

# Marital Separation in Poland. Regional Approach

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## Abstract

*In the paper the basic regional trends of marital separation which is, especially for Catholics, an alternative institution to divorce in Poland were presented. After a rapid increase at the beginning of the 21st century, the number of ordered separations started to decrease and now the relation of separations to divorces is smaller than 5%. Regionally, it is observed that the differentiation of the intensity of separations among various voivodships is decreasing, yet in more urbanized voivodships, which have a lower religiousness rate and a higher divorce rate, separations are more common.*

**Keywords:** marital separation, divorce, Poland, voivodship, linear panel model with fixed specific effects

## Introduction

Divorce is one of the best-known and most common forms of marriage dissolution by way of a court decision. However, for many years it has been in conflict with canon law, which does not acknowledge a complete breakdown of marriage, and only permits a married couple to separate with regard to their matrimonial life but without breaking the marital bonds. After the analysis of various standpoints, legislative work began which led to the creation of the institution of separation, introduced with the Act of 21 May 1999 on the Amendment of Acts: “Family and Guardianship Code” and “Civil Procedure Code” and some other acts.<sup>1</sup> It must be emphasized that the institution of marital separation is a phenomenon known in many other countries (Dyrka and Baranowski 2000, 51–52).

The objective of the article is the presentation of the main issues connected with marital separation and then to show how the intensity of the phenomenon of marital separation has changed in particular regions of Poland since the amendments to the Family and Guardianship Code became effective.<sup>2</sup>

### 1. The origin of the institution of marital separation

In the interwar period (1918–1939) the laws concerning family and guardianship of the invading states were used for rulings in marital cases (also in cases for separation). Not until the Second World War were four decrees passed by way of an act of law, which for the first time comprised unified Polish marital legislation. One of the decrees (of 25 September 1945) regulated matters connected with separation. It must be emphasized that these were issues within the sphere of canon law, which was to protect the stability of marriage (Suchorabski 2013). At that time two models of the institution of marital separation were formed. The first was based on the foundations

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1. See: Ustawa z dnia 21 maja 1999 r. o zmianie ustaw Kodeks rodzinny i opiekuńczy, Kodeks cywilny, Kodeks postępowania cywilnego oraz niektórych innych ustaw. DzU z 1999 r. nr 52 poz. 532.

2. In this article ‘region’ is synonymous with ‘voivodship’, the region of NUTS 2 level.

of canon law and it replaced the institution of divorce. An example may be the ‘separation from bed and board’ known from the provisions of marital law from 1836 in the territory of central Poland. In this situation detailed reasons for the breakdown of the marriage had to be presented. In the second model the two institutions: divorce and separation were compared, and the choice at the first stage of the proceedings, that is at filing the petition, belonged to the parties (Krzemiński 2002, 13–15).

This ideology did not fit the socialistic assumptions of the Polish People’s Republic, in accordance with which divorce was thought to be the only possible resolution of marital problems. It was commonly assumed that separation did not serve any purpose and did not solve any problems. Therefore, the institution of separation did not appear in subsequent legislative regulations. It was only restored, after long debates, in free Poland with the amendment of 21 May 1999 to the Code (Suchorabski 2013).

## 2 The nature of marital separation

Currently, in Poland, separation is regulated by the Family and Guardianship Code (Act of 25 February 1964 “Family and Guardianship Code”)<sup>3</sup>, in accordance with which if there has been an irretrievable and complete breakdown of matrimonial life between the spouses, either spouse may demand the court to issue a separation order. Separation, therefore, means suspension of a marriage but not a dissolution. A married couple often decides on separation for religious reasons, when they do not want to decide on a divorce. If or when the relations between the spouses improves, the separation order may be repealed (Suchorabski 2013).

