

SPECIAL ARTICLE**Stigma of Mental Illness as Cause of Divorce in Byzantium**

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ABSTRACT

In Byzantium mentally ill persons were stigmatized, despite the fact that they could live normally. This stigma consisted a very serious problem not only for the patients themselves, but also for their families.

Through the legislation of the Byzantine Emperor Justinian and also the Leo's VI the Wise (9th – 10th A.C.) legislation, mental illness was a main health cause of divorce and it concerned both males and females.

During these years men were treated different than women, which had to wait five years in order to get a divorce. On the opposite men had to wait only three years to get a divorce for the cause of mentally retarded wife.

Key Words: mental illness, divorce, Byzantium

STIGMA OF MENTAL ILLNESS AS CAUSE OF DIVORCE IN BYZANTIUM

It has already been known that Mental illness is a chronic disease, which is characterized by multiplicity and fluctuation of intensity of symptoms. The appearance of symptoms in mentally ill people constitute an obstacle to their personal and vocational life that they followed until now. They are thus, led to change the social roles that they maintained. The social stigma that follows the diagnosis, often leads to withdrawal from work, but also alienation from the remainder social activities.

The ignorance, the bias, but also the lack of social concern and care, complicate the social adaptation and rehabilitation (Loukissa, 1996).

Equally mental illness devastates the lives of those with the disease as well as the

lives of those who care for individuals with the disease. Patients faced with suspicion and lack of trust and also suffer from great injustice in different sections of their activity, while families were facing ignorance, far and prejudice from the public (Petraki, 2002). This stigma is owned to many causes, like the belief that mental patients are dangerous (Foko, 1964).

So stigma contributed in great percentage, to social isolation of mental patients and influenced, negatively, their families (WPA, 1998).

Also the stress of caring for a family member with mental illness could have negative effects on caregiver's mental and physical health.

Moreover Greek common people consider heredity responsible for the occurrence of the mental illness and that psychological illnesses can't be cured.

However, there have been quite that ..., a reserved behavior towards the psychologically ill member of Greek society. Also people believe that mental illness can cause an inevitable divorce (Kadda et al, 2005).

Thus the mental illness was considered as a main cause for *divorce* in the Byzantine community.

In addition to Ancient Years, stigma related with mental illness existed and consisted an important problem not only for the patients themselves but for their families too. It has already been known in ancient medicine that mental illnesses could have caused by a demon and that the demonological explanation is more and more ... And even by demons (Edelstein, 1987). Mental illness was also considered as a main cause for **divorce**. Previously in the Roman Law, Mental illness of one of the two partners was a cause of divorce if:

- a) Mental illness is manifested before marriage,
- b) there was no cope of restoration of the health,
- c) the diseased partner was dangerous to the persons around him/hr (Maridakis, 1922).

Mental illness developed after the wedding constituted no cause of divorce (Rallis and Potlis, 1852).

The same thing is true of the Byzantine medicine, when the physicians are said to have denied that "mania" could be caused by a demon. Apparently the medical books wants to describe this opinion whereas (4th – 15th c. A.D.).

Mental illness is stigmatized in the Byzantine community. Ethnocultural and structural barriers prevent patients with mental illness from receiving adequate care. It should be added that in Byzantine Medicine, Mental illness was considered the "work of demons" (Zepos, 1911).

In the original texts either the term mental illness, "madness", "mania" or "possessed by demons" are used. In Byzantine Medicine there was naturally no classification of the mental diseases (Zepos, 1911).

First of all, one of the effects of Christianity in Byzantium, was the abolition

of concubinage and application of the principle of the sacredness of marriage.

In regard to the other diseases and their causation by the wrath of God or evil spirits with the exception of a few places, the subject is not every mentioned in Byzantine medicine (Edelstein, 1987).

The sacredness of marriage is emphasized by the teaching of Chrysostom at the end of the 4th A.D. century, according which, marriage is sacred by Jesus Christ (Patrologica Graeca, 1859).

