

İstanbul Üniversitesi Kadın Araştırmaları Dergisi Istanbul University Journal of Women's Studies



Review Article | Derleme Makalesi

Open Access | Açık Erişim

The Relation Between Divorce and IPV

Boşanma ve Kişiler Arası Şiddet Arasındaki İlişki



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Abstract

A multifaceted relationship exists among VAW (violence against women), femicide, and divorce; spousal abuse can both prompt a woman to seek divorce and trigger her male partner to engage in more extreme forms of spousal violence. This paper discusses the link between divorce, interpersonal violence (IPV), especially gender-based violence, and femicide. The IPV-related reasons for divorce will be categorised according to the forms of IPV that occur within the relationship, and which motives make the battered woman seek escape from the violent relationship. The different forms of violence against women during and after the divorce process, the obstacles to divorce, and the factors that empower women to pursue divorce are discussed. The paper contributes to knowledge of IPV and divorce: specifically, how violence against women (VAW) intersects with divorce. This paper will also provide an account of the forms of violence within the divorce process, the facilities that empower the woman within the divorce process, and post-separation violence after divorce. The main findings of the paper relate to the link between VAW and divorce: that divorce is often a consequence of ongoing intimate partner violence against women, which can also continue after the divorce. For battered women, divorce is a process involving both violence and empowerment, mediated by the family environment, institutions, and protective laws. Existing threats to safety from the male partner as well as patriarchal culture make divorce more difficult for battered women than others.

Öz

Kadına yönelik şiddet (VAW), kadın cinayeti ve boşanma arasında çok yönlü bir ilişki mevcut; eşe yönelik şiddet, kadını boşanmaya yönlendirebileceği gibi, erkek partneri eşe karşı daha aşırı uygulanan şiddet biçimlerine yönlendirebilir. Bu makale, boşanma, kişilerarası şiddet (IPV), özellikle cinsiyete dayalı şiddet ve kadın cinayeti arasındaki bağlantıyı ele almaktadır. IPV ile ilgili boşanma nedenleri, ilişki içinde meydana gelen IPV türlerine ve şiddet gören kadının şiddet içeren ilişkiden kaçmak istemesine neden olan motivlere göre sınıflandırılmaya çalışılacaktır. Boşanma süreci sırasında ve sonrasında kadınlara yönelik farklı şiddet türleri, boşanmanın önündeki engeller ve kadınların boşanma kararı almasını sağlayan faktörler ele alınmaktadır. Makale, IPV ve boşanma konusundaki bilgilere katkıda bulunmaktadır: özellikle, kadına yönelik şiddet (VAW) ile boşanmanın kesiştiği noktalar ele alınmaktadır. Makale ayrıca, boşanma sürecinde görülen şiddet biçimleri, boşanma sürecinde kadına güç veren imkanlar ve boşanma sonrası ayrılık sonrası şiddet hakkında da bilgi vermektedir. Makalenin ana bulguları, kadına yönelik şiddet ile boşanma arasındaki bağlantıyla ilgilidir: boşanma genellikle kadına yönelik devam eden şiddetli partner şiddetinin bir sonucudur ve bu şiddet boşanma sonrasında da devam edebilir. Şiddet gören kadınlar için boşanma, aile ortamı, kurumlar ve koruyucu yasaların aracılık ettiği, hem şiddet hem de güçlendirmeyi içeren bir süreçtir. Erkek partnerin güvenliğe yönelik mevcut tehditleri ve ataeril kültür, şiddet gören kadınlar için boşanmayı diğerlerine göre daha zor hale getirmektedir.

Keywords

Divorce · Interpersonal Violence (IPV) · Violence Against Women (VAW) · Femicide · Post-Separation Violence

Anahtar Kelimeler

Boşanma · Kişilerarası Şiddet (IPV) · Kadına Yönelik Şiddet (VAW) · Kadın Cinayeti · Ayrılık Sonrası Şiddet



“ Citation | Atıf: Koç, G. (2025). The relation between divorce and IPV. *İstanbul Üniversitesi Kadın Araştırmaları Dergisi-İstanbul University Journal of Women's Studies*, (31), 58-67. <https://doi.org/10.26650/iukad.2025.615132>

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Introduction

This paper attempts to discuss IPV from the aspect of divorce and marriage. The relation between divorce, gender-based violence and VAW (Violence Against Women), VAW and Femicide within the marriage and their relationship with divorce will be debated. The methodology of the paper is a literature review that is cited according to the thematic of relationship between gender-based violence in marriage, post-separation and divorce related violence, VAW and Femicide.