In accordance with the Act of 1999, the institution of separation and the institution of divorce have equal status. The decision of whether to use one form or the other is not dependent on the denomination of the parties (Art. 61 § item 2). If there has been a complete and irretrievable breakdown of matrimonial life, the married couple may decide on one of the two possible legal solutions. There are many fundamental differences between divorce and separation, but they also have a lot in common. Among other things, the condition for ordering one of the two forms is a breakdown of a marriage. However, it must be emphasized that in a situation where the spouses decide on separation, they remain separate but their marriage is not terminated. Separation regulates some disputes between them and it also gives them an opportunity to think over their relations. They can later decide to cancel the effects of separation and they can resume their marriage. Moreover, while ordering separation the legislator applies the provisions concerning the effects of terminating marriage by divorce. However, the spouses who have been separated cannot enter into a new marriage and they are obliged to mutually support each other. In the case of divorce such effects are not specified, because once divorce is ordered, the bonds existing between the spouses are broken. The most important difference between separation and divorce is the fact that separation does not bring about a termination of marriage, thus entering into a new marriage is not allowed. There are differences also with regard to the reasons for ordering separation. It must be noted that they are not identical to the reasons for divorce. Therefore, in the grounds for the governmental bill specifying the main differences we read that “to order separation the condition of a complete breakdown of matrimonial life must be met, but it is not necessary for the breakdown to be irretrievable.” Introducing the institution of separation, the legislator lets the parties sort out some matters in their relationship (Dyrka and Baranowski 2000, 55–56). Moreover, the Act defines the negative conditions of separation, that is the circumstances excluding separation. Separation is not permitted if it would be detrimental to the welfare of the minor children of both spouses, or if there are other reasons why the decision to separate is contrary to the principles of social coexistence (Art. 61 § 2 of the Act of 25 February 1964 “Family and Guardianship Code”). The other condition not permitting a separation order is for example the situation in which one of the spouses is terminally ill and requires moral and financial support. In ruling in such situations the principles of social coexistence should be taken into account. Neither of the spouses should be harmed too

3. See: Ustawa z dnia 25 lutego 1964 r. — Kodeks rodzinny i opiekuńczy. DzU z 1964 r. nr 9 poz. 59.

much by the decision. The court may decide which of the spouses is at fault for the breakdown of matrimonial life. The decision of which party is at fault is important if in the future one of the parties should want to receive alimony from the other party (Dyrka and Baranowski 2000, 56).

As mentioned before, ordering separation has the same effects as ordering divorce, however, exceptions to the rule are permitted, if they have grounds in an act of law. In a separation judgment, the court decides on the distribution of parental authority over the parties' minor children including matters related to the cost of the children's maintenance and education. The court may grant the execution of parental authority to one of the parents, limiting the parental authority of the other parent to specific duties and rights in relation to the child. Regulating visitation is also possible.

A valid and enforceable separation order results in the distribution of property between the spouses by virtue of law. Of course it only takes place if a joint marital property regime has existed between the spouses. Upon the motion of one of the spouses the court may, in a judgment ruling on separation, divide the spouses' joint property, if it does not bring about an excessive delay to the proceedings. The division of property between the spouses means that from the moment of separation each spouse earns only for his or her own personal property (Art. 54 § 1 of the Act of 25 February 1964 "Family and Guardianship Code"). A spouse who is in separation, who has not been found guilty of the exclusive fault in the breakdown of the marriage, and who finds himself or herself without means to live may demand that the other spouse provide the means. In a situation where one spouse has been found guilty of the exclusive fault in the breakdown of marriage, the spouse who is not guilty may demand that the other spouse contribute to satisfying his or her monetary needs. Comparing divorce and separation, it must be noted that one spouse does not inherit from the other by virtue of law. The exact wording of the provision is found in the Civil Code, in accordance with which "the provisions of statutory succession do not apply to the spouse of the deceased remaining in separation (Art. 9351 of the Act of 23 April 1964 "Civil Code").

Matters of separation are dealt with by a competent regional court, which decides in contentious proceedings only in a situation where separation is requested by one spouse and the other spouse does not agree to the ruling for it, and also in a situation where the married couple have minor children, or in non-contentious proceedings upon a common motion of both spouses, who do not have any minor children.

In non-contentious separation the ruling is a formality. The court considers the matter in non-contentious proceedings and issues a decision. The entire proceedings are limited to one sitting, without a conciliatory session. It can even be carried out at a default sitting, at default of one of the parties. However, if one spouse demands separation and the other requests divorce, the court at a conciliatory session decides if there is a chance to save the relationship. If it is found that there is such a chance, it rules for separation. If there is no such chance the court rules for divorce (Suchorabski 2013).

The cost of separation proceedings is relatively low. In a situation where separation is requested and there is no consent of the other spouse, or in a situation when spouses have minor children, the initial court fee is fixed and it is PLN 500. When the motion for separation is made by both parties unanimously, there is a fixed initial fee of PLN 100.

