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**PhD Thesis Summary**  
**Domestic Violence in Cluj County**  
**During the Second Half of the Twentieth Century**

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## **Introduction**

The second half of the twentieth century was a period of important social, cultural and political transformations that had a great impact on the family institution, which, in turn, went through a series of structural changes. The spread of communism in Central and Eastern Europe created special circumstances in this part of the continent, This led to their delayed development compared to the western European countries, which were more advanced on the path of modernisation. Whether we speak about the east or the west, about communism or capitalism, development or backwardness, domestic violence is everywhere: only its modes of expression, its perception in society and responses to violence are different!

Since the 1970s, researchers from different fields - history, sociology, psychology, demography - have raised new issues relating to domestic violence: the role of the social context (the macro-level of societal development) on the family (the micro-level); whether the social context may, at some point, trigger domestic violence, or *vice versa*, whether the family may possibly trigger violence at the macro-social level, due to the incidents it harbours.

The Romanian society has its own story regarding family violence during the communist period. The institution of the family underwent structural changes (the traditional family no longer represented an anchor of support), modifications of conduct, it was strongly influenced from the outside, and the difficult socio-economic context gave rise to numerous violence triggers in the domestic group. Economic issues, in particular, can become, at some point, triggering factors of violence, with tragic consequences sometimes. Similarly, the changes affecting the partners' behaviour in time, amid the state of dissatisfaction in the couple, amplified by the state of social unrest, can cause aggressive behavioural attitudes and produce episodes of domestic violence. The phenomenon of domestic violence was present both in the case of young couples and of couples who were past their prime and who had shared their lives together.

Domestic violence is one of the research topics that are intensively exploited in the international and the Romanian historiography. The factors that trigger violent behaviour within the family, its causes, and the transition from disciplinary methods to violence are just some of the subjects preferred by the researchers who are dedicated to this topic.

Rallying our efforts to this research on the subject of domestic violence, we attempt to focus, in this thesis, on domestic violence in Cluj County during the communist period. The work is divided into five chapters: the first of these sketches the general framework of the evolution of the family in the period of reference; Chapter II looks at the dynamics of gender roles during this period. In Chapter III, we discuss the theoretical aspects related to domestic violence, while Chapter IV gives substance to the thesis, linking theory and what happened in practice, through an analysis of several civil sentences and police reports from divorce lawsuits filed because of or against the background of domestic violence. The last chapter, V, statistically analyses all the sentences and reports, in order to quantitatively examine the complaints made by women and men alike from both the urban and the rural areas.

In the first chapter, **General framework**, we intend to outline a brief historical overview of Romania after 1945, starting from the abdication of King Michael and the communist takeover of power, amid the spread of communism across entire Eastern Europe. The implementation of the Moscow regime in Romania meant radical changes in all the domains: political, economic, social, cultural, and quotidian. Under the two leaders from the time of the Communist regime, Gheorghe Gheorghiu-Dej and Nicolae Ceaușescu, the country went through a series of transformations whose purpose was either its alignment to their policies imposed by Moscow or its distancing from them. Among the measures that adversely affected family life there were, among others, agricultural collectivisation, the systematisation process, constitutional changes on egalitarian principles, the reform of education, etc. Under the law, women gained equal status with men and were integrated into the field of labour, after being subjected to the process of acquiring literacy. The actions taken as regards family life were some of the most drastic in Europe, culminating in the harshest and most severe law against humans and their right to choose: Decree 770 of 1966, which prohibited abortion.

The second part of the chapter is devoted to the family and the series of transformations it underwent during the communist period. To begin with, we refer to family in the European societies and to the types of families existing here. A special topic is that of family in Eastern Europe and in Romania, because the transformations from this part of the continent were of an entirely different nature than those in the West. Even demographic phenomena, such as birth, marriage, divorce, and individual choices, such as cohabitation, celibacy or abortion, received other meanings and stood under the influence of other laws in communist Europe. In the last part

of the chapter, we try to highlight the trajectory of violence and to identify its triggering factors, in light of those mentioned above. At the same time, we try to emphasise the connections between family and societal space, looking for ways to support the hypotheses that endorse the existence of a link between domestic violence and society as a triggering factor.

Chapter II comes to complete the second part of Chapter I and is dedicated to the **Dynamics of gender roles**, which, we believe, played an important role in shaping the phenomenon of domestic violence during the communist period. We have considered, to start with, the emancipation of women, a very important aspect in the existence of women around the world and in Romania during this period. We have reviewed the important moments in the emancipation registered before the communist regime, supplemented by a brief history of the feminist movement since the second half of the nineteenth century, when it began to spread throughout the European continent. In the beginning, the feminist movement had a philanthropic role, teaching and supporting women from the underprivileged groups, while in the twentieth century it changed its orientation. The fight for equal rights with men in all the spheres of life, the right to vote, to paid work and others became the feminists' targets. With the onset of communism, the feminists' objectives changed, in accordance with the party requirements. Concentrated in different associations and groups, their roles had a well devised target. Participation in the public life became possible at international congresses, which were also attended by the Romanian feminists. The struggle for emancipation was pale, in terms of both actions and discourse, compared with the Western countries, where women were free to demand their rights, to fight for higher wages, for the liberalisation of abortion, etc.

