

# Research on Divorce Cooling-off Period System in China

Feifei Zhang\*

School of Marine Law and Humanities, Dalian Ocean University, Dalian, China

\*Corresponding Author: Feifei Zhang

## ABSTRACT

Along with the economic prosperity of the 21st century, there is also a progressive concept of marriage. In the pursuit of "new Under the marriage freedom of the era, whether the quality of their own marriage life has become the most important for economically independent couples Heavy place. However, recent years, economic development, social change, and the change of people's ideology, the number of divorce in our country has been increasing, the divorce rate has gradually gone higher, people's confidence in marriage has also decreased. In order to reduce the divorce rate, reduce the phenomenon of impulsive divorce, and maintain family harmony and social stability, China has stipulated a cooling-off period system for divorce. The divorce cooling-off period system is a new system in our country, which has played positive functions in many aspects. However, the system still has some shortcomings, such as the divorce cooling-off period personal safety protection, property protection and the protection of the rights and interests of minor children, etc. Then the necessary in-depth analysis is carried out and more perfect suggestions are put forward to make the system to assume its social and legal functions.

## KEYWORDS

Divorce Cooling-off Period; Divorce Registration; Impulse Divorce.

## 1. A BRIEF SYNOPSIS OF THE CASE AND THE QUESTIONS RAISED

### 1.1. Brief of the Case

#### 1.1.1. The Divorce Case of Zhu and Li

After the plaintiff Zhu Mou and the defendant Li Mou got married, found that the two sides were seriously inconsistent in character, often quarreled, and the defendant was very irritable, often lost his temper to the plaintiff because of a little thing, and also smashed and destroyed furniture, malicious insults drove the plaintiff away from home. The defendant does not work, ignores the family, does not assume the responsibilities as a husband and father, the plaintiff can no longer endure. The defendant and the plaintiff had filed a joint application for divorce with the civil affairs department. However, due to the excessive demands made by the defendant, the two parties could not successfully handle the divorce formalities after the cooling-off period of divorce. The defendant as always drinking, smashing things at home, burning room items (the walls are burning black, ceramic tiles burning crack, etc.), leading to the possibility of fire at home at any time, but also threatened to kill the plaintiff, the defendant has been detained by the public security for many times, but still repeated teaching. The plaintiff and the defendant have no chance of reconciliation, so the plaintiff filed a petition for divorce to the court. Defendant Li Mou argued: do not agree with the divorce, that the plaintiff's statement of facts and reasons are not consistent with the facts, said that the defendant has not made money since marriage is inconsistent with the facts. The court found the

facts after trial: the plaintiff Zhu Mou and the defendant Li Mou registered marriage after birth marriage daughter Li Mou and the second daughter Li Mou, the original defendant both married husband and wife feelings are still ok.

The court held that the plaintiff Zhu Mou and the defendant Li mou married for a long time, the husband and wife have a certain emotional basis. Although there is a certain contradiction between the plaintiff Zhu and the defendant Li, as long as the plaintiff Zhu and the defendant Li can strengthen communication, mutual understanding, mutual support, joint efforts, and take the interests of the family as the priority, the relationship between husband and wife can still be improved, and the two sides are still possible to reconcile. Therefore, the court believes that the plaintiff Zhu Mou and the defendant Li Mou husband and wife feelings have not broken down, the plaintiff Zhu Mou request for divorce is not sufficient, rejected the plaintiff Zhu Mou request for divorce with the defendant Li Mou litigation request.

### 1.1.2. Yang Mou and CAI Mou, Liu Mou Private Lending Case

The plaintiff Yang sued the defendants CAI and Liu to the court, and put forward a lawsuit request for the defendants CAI and Liu return the principal and interest of the plaintiff's loan. The plaintiff believes that the loan occurred during the duration of the marriage relationship between the defendants Liu Mou and CAI Mou, and the loan was used for the shop jointly operated by the defendant and the defendant Liu Mou should bear the joint repayment responsibility. Defendant CAI defense said: defendant CAI Mou did not know the plaintiff, did not borrow money from the plaintiff at all, borrowing is borrowed from outsiders, and borrowed money all spent on gambling above, not in accordance with the purpose of the IOU, iou is written at the request of the other party, the defendant Liu Mou did not know the matter of borrowing money. The defendant Liu Mou claims: he did not know to the defendant CAI Mou to borrow money, CAI Mou borrowed money is not used in the shop decoration above, the defendant Liu Mou need not bear responsibility, to, there is no need for the defendant CAI to borrow money. And borrow money when the two people's shop has been decorated, decoration money is the defendant Liu to Ping an bank loan, there is no need for the defendant CAI Mou to borrow money.