In accordance with the Act, separation may be terminated in non-contentious court proceedings. However, the consent of both spouses is required or the possibility to conduct proceedings leading to terminating separation is excluded. Ruling on terminating separation results in the removal of the above enumerated legal effects. Still, upon a unanimous request of both spouses, the court may withhold the decision on the division of property.

### 3 Methodology of research

The objective of the research is the analysis of factors determining the directions and level of change in the number of marital separations in Polish voivodships between 2002–2012. The basic measure of the level of marital separations was the number of separations per 10 thousand inhabitants (SEP). Additionally, factors influencing the changes of the relation of the number of marital separations to the number of marriages, expressed as a percentage (SEP\_MAR), and the

relation between the number of separations and the number of divorces, expressed as a percentage (SEP\_DIV). The analysis started with the assessment of the directions of the changes in the number of marital separations and two other demographic processes connected closely to it: the number of marriages and the number of divorces between 1995–2012. The examination of the regional distribution of the number of marital separations per 10 thousand persons started with the analysis of the variation of this rate in voivodships between 2002–2012 as compared to the variation of the number of marriages and divorces per 10 thousand persons.

To define factors determining the changes in the rates of marital separations, the relation between the number of separations and the number of marriages and the relation between the number of separations and the number of divorces, econometric models were used. As we are examining the phenomenon of marital separations over a period of 11 years in 16 voivodships, a linear panel model with fixed specific effects was used (Maddala 2006, 644–645) which was the following:

$$(1) \quad Y_{it} = \alpha_0 + \alpha_1 X_{1it} + \alpha_2 X_{2it} + \dots + \alpha_k X_{kit} + \beta_i + \gamma_t + \varepsilon_{it},$$

where:

$Y_{it}$  — value of the dependent variable for  $i$ -th voivodship in year  $t$ ,

$X_{1it}, X_{2it}, \dots, X_{kit}$  — values of independent variables for  $i$ -th voivodship in year  $t$ ,

$\alpha_0, \alpha_1, \dots, \alpha_k$  — model coefficients,

$\beta_i$  — spatial specific fixed effect for  $i$ -th voivodship,

$\gamma_t$  — time specific fixed effect for year  $t$ ,

$\varepsilon_{it}$  — error term,

$i = 1, 2, \dots, 16$ .

To estimate the coefficients of the above specified model the panel least squares method was used. The evaluation of the significance of the entire set of coefficients was made using  $F$  Fischer-Snedecor test, and the evaluation of the significance of each coefficient was made using the Student's  $t$ -test. The quality of the goodness of fit of the model to the empirical data was evaluated using the determination coefficient  $R^2$  and the adjusted- $R^2$  coefficient, (Nowak 2002, 53). To evaluate the significance of spatial specific fixed effects (intercepts  $\beta_i$ ) the test for differing group intercepts based on  $F$ -statistics was used. To evaluate the significance of time specific fixed effects (intercepts  $\gamma_t$ ) a Wald test based on  $\chi^2$  was applied (Kufel 2011, 173–177).

Dependent variables in particular models were the following:

SEP $_{it}$  — number of marital separations per 10 thousand persons in  $i$ -th voivodship in year  $t$ ,

SEP\_MAR $_{it}$  — relation between the number of marital separations and the number of marriages in  $i$ -th voivodship in year  $t$  (in %),

SEP\_DIV $_{it}$  — relation between the number of marital separations and the number of divorces in  $i$ -th voivodship in year  $t$  (in %).

The following were adopted as potential dependent variables:

PKB $_{it}$  — relation between the value of the gross domestic product per capita in  $i$ -th voivodship and the value of the gross domestic product per capita in Poland in year  $t$  (in %).

It is a commonly used, although often criticised, measure of economic growth (Stiglitz, Sen, and Fitoussi 2010). Due to a big delay in the publication of the indicator by the Central Statistical Office, the data are from between 2002–2011. At that time there was an increase of the variation coefficients of this indicator, which means an increase in the differentiation of the gross domestic product per capita.

URB $_{it}$  — the share of town inhabitants in the general number of inhabitants of  $i$ -th voivodship in year  $t$  (in %). It is a measure of the level of the region's urbanization. Between the years 2002–2012 there was a decrease in the mean value of this indicator by 1 percentage point, but also the diversification of the urbanization level among the voivodships has decreased.