The second part of the chapter is devoted to the dynamics of gender roles, and here we have tried to capture the relationships between partners during this period and the influence the state exerted on the lives of couples. The change of the Bucharest regime automatically meant the change of the state's Constitution. Legally, the illusion of independent families, well integrated in society, with equal partners, has been created. From our point of view, the most important transformation that occurred during the communist regime was the reconsideration of gender roles. The two partners became equal in the family and in the public sphere. This meant that the woman received a number of rights, including the right to paid employment. Due to this egalitarian status, women were increasingly co-opted in the work field. Given the excessively masculinised state apparatus, the sectors where women were accepted were education, secretarial

work, culture and office positions, in general. In the 1960s, when the industry registered a considerable momentum, women were accepted in several other fields of activity, many of them being employed in factories, plants and building sites.

This equality of rights brought about a redistribution of roles in the family. In theory, the spouses had equal rights and duties; in practice, it was the woman who was burdened with the responsibilities of private life, parenting, taking care of the household, etc. The double burden tripled with women's engagement in the public sphere. At this moment, the state intervened with decrees and laws to help families, by providing maternity leave, building nurseries and kindergartens, lowering the retirement age for women in comparison with the legal age for men and so on. The engagement of women in the public space led to a certain homogenisation of the gender roles and an equalisation of the family roles, by assigning some functions and responsibilities to men. Education was also one of the points of maximum interest for the communist state, as proof that there were massive interventions in this area too. The main objective was to reduce illiteracy and form a mass of citizens who would meet the state requirements.

As regards women, literacy was part of an entire process: literacy, training and accession to public and political positions. However, there were still significant differences in terms of obtaining a materially attractive and professionally rewarding job. The number of girls who enrolled in high school increased every year, just like the number of those who attended college. Following graduation from such institutions, they faced the same problems as women without higher education: finding a well-paid job and accessing the hierarchy of the institution. The state intervened massively in integrating young people into the labour market by creating jobs and facilities.

In Chapter III, **Theoretical aspects referring to domestic violence: perspectives on domestic violence, causes, triggering factors, forms of manifestation, impact on victims**, we get to the core of the issue of violence. In the first part, entitled *Perspectives on violence*, we have considered the definitions of violence to explain all the facets of the analysed phenomenon and to make a categorical distinction between violence and aggressiveness. The family is a relatively closed institution which is hard to penetrate, which is why the factors triggering domestic violence are often unknown to others. The aggressive behaviour of one of the partners may be triggered by material causes pertaining to the behaviour and attitude of the individual, such as

jealousy, problems within the couple, etc. The individual himself and his unique personality lead him, in many problematic situations, to develop aggressive behaviour that goes out of pre-established patterns. Alcohol consumption, financial problems, a lower occupational status and childhood abuse are just some of the causes that can lead to the onset of violent behaviour in adulthood, in the family, which affects both the wife and the children.

Because violence is not a purely masculine trait, the next part of the chapter, entitled *Faces of violence*, focuses on the masculine/ feminine duality in the display of violent behaviour. Both in the case of male violence against women and, *vice versa*, of female violence against the male partner in the couple, we can identify a series of common and different causes; moreover, behaviours manifest differently in different periods. For example, an abused woman is a victim, she is in a perpetual state of sequestration in which is assaulted, her rights are violated; according to theory, the reason why she is abused pertains to her physical frailty in the face of her aggressor. By contrast, when the woman is the aggressor, the deed becomes an act of revenge for the acts of violence she has suffered. Many attacks by women occur when their partners are drunk or asleep because then they cannot react.

Regarding the forms of domestic violence, physical violence is the most obvious indicator that there is violence within a family. Regardless of the form of manifestation, hitting, burning with boiling water, hot oil and so on, these actions imply that there are problems in that family. Emotional violence is a particular form of violence, which leaves deep, long-term traces on the victim. Psychological violence aims to discredit the victim's personality, through offences, insults, etc. Sexual violence within the couple is one of the most aggravating forms of violence, as perceived today.

In this chapter, we followed and rendered a short overview of rape-related legislation, of laws defending women's virginity before marriage and the importance of this, especially in the nineteenth century, when women were seen as commodities belonging to men and not their equals. Rape victims live their entire lives blaming themselves for what they went through. At the same time, the society is, in turn, largely to blame for the way in which it treats the victims of sexual abuse, which is why so many sexually abused women do not file charges and do not recognise this form of abuse. Very important to note is that in the period we have studied, marital rape was not even recognised under the law, so much so that women were deprived of the motive to file complaints with the police.