The court held that although the defendant CAI argued that the money involved was not borrowed from the plaintiff, there was no evidence to support it, and the two IOU issued by it are clearly stated that the lender is the plaintiff Yang, and the money is the plaintiff Yang. A bank transfer delivery to the defendant CAI Mou, so the defendant CAI Mou defense is not adopted, identified as the plaintiff. It is the lender involved in the loan, and the defendant CAI shall fulfill the obligation to repay the principal and interest to the plaintiff. After hearing the final judgment defendant CAI to plaintiff Yang to pay the loan principal and interest, defendant Liu does not need to pay to the plaintiff.

### 1.1.3. Wang Mou and Liu Mou Divorce Case

The plaintiff Wang Mou sued the defendant Liu Mou to the court because of the divorce dispute, hoping that the court would judge the two for divorce and request a judgment. The child of the final marriage shall be brought up by the defendant, and the plaintiff shall pay alimony. Facts and reasons are: the plaintiff and the defendant in June 2007 determined the love relationship, and lived together, gave birth to the eldest son Liu, made up the marriage registration procedures, and gave birth to the Second son Liu Mou. Due to the lack of full understanding of both parties before marriage, after marriage, the feelings of both husband and wife are weak, after marriage, the defendant is drunk and often drunk, often domestic violence and abuse the plaintiff, the plaintiff often forgives for the sake of the child, in the case of unbearable, in October 25, 2021 to the Civil Affairs Bureau marriage registration Office to apply for divorce agreement, the cool-off period 30 days after the defendant refused to apply for divorce agreement. Later, the plaintiff wanted to give the defendant another chance, but the defendant did not change his mind, continued to abuse alcohol and get drunk, continued to commit domestic violence to the plaintiff and insulted the plaintiff.

The court held that the plaintiff appealed to the people's Court on the grounds that the husband and wife had broken down their feelings and applied for divorce by agreement, but the evidence submitted by the plaintiff is not enough to prove the breakdown of the husband and wife's feelings, and the plaintiff should bear the risk of failing to provide evidence, so it did not support the plaintiff's request for divorce from the defendant. Finally, the court judgment rejects the plaintiff Liu's request for litigation.

## **1.2. Questions Raised**

China's Civil Code, which will come into effect on January 1, 2021, has added the "divorce cooling-off period" system to the marriage and family code, requiring parties to apply for divorce at the marriage registration office to go through a 30-day divorce cooling-off period. However, the provisions on the divorce cooling-off period are only in principle, without elaborating the specific procedures and rules, which will inevitably lead to many problems. Divorce cooling-off period is an important part of the marriage and family compilation, because of the particularity of marriage and family, many examples can not be disclosed, this paper through the analysis of cases involving marriage cooling-off period, summed up the existing problems in the implementation.

### **1.2.1. Personal Safety Guarantee During Divorce Cooling-off Period**

After the implementation of the divorce cooling-off period system, if the husband and wife go to the marriage registration office for divorce procedures, they must follow the 30-day divorce cooling-off period, then the party in a vulnerable position and injured can not be quickly resolved in the form of divorce agreement, its personal safety can not be well protected, and in serious cases, it may threaten the life of the victim. Through the divorce cases of Zhu, Li and others, we can see that Zhu's body and mind have suffered great trauma, during the cooling-off period, the contradictions between the two sides are becoming more and more intense, the contradictions are becoming more and more serious, so that Zhu's condition is becoming more and more serious, coupled with Li also threatened to kill Zhu, during this period, Zhu has been in extreme fear. All the time for their own safety worries, mental and physical are under great pressure. In a family with domestic violence, most of the abusers will have the idea of continuing the violence, in this case, most of them will not agree to divorce. Even if the abuser is willing to go to the civil affairs department for divorce, after the 30-day cooling-off period, there is a high possibility that both parties will renege and still cannot divorce. In this case, the vulnerable party is likely to continue to be subjected to domestic violence or other infringements on personal safety, which is extremely unfavorable to the victim. The victim, who thought she would be able to live a normal life after the divorce, finds that once she is divorced, her life will become even more unbearable and possibly life-threatening.