$RELIG_{it}$ —the share of religious marriages in the total number of marriages in  $i$ -th voivodship in year  $t$  (in %).<sup>4</sup> In this study this indicator is a proxy of a measure of the society's religiousness. In the analysed period, the mean value of this indicator in the studied voivodships decreased by nearly 10 percentage points: from 73% in 2002 to 63.3% in 2012. At the same time the variation coefficients increased. Thus, Poles' religiousness has been decreasing and differentiating regionally.

$EMIG_{it}$ —the share of persons registered for permanent residence in  $i$ -th voivodship, and staying abroad for over 12 months in the total number of inhabitants of the voivodship in year  $t$  (in %). The mean share of emigrants in the studied voivodships increased from 1% in 2002 to over 5% in 2012. At the same time the variation coefficient of the share decreased almost twofold, which means that at the beginning of 21st century people emigrated mostly from a few voivodships and after the accession to the European Union the phenomenon spread throughout Poland.

## 4 Research results

### 4.1 Changes in the number of marital separations in Poland

Not until 1999 was the institution of marital separation normalised by Polish provisions, so by that time, the only solution to the breakdown of marriage was the institution of divorce. Analysing the changes in the number of marital separations it is necessary to compare them to two other legal institutions and demographic processes, closely connected to separation: marriages and divorces.

The first 5 marital separations were carried out in 1999. In the next 6 years, the number of separation orders increased rapidly to reach in 2005 the highest value in the analysed period (13.9 thousand orders). In the following years a rapid decrease in the number of separation orders was noted. In the recent years motions for separation have been filed by experienced, old couples who have been married for over 20 years. Separation is mostly chosen by religious persons, who do not want to act against the rules. Changes in the number of ordered marital separations in the analysed period did not show any correspondence to the number of contracted marriages. It seems obvious, to the extent that the number of contracted marriages, apart from an inclination to enter into marriage, depends also on the age and sex structure of people (Okólski and Fihel 2012, 77–78), and in Poland this structure undergoes a specific “variation”, resulting from post-war birth declines and booms. The correlation between the number of ordered separations and divorces in the analysed period was different. In Poland, just like in almost all other European countries, a systematic growth in the number of divorces can be observed. In 1995, 41 thousand marriages were dissolved, which corresponds to 19,8% of marriages contracted in that year. In subsequent years a constant increase in the number of ordered divorces can be observed. The highest number of divorces was noted in 2005 (77,7 thousand—an increase by 89,5% in comparison to the year 1995)<sup>5</sup>, which corresponds to 37,5% of contracted marriages.<sup>6</sup> In 2012, 63,9 thousand marriages were dissolved, that is by 55,8% more than in 1995. Pearson's linear correlation coefficient between the numbers of ordered separations and divorces between 1999–2012 was 0,77, and it was significant at the level of 0,05. Beyond the years 2004–2006 when it was 10%, the relation between the number of separations and divorces was around 5%.

The institution of separation, in accordance with its very assumptions, can lead to its termination. A predominant majority of marriages which have been legally separated move for divorce. Since the introduction of the legal provisions concerning separation 1748 decisions terminating

4. Much evidence for the thesis concerning the Catholic faith can be found in the studies of the Statistics Institute of the Catholic Church SAC, <http://www.iskk.ecclesia.org.pl>.

5. It should be noted that the greatest number of separations were ordered in 2005.

6. [In the journal (in both Polish and English texts) European practice of number notation is followed—for example, 36 333,33 (European style) = 36 333.33 (Canadian style) = 36,333.33 (US and British style). Furthermore in the International System of Units (SI units), fixed spaces rather than commas are used to mark off groups of three digits, both to the left and to the right of the decimal point.—Ed.]

**Tab. 1.** Changes of marital separation, marriages and divorces in Poland in the years 1995–2012

Year	Separations (thousands)	Marriages (thousands)	Divorces (thousands)	Relation divorces to marriages (%)	Relation separations to marriages (%)	Relation separations to divorces (%)
1995	n.d.	207,1	41,0	19,8	n.d.	n.d.
1996	n.d.	203,6	43,0	21,1	n.d.	n.d.
1997	n.d.	204,9	45,2	22,1	n.d.	n.d.
1998	n.d.	209,4	47,2	22,5	n.d.	n.d.
1999	0,0	219,4	46,9	21,4	0,0	0,0
2000	2,0	211,2	46,4	22,0	0,9	4,2
2001	3,1	195,1	49,6	25,4	1,6	6,2
2002	3,3	191,9	49,7	25,9	1,7	6,6
2003	3,7	195,4	53,2	27,2	1,9	7,0
2004	8,1	191,8	65,8	34,3	4,2	12,3
2005	13,9	206,9	77,7	37,5	6,7	17,9
2006	8,8	226,2	75,7	33,5	3,9	11,6
2007	4,9	248,7	66,2	26,6	2,0	7,4
2008	3,8	257,7	65,0	25,2	1,5	5,8
2009	3,2	250,8	64,9	25,9	1,3	5,0
2010	2,8	228,3	60,8	26,6	1,2	4,6
2011	2,8	206,5	64,0	31,0	1,4	4,4
2012	2,5	203,9	63,9	31,3	1,2	3,9