Divorce is, in many cases, escape by a battered woman from a years-long pattern of male spousal violence (Barnett & LaViolette, 1993; Solveig et al., 2012). The decision to divorce empowers battered women who may have attempted many times to exit the relationship (Sukeri & Man, 2017; Wilson, 2023).

Marriage is a contract, and divorce is the legal act that ends the marriage contract; however, it has psychological, social, and emotional components. Divorce affects both members of a married couple emotionally and cognitively and paves the way for learning new roles, shaping new relationships, and taking different paths in life (Maccoby & Mnookin, 1992; Robinson, 1991). Research on divorce emphasises its life-altering and traumatic nature for both partners (Trafford, 1984; Wallerstein & Blakeslee, 1989). The emotions leading up to and following divorce include disappointment, distress, resignation, and loss. During these periods, both partners must develop autonomy, seek a new emotional balance, and reassess their economy (Propst & Fries, 1989; Robinson, 1991). Divorce is a turning point that has psychological and practical outcomes for divorced people and their family members and social circles (Propst & Fries, 1989; Robinson, 1991).

Gender-Based Violence in Marriage

Intimate partner violence is a public health issue primarily affecting women and existing worldwide throughout all ethnic, racial, and socioeconomic groups (Koss et al., 1994; Vives-Cases et al., 2011). Research suggests that gender-based violence, especially VAW within the family, is the most underreported of all crimes (Stanko, 1981; Reid, 1991; Titterigton, 2006). Worldwide surveys show that women are the primary victims of gender-based violence (McFarlane, 2007).

Violence committed by men against their female intimate partners takes forms including rape (Fleury et al., 2000; Stanko, 1985; West, 2016), emotional abuse, and physical assault (DeKeseredy et al., 2004; Dutton, 2009; Russell, 1990; Stanko, 1985; Tjaden & Theonnes, 1998; Tripp, 2004). Intimate partner violence is typically serial and repetitive; it may continue after separation or divorce and, in some cases, concludes with the killing of a woman by her intimate partner (Browne, 1987; Campbell, 1992; Spencer & Stith, 2022; Wilson & Daly, 1992). The ending of the relationship does not always end the abuse, which may continue or escalate (DeKeseredy & Hinch, 1991; Anderson & Saunders, 2003).

In the 1970s, gender-based violence emerged as a central concern of the women's movement and second-wave feminism. Since then, a large body of research has been conducted on this form of violence (Bloom et al., 1985). However, research on male intimate partner violence against women primarily focuses on abuse within an ongoing intimate relationship; the research on male violence after women have ended a relationship is not as strong (Fleury et al., 2000).

The decision to divorce is one that a battered woman may take to stop the violence within her relationship (Bowker, 1988; DeKeseredy et al., 2017). Reasons women give for taking this step include breaking isolation, seeking a supportive relationship with someone who values her (Browne, 1987; 1991), beginning a life without violence, and shaping an independent life with new resources. Research shows that women may be discouraged from leaving by fear of violence (Arokach, 2006; Barnett & LaViolette, 1993; Ferraro & Johnson,

1983) and concerns about the effects of divorce on children's physical, emotional, and economic welfare (Arkowitz & Lilienfeld, 2013; Schechter & Edleson, 1994).