### **1.2.2. Property Protection During the Cooling-off Period of Divorce**

The establishment and implementation of the divorce cooling-off period system has greatly extended the time required for divorce by agreement, and the procedure is more complicated, which may make one party transfer property or increase debts in bad faith during the "cooling-off period". In the second case, CAI borrowed money from a third party when he and Liu were in the divorce cooling-off period, Liu did not know about it, even if CAI could not repay the debt, the third party would file a lawsuit to the court, asking the two to repay the debt jointly, although CAI has filed a divorce lawsuit with Liu, but the two are still husband and wife. Thirty days of divorce cooling-off period, may cause some people in this period of time inexplicably bear a debt, their property rights and interests can not be well protected. The divorce cooling-off period is a special period, during which two people may not need to borrow the money at all for their family life, but if one party owes debt for other reasons and some of it is actually used for family life, these situations are actually very unfavorable to the other party. This is a dangerous situation where one spouse may have unwittingly taken on the so-called debt, and if it turns out to be joint debt, it can be a real blow to the other spouse who doesn't know.

### 1.2.3. Protection of Minor Children During the Cooling-off Period of Divorce

At present, both couples have to go through a cooling-off period when they apply for divorce registration, during which their feelings have appeared cracks. In the divorce case of Wang Mou and Liu Mou, the plaintiff believes that there is a rift in the feelings of the two people after marriage, and the defendant drinks heavily and commits domestic violence and insults to the plaintiff. The two parties applied for a registered divorce to the court, but after the cooling-off period, they continue to implement the above behaviors to the plaintiff. Their children are still minors, long-term facing the bad relationship between parents, under such pressure, psychological will be greatly hurt, at the same time, the communication of parents will also have a great impact on the growth of children, will cause children's psychological and psychological problems, such as not effective guidance, will ruin their own life, and even on the road of crime, This is a very serious problem. In divorce, it is also possible that both husband and wife have to take care of minor children, or neither of them is willing to take care of minor children, and there may be a lack of guardianship of minor children. At this time, the children will be emotionally deprived and their lives will be out of order.

## 2. LEGAL ANALYSIS OF THE PROBLEMS ARISING FROM THE CASE

The cooling-off period for divorce has been in effect for some time, but it still faces many problems in practice. The law has established the divorce cooling-off period system, but there are some potential risks in the implementation of this system, such as personal safety, property safety, and the protection of minor children. These problems are objective existence, therefore, we need to analyze the problems brought by this new system, and improve it, in order to prevent and reduce this problem.

### 2.1. The Problem of Personal Safety Guarantee During the Cooling-off Period of Divorce

#### 2.1.1. The Risk of Personal Safety During Divorce Cooling-off Period

According to the provisions of the Civil Code, the divorce cooling-off period applies when a divorce is registered, even if it is taken in the family suffered serious domestic violence to register a divorce must go through a 30-day cooling-off period is required to register a divorce for serious domestic violence. The implementation of the divorce cooling-off period makes it impossible for the victim to quickly get out of the hurt situation and increase the risk of the weak. Some people choose to go to the civil affairs department for divorce due to domestic violence, which has caused great trauma to the body and mind. If they do not divorce, they will continue to suffer mental and physical suffering, which will cause great damage to the body and mind. If one of the spouses is forced to divorce due to domestic violence or for other reasons, they should go to the civil affairs department for divorce procedures, and go through the divorce procedures according to law.

Personal safety risks caused by resistance from victims of violence during the divorce cooling-off period. During the cooling-off period of divorce, if the victims of the vulnerable party cannot bear the aggression of the other party for a long time, they will take certain measures of resistance, and some will even choose extreme methods to end their own lives, or the lives of others. In the divorce cooling-off period, the victim of domestic violence will fall into extreme despair, their personal safety can not be guaranteed, there is no hope, feel that life has lost meaning, and even have the idea of suicide. China's current "30-day" divorce cooling-off period system, to a certain extent, can not give full play to the humanistic care conveyed by the law, and is not conducive to maintaining the harmony and stability of marriage. Due to the existence of the divorce cooling-off period, the victim wants to divorce as soon as possible, but the law has great restrictions on the victim, and there will be more victims. The victim is bound together in chains and suffers both physical and psychological suffering, which is beyond our comprehension.

### 2.1.2. The Problem of Personal Safety Guarantee During the Cooling-off Period of Divorce in Chinese Law

Our country respects and protects human rights, the dignity of the citizen is inviolable. The law prohibits insulting, defaming, falsely accusing and framing citizens by any means. The Civil Code stipulates that natural persons enjoy the right to life, body and health, which may not be infringed upon by any organization or individual. They shall be regulated in the form of laws to protect their personal integrity from infringement. In the marriage and family catalogue, domestic violence is clearly stipulated and infringed upon. The compilation of marriage and family focuses on family civilization, which is of great significance to maintaining and consolidating equal, harmonious and civilized marriage and family relations. Domestic violence should not be seen simply as a problem within the family; it is the common responsibility of the whole society and even of every family.