Source: Demographic Database published by GUS

[@:] <http://demografia.stat.gov.pl/bazademografia/CustomSelect.aspx>

separation have been issued, so temporary separation “saved” only 2,8% of marriages having problems. Considering the fact that, at least from the religious point of view, it was to be a way to counteract the breakdown of marriage, this percentage is not satisfying.

#### 4.2 Marital separation—regional differences

Until 2005 the voivodships with the biggest number of marital separations per 10 thousand inhabitants were in turn: Lubuskie, Pomorskie, Podlaskie and Warmińsko-Mazurskie. However, since 2006 the greatest number of separations has been ordered in Śląskie Voivodship. Similarly, there has

**Tab. 2.** Voivodships with the lowest and highest indicators of marital separation, marriages and divorces per 10 thousand inhabitants in the years 2002–2012

Indicator	Maximum	Minimum
Separations	Lubuskie (2002) Pomorskie (2003) Podlaskie (2004) Warmińsko-Mazurskie(2005) Śląskie (2006–2012)	Świętokrzyskie (2002-2004, 2007–2009) Zachodniopomorskie (2005) Lubuskie (2006) Opolskie (2010–2012)
Marriages	Świętokrzyskie (2002) Podkarpackie (2003, 2008, 2010–2012) Lubelskie (2004–2005) Pomorskie (2006–2007) Wielkopolskie (2009)	Lubuskie (2002) Opolskie (2003, 2005–2010) Zachodniopomorskie (2004, 2012) Łódzkie (2011)
Divorces	Dolnośląskie (2000–2005, 2007, 2009, 2012) Zachodniopomorskie (2006, 2008, 2011) Warmińsko-mazurskie (2010)	Świętokrzyskie (2002–2007, 2009, 2011) Podkarpackie (2010, 2012)

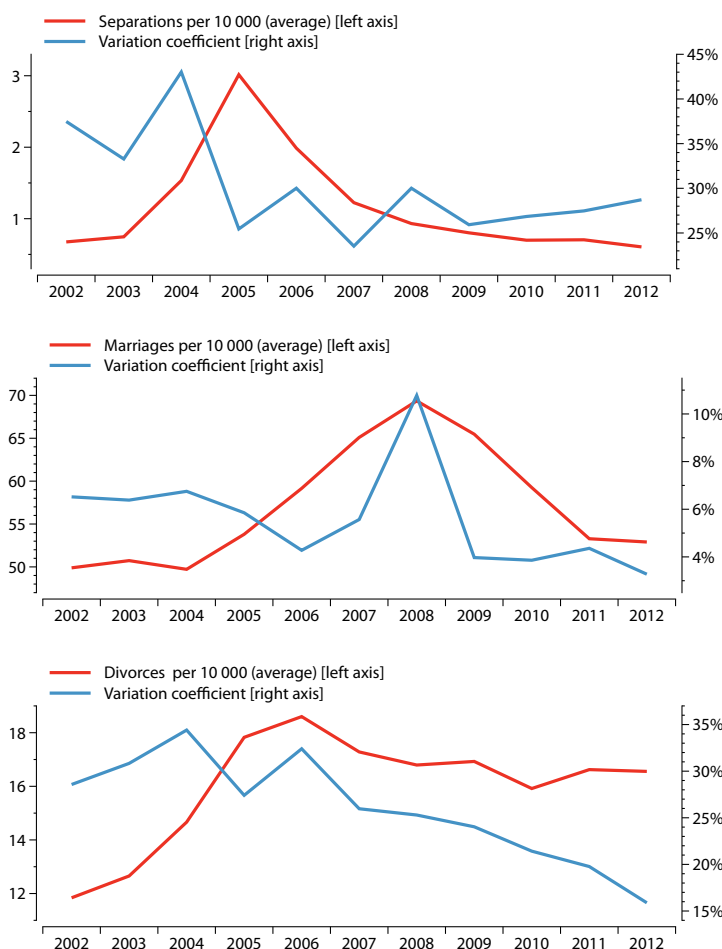


Fig. 1. Changes of the averages and variation coefficients in studied voivodships in the years 2002–2012