For many battered women, exiting the relationship is difficult and complex (Anderson & Saunders, 2003; Barnett, 2001; Davies et al., 1998). Most women experiencing violence within the spousal relationship attempt to exit the abusive relationship between five and eight times before leaving it permanently (Anderson & Saunders, 2003; Barnett, 2001; Okun, 1986; Campbell et al., 1994). The reasons for women being unable to exit a violent relationship are diverse. The perpetrator may express regret and promise to end the violence and attend counselling (Anderson & Saunders, 2003; Griffin et al., 2003; Okun, 1986). The woman may feel attached to the abuser emotionally, or fear escalation of the abuse and lack of money and safe housing (Anderson & Saunders, 2003; Barnett, 2001; Griffin et al., 2003). These women may resist losing "hope of an ideal marriage, losing their status as wives" (Anderson & Saunders, 2003) women in patriarchal societies may also fear loss of honour for themselves and their families (Kardam, 2005; Qassis-Jaraysah, 2011). Overall, women leaving violent relationships fear losses to economic security, property, social habits, living space, self-esteem, social support, and social status (Anderson & Saunders, 2003; Turner & Shapiro, 1986).

Women who do leave may return to their abusers. Again, there are many reasons for this, such as a lack of economic resources, housing, a protective family, or relatives with whom the woman can take shelter. The woman may reconcile with her abuser and sometimes faces pressure from her family or that of the abuser to do so. She may also return to the abuser because he expresses regret, she still has feelings for him, or she believes she can rescue the relationship or should "give [the abuser] another chance" (Bejenaru, 2011, p. 58); however, external pressure from relatives or others is often the reason for a woman's return to a violent relationship (Bejenaru, 2011, p. 58).

Leaving a violent relationship often does not end the violence and can instead increase it. "Separation assault" is a term coined by Mahoney (1991) to refer to behaviours a male partner may engage in to keep his partner from separating from or divorcing him. Mahoney focuses on separation violence and the effort a battered woman must make to leave the abusive relationship. She discusses the arguments of Jones (1980) (Mahoney, 1991, p. 83). Research has often focused on why battered women stay; Jones (1980) argues that "If researchers were not quite so intent upon assigning the pathological behaviour to the women, they might see that the more telling question is not 'Why do the women stay?' but 'Why don't the men let them go?'" (298-292, pp.).

Research on women attempting to leave an abusive relationship (Burgess et al., 2001; Murphy & Hoover, 1999; Tjaden & Thoennes, 1998; Walker & Meloy, 1998) shows that they face restrictive or monopolising behaviour (Anderson & Saunders, 2003; Murphy & Hoover, 1999; Sonkin & Durphy, 1997), surveillance and monitoring behaviour (Barnett, 2001), physical violence or stalking (Tjaden & Thoennes, 2000), isolation, and domination (Arokach, 2006; Murphy & Hoover, 1999; Tolman, 1999). Violence can increase and become lethal when a woman separates, or attempts to separate, from the abusive partner (Desmond & Stuckless, 1996; Hardesty, 2002; Koç, 2022; Sev'er, 1997).

In countries with protective laws against gender-based violence, the state takes responsibility for protecting abused women; it may provide shelter and police protection from the abuser. However, in many countries the shelter system is inadequate, either because there are not enough shelters or because victims are allowed to stay only temporarily; victims may thus feel forced to turn back to their abusers (Gloor & Meier, 2018; Hagemann-White et al., 2019).

As with the choice to stay in a violent relationship, there are many factors influencing the choice to leave, including the social and political environment as well as the victim's individual analysis and perception of her situation (Anderson & Saunders, 2003; Denzin, 1984). Leaving an abusive marriage is easier in countries

where social support is well-developed and women's rights are institutionalised, such as through women's shelters and legal systems (policing, judges, protective laws) that prioritise protecting this type of victim (Hagemann-White et al., 2019). Another form of support that can help abused women choose to leave the abusive relationship is a social support system including the solidarity of family members and friends (Foa et al., 2000; Kirkwood, 1993; Sullivan et al., 1992). While a supportive environment makes the postdivorce adjustment of women easier, social isolation makes it difficult (Bursik, 1991).

