values as we

feel the full force of globalisation. This is producing, in a very short time, an increasingly dysfunctional society. Not least, the traditional roles of men and women within a relationship have changed - radically altering the dynamics of family life. This has been accompanied by increasing financial stress and the very real difficulties faced by young couples trying to afford to rent or buy a property together.

In about 70% of cases, it is the woman who starts divorce proceedings with, in our experience, 80% of men already seeing another woman. Often, the first divorce is very traumatic, but this is generally followed by a more successful second marriage. However, sadly, about 30% of divorced men fail to see their children after the formal separation.

Domestic violence is certainly a horrendous problem and is most common within immigrant families. It is symptomatic of men's reluctance to change and is a tragic sign of our increasingly stressed society."

**Dr Maria Soriano** (pediatrician in Valencia province): "Five years ago, about 6 of the 40 patients I saw daily were foreign - now that number is 20. Increasingly, I see deeply stressed families, many living in real poverty and financial uncertainty."