been no single voivodship with the lowest rate of separations. In the analysed period Świętokrzyskie Voivodship was the one which most often had the lowest rate, but between the years 2005–2006 they were Zachodniopomorskie and Lubuskie voivodships, and in the last three years, Opolskie Voivodship. Thus it is difficult to distinguish compact geographical areas with the highest or the lowest rate of separations. It seems that they are a bit more common in Western Poland, however, Opolskie Voivodship does not fit the pattern. Still, Lubuskie Voivodship had the highest rate in 2002 in Poland and in 2006 it had the lowest rate. The geographical distribution of the divorce rate is much more straightforward. Definitely, the two eastern voivodships: Świętokrzyskie and Podkarpackie had the lowest rate and the northern and western voivodships had the highest rate.

In the analysed period there was a decrease in the separation variation coefficients between voivodships, from 37,5% in 2002 to 28,7% in 2012. It means that the gap between voivodships is narrowing and similar patterns of separation behaviour are getting more and more common. This phenomenon also concerns the frequency of marriages and divorces.

#### 4.3 The correlation between the separation and divorce rates and selected variables

Not until the years 2002–2003 was there a significant positive correlation between the rate of the number of marital separations per 10 thousand persons, the level of urbanisation and the divorce rate. It means that more separation orders per 10 thousand persons were issued in more urbanized regions and in those in which more divorces were ruled. It should be noted that there is a strong correlation between the divorce rate and the level of urbanisation, thus we deal here with the phenomenon of correlation passing. In subsequent years these strong correlations “have not been upheld”. It may result from the fact that the number of separation orders increased in rural areas, in which many social phenomena were delayed in time in comparison to towns. In neither of the years in the discussed period were significant correlations between the separation rate and other variables noted.

Much stronger correlations were noted in the case of the divorce rate. In each analysed year, there was a correlation between the urbanization rate and religiousness. In urbanized areas the incidence of divorces was much greater, and it was smaller in the regions with a higher level of religiousness, and the correlation between the intensity of urbanization and religiousness was negative and statistically significant.

**Tab. 3.** Pearsons' correlation coefficients between separation per 10 thousands persons (SEP) and selected independent variables

Year	PKB	URB	RELIG	MAR	DIV	EMIG
2002	0,173	0,530*	-0,327	-0,409	0,622*	-0,094
2003	0,297	0,628*	-0,309	-0,200	0,620*	-0,073
2004	-0,117	0,093	0,134	0,131	0,398	0,149
2005	-0,195	-0,024	0,259	0,389	0,201	0,012
2006	0,051	0,167	0,192	0,321	0,023	-0,289
2007	0,158	0,420	0,011	0,213	0,276	-0,269
2008	0,107	0,415	-0,010	0,213	0,230	-0,018
2009	0,093	0,254	0,262	0,245	0,101	-0,184
2010	-0,060	0,284	0,276	0,282	0,126	-0,226
2011	-0,012	0,198	0,253	0,278	-0,050	-0,012
2012	n.d.	0,132	0,379	0,249	-0,060	-0,389

\*  $p < 0,05$

Note: Minimal significance on the 0,05 level of correlation coefficient is 0,498.

**Tab. 4.** Pearsons' correlation coefficients between divorce per 10 thousands persons (DIV) and selected independent variables

Year	PKB	URB	RELIG	MAR	SEP	EMIG
2002	0,293	0,790*	-0,837*	-0,698*	0,622*	-0,196
2003	0,268	0,822	-0,845*	-0,644*	0,620*	-0,025
2004	0,240	0,766*	-0,787*	-0,684*	0,398	-0,004
2005	0,198	0,745*	-0,822*	-0,569*	0,201	0,012
2006	0,336	0,824*	-0,836*	-0,452	0,023	-0,032
2007	0,338	0,875*	-0,852*	-0,185	0,276	0,007
2008	0,393	0,881*	-0,888*	-0,289	0,230	-0,066
2009	0,289	0,848*	-0,880*	-0,217	0,101	-0,007
2010	0,257	0,842*	-0,847*	-0,632*	0,126	-0,064
2011	0,244	0,789*	-0,920*	-0,611*	-0,050	0,009
2012	n.d.	0,680*	-0,814*	-0,578*	-0,060	-0,246

\*  $p < 0,05$

Note: Minimal significance on the 0,05 level of correlation coefficient is 0,498.