In countries in which the status of women is lower, women are much more under the control of violent partners and are much more dependent on their families for emotional, economic, and social support (Anderson, 2017; Umberson et al., 1998). The social environment may also not be accepting of the woman escaping her abuser. The woman's family and others in society may highly value marriage, perceive divorce or the status of a divorced woman as dishonourable, or accept the woman's suffering from the abuser. Families can withdraw their support in the social context in which there is a strong patriarchal structure for family relations and the separation of the woman from the violent relationship is seen as an honour issue for the family. The abused woman may even face threats to her life not just from the abuser but also from her family members (such as her father or brothers). More often, though, the danger such women face from their families is not violence, but a withdrawal of support (Qassis-Jaraysah, 2011).

Postseparation and Divorce-Related Violence

Like intimate partner abuse, divorce-related and postseparation abuse is a global problem that affects women throughout the developing and developed world. The range of behaviours that comprise postseparation and divorce-related violence is broad and includes direct physical violence as well as sexual and emotional abuse (Parveen & Rogers, 2023, p. 114). Postseparation abuse has its roots in a history of domestic abuse that was typically ongoing during the marriage (Parveen & Rogers, 2023, p. 114). In 1991, Mahoney introduced the term "separation assault" in a paper focusing on the inequality and coercive control that makes men use violence after a breakup (Mahoney, 1991). As other research has shown, divorce is not a release from the power of the former husband; he may continue the abuse through stalking, continuing emotional abuse, verbal threats, bodily assaults, and threats to the safety of children (Parveen & Rogers, 2023). For women who have children with their abuser, legal proceedings to determine custody and visitation can further add to the difficulty of divorce (Parveen & Rogers, 2023).

Violence can continue during and after the divorce process. Forms of post-separation violence are diverse, such as economic-based, threats to cut off child contact (which can be used as an abusive threat), and post-separation domestic homicide (Parveen & Rogers, 2023, p. 22, 118).

VAW, Femicide, and Divorce

VAW and femicide can follow divorce, as abusive men seek revenge on their ex-spouse. Male violence against women is not random or accidental but has roots within culture, mindsets, and customs (Dimitrijevic et al., 2015, p. 23). Male possessiveness is a key aspect of male violence against their female partners (DeKeseredy & Kelly, 1993; Smith, 1990). In this dynamic, men view women as their sexual and reproductive "property" and seek to control them in social and romantic relationships (Wilson & Daly, 1992, p. 85). VAW is an outgrowth of this need for control; it is a consequence of gender inequality that manifests systemically in physical, emotional, and economic ways, and "in its most extreme form culminates in death" (Radford & Russell, 1992, p. 3). The term "femicide" describes the misogynous killing of women by men (Radford & Russell, 1992; Russell & Van de Ven, 1976). Femicide and VAW share characteristics and have their roots in a culture of "violence and discrimination against women" as well as "in patriarchal concepts of the inferiority and subordination of women" (Dimitrijevic et al., 2015, p. 23).

The strong gender asymmetry of intimate partner homicide has its roots in gender-based power relations and masculinity as gendered performance (Butler, 1990, 1993; West & Fenstermaker, 1995). While women sometimes commit intimate partner violence and men are sometimes the victims, globally and historically, there is a higher incidence of women than men being murdered by their intimate partners (Corradi & Stöckl, 2014, p. 602; Dawson, 2018, p. 16; Deirdre, 2016, p. 17; Dobash & Dobasy, 2015, p. 25; Laurent et al., 2013; Saccomano, 2015; Stöckl et al., 2013, p. 862). Feminist analyses of VAW notes that it is rooted in unequal and oppressive power relations between sexes, which are integrated within society as social inequality and men's desire for control over women's labour (Martin, 1978; Schwendinger & Schwendinger, 1983; Chafetz, 1984; Stanko, 1985).

The reasons for femicide can be analysed on two levels: micro and macro. Micro-level analysis of femicide focuses on (a) possessiveness, jealousy, and sexual entitlement and (b) separation, divorce, and a sense of loss. Both motives have their roots in gender-based violence, VAW, and opposition against the empowerment of women. Separation and divorce can be interpreted as a form of empowerment since women act independently to separate themselves. The desire to dominate and get revenge escalates to gender-based violence, and in its extreme form, can culminate in intimate partner femicide.