## 2.2. Property Protection During Divorce Cooling-off Period

### 2.2.1. Risks of Property Protection During Divorce Cooling-off Period

The cooling-off period that a couple goes through before the finally register for divorce does not dissolve the marriage, and both parties are still in the marital relation, but it is different from the normal marital relationship before. Two people have filed for divorce, during this period uncontrollable factors will increase, and the feelings and trust of both parties will be different than before. Therefore, during the cooling-off period of divorce, the probability of one party infringing on the property interests of the other party will increase, which will give the bad people the space to transfer or damage the joint property of the husband and wife to a certain extent, and the husband and wife's property is easily damaged during the cooling-off period of divorce.

The cooling-off period stipulated in the Civil Code only applies when a divorce is registered, which requires both parties to agree on the division of property in the divorce agreement. However, during the cooling-off period, it is highly likely that the two parties will become suspicious of each other and dislike each other, in which case one spouse may transfer the joint property or increase debts for his or her own private interests. In a divorce by agreement, even if both parties agree on how to distribute the common property and write it into the divorce agreement, there is still an important condition in a divorce by agreement, that is, the divorce cooling-off period. After the divorce cooling-off period, the couple's marriage is still valid and the divorce agreement is not effective.

### 2.2.2. The Existing Problems of Marital Property Protection in China's Law During Divorce Cooling-off Period

The Civil Code stipulates that the divorce agreement signed by couples when they register for divorce should be about money.

Agree on property issues. In order to simplify the procedure, there is no need to submit the divorce agreement at the time of filing the divorce application, and both parties are given a cooling-off period to allow them enough time to communicate and negotiate. After the cooling-off period, both parties can apply for a divorce certificate at the Civil Affairs Bureau. Both parties with the status of husband and wife have the power of attorney for daily family affairs, which is a right granted by law. But it is based on the rights of the husband and wife on the basis of their normal marital status, and the divorce cooling-off period, as a special marital status, does not yet have specific provisions that combine the divorce cooling-off period with the power of daily family agency. The divorce cooling-off period is the pre-registration period for divorce, during which the emotional status of both parties has changed from that before filing for registered divorce, and both parties in the divorce cooling-off period may abuse their rights. In order to avoid one party abusing the power of agency, during the divorce cooling-off period, the daily family power of the parties should be limited, which is conducive to protecting the property rights of both parties during the divorce cooling-off period.

## **2.3. Protection of Minor Children During the Divorce Cooling-off Period**

### **2.3.1. Risks in the Protection of Minor Children During the Cooling-off Period of Divorce**

During the divorce cooling-off period, the couple may ignore the minor due to constant quarrels, which will make the minor feel uneasy and insecure, and even cause psychological trauma to the minor, which is extremely unfavorable to the healthy development of the child. What's more, parents' divorce will have a great impact on their children, not only at the time of divorce, but also on the children later and even when they become adults. The number of divorces in our country is increasing constantly, and in these divorced families, there are many minor children to support. When handling divorce, first of all, we must sign the divorce agreement, and reach an agreement on the upbringing of minor children. However, this agreement is not necessarily put forward at the time of registration of divorce, but after the cooling-off period, the two sides go to the civil affairs department together to make up for it. However, children want to get care from their parents and live with them, under such circumstances, they are likely to have psychological problems and even blame themselves for their parents' divorce. During this period, children can not accept the reality that their parents want to divorce, can not face the dispute between their parents, they feel that their parents want to give up on themselves, so their spirit will gradually collapse, there will be the mentality of escape, serious people will have the idea of suicide.

### **2.3.2. The Law of Our Country Protects the Minor Children and the Existing Problems During the Cooling-off Period of Divorce**

The Constitution is the fundamental law of our country, which provides for the protection of the interests of marriage and children. China attaches great importance to marriage and family. It clarifies parents' responsibility to bring up minor children, protects children's rights and interests in the family, and advocates the building of harmonious and stable family relations. The protection of children in the form of fundamental laws is tilted toward children, whose physical and mental development is not complete, and if the same protection is applied to children and adults without distinction, children cannot grow up well. The Marriage and Family Section of the Civil Code stipulates that attention should be paid to protecting the legitimate rights and interests of minors. Parents have the right and duty to educate and protect their minor children. At the same time, it also stressed the legal principle of upholding the freedom of divorce and opposing hasty divorce. In the current law, there are no clear provisions on the rights of minor children of both parties during the divorce cooling-off period, most of them are in principle, and there is no complete system, and there are no supporting measures to care for the physical and mental health of minors. Therefore, relevant supporting measures need to be formulated. Try our best to ensure the mental health of minors.