According to the legislation of the Eastern Church the causes of divorce, were divided in two classes:

(1) With punishment (cum damno); a) high treason, b) conspiracy against the Emperor, c) plotting on the life of the other souse, d) adultery, e) change of faith, f) christening of ones of child (Zhishman, 1912-1913).

(2) Without punishment (bona gratia). There are two categories:

A' Non Medical causes; a) captivity, b) emigration, c) slavery, d) consecration of the male to Bishop, e) entrance to monastic life (Zhishman, 1912-1913).

B' Medical causes: a) Mental illness, b) Leprosy, c) Impotence of the male.

Also the Justinian lesiglation (6th c. A.D.) and the Leo's VI the Wise (9th – 10th c. A.D.) are the most important courses of legislation on this subject and concerned males and females (Osenbuggen, 1866 and Zepos, 1911).

MENTAL ILLNESS OF THE WOMAN

The 111 Law (Novelese) of Leo VI the Wise enacted that when the **wife** developed Mental illness, the husband had to wait for three years. If the health of the wife was not restored for three consecutive years, the husband had the right to seek divorce. During the first two years, the husband had to live with his wife, while during the last third year the husband could live separately (Zepos, 1911).

If the behavior of the husband or one of his relatives, was considered as the cause of wife's Mental illness, the husband had to be admitted at a Monastery, where he was submitted to treatment according to the

"Sacred Laws" of the Church (Zhishman, 1913), The property of the husband was confiscated in favour of his wife (Maridakis, 1922).

After the divorce, the woman could join with her parents or if there were no relatives, she could find refuge at the Bishop of the area, who had to look after her until death or eventual restoration of her health (Zepos, 1911).

MENTAL ILLNESS OF THE HUSBAND

According to the 112 Law (Novelese) of Leo VI the Wise, if the *husband* had developed Mental illness, the wife could seek divorce after five years. If husband's Mental illness had developed during the day of the wedding, the wife had the right to seek divorce just after the ceremony (Zhishman, 1913).

Mental illness as a health case of divorce is also mentioned in the 48th Canon of the Apostles, in the 15th Canon of the Alexandrian Patriarch Timothy, in the Canons of Balsamon (12th A.D.), in the Canons of Armenopoulos (14th A.D.) and in the Meta-Byzantine Nomocanon of Malaxos (16th A.D.E.) (Rallis and Potlis, 1852 – Pitsakis, 1971 – Dimopoulos, 1964).

It is interesting to mention that the latter Nomocanon is mentioned in the Judicial verdict of a court of an island of the Ionian Sea (Leukada), in 121: A husband complained to the Bishop that his wife was possessed by demons and that he had to tie her arms and legs with chains very often. This condition continued for more than three years. The husband obtained divorce and he was allowed to take a second lawful wife (Dimopoulos, 1964).

In the Byzantine Legislation also Mental illness as a main health cause for divorce applied to males and females. But has given more protection to male patients than to females, because whilst the wife had to wait five years to seek divorce, the husband had to wait only three years.

From the above, one could conclude that in Byzantium, mentally ill persons despite the fact that these can live normal, stigma related with mental illness consisted an important problem not only for the patients

themselves but for their families, too (Wahl, 1999).

From the above it is easy to conclude that Byzantine Community faced both Mental Illness and mentally ill persons with consciousness. Families of the mentally ill persons were displaying pain, fear and anger because of Mental illness's stigma that influenced the all family. Tolerance towards the Mentally ill person was limited, while sometimes they were treating the mentally ill person with anger. This had as a result mentally ill person's removal from the family. However it should be underlined that the main cause of this attitude was the fear of the consequences. These consequences had to do with the members of the family and because of that divorce was often coming up.

As it is known, Byzantium was influenced from the Greek Education, Roman Administration and Justice and Christian Values. A system of social care was developed and the meaning of "divorce" took place.

Byzantine state because of its Christian origins was taking compassion on them, while it was ensuring quality for their lives. As a result it was obligatory for the mentally ill persons to remain in their families. However it is contradictory, because of the Christian origins, the fact that tolerance for the Man was greater than this of the Woman. Man was obliged to life together with the family for five years, while woman for three years.

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