Violence against children is also addressed in our study, because children are often sure victims of domestic violence. The loss of discernment or everyday problems may lead to parents unleashing their anger against defenceless children. In their case, violence is worse than violence against women, because children are unable to defend themselves against those who mistreat them. From among the types of aggression against children we should mention physical violence - the most common in the case of children and the most noticeable because of the marks left on the body. Emotional neglect or emotional abuse, characterised by the parents' impaired ability to care for their children is betrayed by their appearance - dirty clothing, leanness, incapability of gaining weight, etc. We reserve a special space to incest because this form of abuse against children was and is still found in the Romanian society. Given causes such as alcohol consumption, abandonment of the family home by one of the partners, the emergence of a new partner (a stepparent, whether through remarriage or cohabitation), the phenomenon occurs mainly in the dysfunctional families. The impact of domestic violence on the victims is long lasting, leading to periods of anxiety, anger, loss of the relationships with others; as regards children, according to clinical psychologists, they risk taking on this behaviour in adulthood.

The fourth chapter, **Domestic violence between theory and practice**, is what provides the unique element of the thesis. It is written based on civil sentences and police reports which invoke violence as one of the reasons for requesting the dissolution of marriage in court. The chapter is divided again into two subchapters: the first part of the subchapter concerns the law on family and women in the European and global context. Here we have included topics such as Romania's accession to various European and international organisations like the UN, in 1955, the Convention on the Elimination of All Forms of Discrimination against Women (the United Nations General Assembly of 1979), etc. After 1989, the phenomenon of domestic violence became public thanks to its coverage in the media. The new legislation regarding family, marriage and divorce came out in the first Constitution adopted after the fall of the communist regime in 1991. The Romanian legislation on divorce and domestic violence is discussed next. Here we have examined the Constitution of 1865 in order to capture the changes introduced by the subsequent Constitutions and the Penal Codes. The legislation on matrimonial life was not unitary before the Great Union of 1918. A special case was represented by the intra-Carpathian area where the State-Church dualism provided different regulations as regards private life. 1948 was the year of the first communist Constitution and its articles were drafted according to the

directives received from Moscow. Divorce law evolved in conjunction with the State's interests, which, for demographic reasons, imposed a number of limitations that made divorce impossible for ordinary people. To discourage divorce, there were introduced high fees and long periods of waiting for reconciliation between the spouses. In the Family Code of 1954, we have tried to find those articles of law that relate to divorce and are very helpful in the second part of the chapter. The second part of the chapter is dedicated exclusively to the civil sentences and police reports from the Archive of the Turda Tribunal and the National Archives, the Cluj County Branch, amounting to a total of 1,018 examples. The information they provide is the novelty of the thesis, and when we say this, we refer to the funds have not been investigated so far, namely those from the Turda Tribunal (785 examples). These provide the researcher with excessively detailed accounts of everyday life, punctuated often with unpleasant events that fall into the category of domestic violence. We defined the causes of the phenomenon in the period studied, i.e. 1954-1989, the reasons that triggered domestic violence, such as alcohol abuse, disputes among partners, or the sexual abuse of minors. We have endeavoured to offer a comparative rural-urban perspective to capture the intensity of domestic violence and its prevalent forms of manifestation.

As evidenced by the title, the last chapter, **A statistical analysis of the civil sentences from the Turda Tribunal and the police reports from the Cluj National Archives**, provides a statistics of the examples analysed for this research. This chapter is shorter than the previous ones, but it is not without significance in the structure of the thesis. As mentioned in the previous chapter, we have managed to divide the over 1,000 examples collected and analyse them in three subchapters. In the first subchapter, we offer a statistics of the civil sentences from the Archive of the Turda Tribunal. The extremity years are 1954-1989 and the number of examples is 785. Given these figures, we compile statistics according to the genders, by decades, to learn who filed the largest number of divorce applications. Then we compile the statistics of their provenance milieus, to find the environment from which the largest number of complaints was made in a certain decade. In the next subchapter, we consider the 233 police reports extracted from the Cluj National Archives. These are also analysed statistically to determine the percentage of complaints filed by women against aggressive men and *vice versa*, but also to find their background milieus. For both subchapters, we take into account the fact that family and divorce law changed during the four decades under analysis. In the last part of the chapter, we make a comparison between the sixth and the seventh decades because they overlap. We overview them comparatively to see

the similarities between applications coming from the same backgrounds and the percentages of the applications and complaints filed by women or men. Cities differ in terms of the number of their inhabitants and the applications submitted to the court authorities are directly proportional with the cities. From this comparison, we attempt to detect the environment from which the highest number of complaints and claims against aggressive partners came, because the decades analysed here were also marked by the introduction of articles of law governing the institution of the family.