The micro-level analysis of femicide reveals a link between separation, divorce, and a sense of loss. International studies highlight that separation and divorce make women vulnerable to experiencing violence (Arendell, 1995; Brownridge, 2009; McMurray et al., 2001). Exiting an abusive partnership increases the danger of being killed: Studies show that women who separate experience 2 to 4 times the risk of being murdered after separation compared to women in abusive relationships who do not leave/separate (Stanko, 1981; Titterigton, 2006, p. 209; Goussinsky & Yassour-Borochowitz, 2012, p. 554; Wilson & Daly, 1993; Wilson et al., 1995). The period shortly after a breakup is especially dangerous; women are more likely to be killed within the first 2 or 3 months following the separation than afterward (Brownridge, 2006, p. 521; Dobash & Dobasy, 2015, p. 28).

While analysis of the micro-scale can clarify the emotional dynamics that lead a man to commit violence, macro-level analysis is necessary to understand the societal dynamics behind the prevalence of femicide and VAW. Feminist scholars engaged in macro-level analysis have argued that backlash is revenge against the increasing power of women. Backlash theory underlines the construction of masculine identity as resistance against empowered women. In this dynamic, the increasing status of women in both socioeconomic and political spheres reduces the domination of women by men, including diverse forms of VAW (Gartner et al., 1990; Russell, 1975; Titterigton, 2006, p. 209). The purpose of the violence is to "keep women in their place" (Russell, 1975). Another reason for the backlash is the financial security of women (Pridemore & Freilich, 2005; Whaley et al., 2002). Women with little personal and financial autonomy are particularly vulnerable to abuse from their partners. Campbell et al. (2003) underline the importance of "decreasing domesticity, increasing the education of women, advancing women's economic status, increasing the female participation in the labour market, independent income" to decrease women's dependency on their male partners and allow them independence from their violent partners (p. 1,089). While other interventions are needed to address misogyny and violent behaviour among men, systemic changes to women's material conditions will ensure that individual women can escape from abuse.

Conclusion

The purpose of this paper is not providing an empirical based research contribution to the IPV and marriage discussion which makes also its limitation in terms of contribution to the IPV and divorce literature. The limitation of this paper makes its arguing as literature review since it attempted to discuss the relation between divorce and IPV with reference to IPV and VAW literature in an extended term of Femicide

and Intimate Partner relationship with focus on marriage. Marriage can be a violent, abusive sphere for women. For many women, abuse and violence within the marriage are primary reasons for seeking divorce or separation. IPV has its roots within male desire to control the sexual, reproductive, and labour force of women and establish or regain power over them. When a woman chooses to end an abusive marriage, the pattern of violence often continues during and after the divorce. Social, economic, and structural factors can make divorce and separation for battered women easier. Policy makers and other stakeholders should seek to create conditions that make divorce possible for abused women and allow them to start a new life after divorce. The lack of the resources such as shelter and legal assistance makes divorce difficult for these women, and in some cases, forces them to choose reconciliation and return to their abuser.

Another factor making women stay in violent relationships is fear that the violence will increase if they attempt to leave. This fear is well-founded, as postseparation violence is common when women leave abusive husbands, and takes forms such as emotional violence, sexual abuse, stalking, control over child custody, and physical violence. Femicide, the most extreme form of male VAW, is discussed in the literature as revenge murder. Femicide and other forms of VAW have common roots in male control and possessiveness over women that escalate during and after divorce and separation as a consequence of losing women and losing control over women. Divorce intersects with many aspects of interpersonal violence and may bring with it a continuation of male violence within the spousal relationship. For many women, divorce is a long process of escape from horror to starting a life emancipated from violence and constructing a new empowered self. To achieve such emancipation, they need a supportive environment, including social support, institutional support (laws and policing), shelters to escape from their abuser, and the economic ability to make an independent living.



Ethics Committee Approval	Ethics committee approval is not required.
Peer Review	Externally peer-reviewed.
Conflict of Interest	The author has no conflict of interest to declare.
Grant Support	The author declared that this study has received no financial support.

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