#### 4.4 Factors determining the intensity of the phenomenon of marital separation. Results of the panel model estimation

The model which best describes the variation in the number of ordered separations per 10 thousand persons (SEP) in voivodships between the years 2002–2012 (60,3%) is model 1, composed of 4 variables: a marriage variable (MAR), a divorce variable (DIV), an urbanization variable (URB) and an emigration variable (EMIG). The intensity of ordered separations is higher in more urbanized voivodships and having a higher divorce rate, and lower in the regions with a higher



**Tab. 5.** Results of the estimation of linear panel model with fixed specific effects of marital separation in the years 2002–2012 (Panel Least Squares Method, robust (HAC) standard errors)

	SEP							
	model 1	model 2	model 3	model 4				
	coefficient	p	coefficient	p				
Intercept	-12,157	0,01497	-8,656	0,05978	-21,097	0,01772	-34,148	0,33552
MAR	-0,017	0,01507			-0,059	< 0,00001		
DIV	0,224	< 0,00001			0,407	< 0,00001		
URB	0,193	0,01838	0,276	0,00268	0,362	0,01324	1,441	0,03408
EMIG	-0,251	< 0,00001	-0,278	< 0,00001	-0,460	< 0,00001	-2,021	0,00005
RELIG			-0,082	0,00387			-0,543	0,03176
<i>R</i> -squared	0,6033		0,2675		0,6130		0,3718	
Adjusted <i>R</i> -squared	0,5550		0,1835		0,5659		0,2997	
Test <i>F</i>	12,49	< 0,00001	3,18	0,00005	13,01	< 0,00001	5,16	< 0,00001
Test for differing group intercepts								
Null hypothesis:								
<i>The groups have a common intercept</i>	7,99	< 0,00001	2,12	0,01151	7,71	< 0,00001	2,15	0,01022
Test statistic								
Distribution free Wald test for heteroskedasticity								
<i>Null hypothesis: the units have a common error variance</i>								
Asymptotic test statistic Chi-square	59,50	< 0,00001	42,69	0,00031	66,79	< 0,00001	318,17	< 0,00001

Note: 176 observations, included 16 cross-sectional units and time-series length = 11

emigration rate<sup>7</sup> and a higher intensity of contracted marriages. It may be a surprise, but in the best model there is no variable referring to religiousness. However, as it was mentioned before, there is a strong correlation between religiousness and the divorce rate, which causes its insignificance in the model where DIV is also present.

Still, assessed model 2 shows that religiousness has a significant, negative, impact on the number of separations. The higher value of the variable RELIG, the lower number of ordered marital separations per 10 thousand persons.<sup>8</sup> The assessed models of the relation between the number of separations and the number of marriages and the number of divorces confirm that the number of marital separations is positively influenced by the level of urbanization and negatively by the level of religiousness and emigration. It must be emphasized that in all the models, the hypothesis for having a common intercept must be rejected, and it means that apart from the variables introduced into the models in each voivodship there were specific factors, characteristic only of a particular voivodship, which influenced decisions on filing motions for separation.

## Conclusion

The institution of marital separation was to become, especially for Catholics, an alternative to divorce. However, after a rapid increase at the beginning of the 21st century, the number of ordered separations started to decrease and now the relation of separations to divorces is smaller than 5%. Regionally, it is observed that the differentiation of the intensity of separations among various voivodships is decreasing, yet in more urbanized voivodships, which have a lower religiousness rate and a higher divorce rate, separations are more common.

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7. This observation is contrary to the common belief that emigrations contribute to marriage breakdown. It may be true that they cause loosening of the marital bonds, but it does not translate into making formal decisions – emigration makes initiating and conducting court proceedings more difficult.

8. This conclusion may be surprising also in the context of introducing the institution of separation, which, among other things, was to respond to the needs of the Catholic doctrine. Thus, it was expected that in the regions with a higher level of religiousness motions for divorce would be replaced by motions for separation, so a positive correlation was expected. However, the number of motions for separation is much smaller than the number of motions for divorce.