## **3. SUGGESTIONS ON IMPROVING THE DIVORCE COOLING-OFF PERIOD SYSTEM IN OUR COUNTRY**

The establishment of the divorce cooling-off period system can help ease the marriage crisis, reduce the divorce rate, protect the legitimate rights and interests of both parties, and help build harmonious family and social relations. China's determination to maintain marriage relations has been reflected in the system. The Civil Code does not provide for the risk prevention and protection system after the implementation of the system, and the lack of a series of supporting measures will hinder the operation of the divorce cooling-off period system. The divorce cooling-off period system still has shortcomings in personal safety protection, property protection and minor children protection. It is necessary to analyze the problems on the basis of legal theory, and stipulate necessary supporting measures to specify and clarify the divorce cooling-off period, and constantly strengthen the system construction of the system.

### **3.1. Improve the System of Protecting the Rights and Interests of the Person**

#### **3.1.1. Distinguish between Crisis Marriage and Death Marriage**

The cooling-off period system for divorce is designed and implemented to save the marriage, and it should be aimed at couples who divorce on impulse and recklessly. In crisis marriage, there is only a short contradiction between the husband and wife, and the contradiction between them can be solved, if the relationship is not completely broken, then the divorce cooling-off period system is more suitable for the crisis marriage. During the cooling-off period, both parties can communicate with each other in a stable mood, and may withdraw the divorce application after serious consideration. On the other hand, in a dead marriage, the relationship between husband and wife has been completely broken beyond repair, and continuing to be together may lead to instability, and life will be hurt. This kind of irretrievable dead marriage should not be applied to the cooling-off period of divorce.

#### **3.1.2. Provide for Exceptions to the Divorce Cooling-off Period**

In real life, many couples divorce because of domestic violence. In a couple's relationship, domestic violence is often an important reason for the complete breakdown of the relationship between husband and wife, and the dignity of the victims of domestic violence is trampled on and the body and mind are severely damaged. Domestic violence not only does not guarantee the life safety of the victim, but also has a great negative impact on the minor children living together, so that the stability of marriage and family is damaged, if the situation is serious, it may also lead to serious crimes and cause social panic. The cooling-off period system for divorce is one of the countermeasures in view of the current high divorce rate in our country. Social problems need to be solved by law, but legislation alone can not fully realize the rule of law, which should be interpreted and implemented. The divorce cooling-off period should be determined according to the actual situation of the parties, and can not be fixed in stone. Special provisions should be made in special circumstances.

### **3.2. The Husband and Wife Property Protection System Should Be Improved**

The provision of a cooling-off period for divorce can, to a certain extent, enable people to think carefully about the marriage relationship, increase the divorce period and divorce procedure, and reduce the occurrence of hasty and hasty divorce. However, there are rules for registering a divorce.

The cooling-off period increases the length of the divorce, inadvertently giving advantage to the party illegally seeking property rights. During this period the property is in a precarious state. Therefore, during the "cooling-off period", a set of relevant property protection mechanism should be established in order to properly handle property disputes arising from divorce during the "cooling-off period".

#### **3.2.1. Establish a Property Declaration System**

To establish a property declaration system, when divorce parties go to the civil affairs department to apply for divorce registration, they should first truthfully declare the property in their family life. The registration authority should inform the parties that they cannot transfer their property maliciously during this period, and what adverse results will be caused by malicious transfer of property and what punishment they will receive. This can play a warning role. The Civil Code clearly defines and standardizes the behavior of one spouse encroaching on the joint property of the husband and wife. One spouse conceals, transfers, sells, destroys, squanders, or forges joint debts of the husband and wife. If one spouse commits such behavior, the joint property can be less shared when it is divided or even not shared when the situation is serious. If such behavior occurs during the cooling-off period of divorce, the provision can be applied to divide the property less or not to share it with the infringing party. Increasing the punishment on the infringing party can protect the legitimate rights and interests of the infringed party to the greatest extent, and at the same time make the divorce cooling-off period play a better role in practice.

### 3.2.2. Limit the Power of Attorney for Daily Family Affairs

The exercise of the power of daily family affairs during the divorce cooling-off period should be necessary. This period is very special in itself. Some behaviors need to continue during the cooling-off period, and some things do not necessarily need to be completed during this period. Therefore, the daily life of the family can be defined as the maintenance of the daily life of the family and the expenses of the children. This is because during the cooling-off period of divorce, some couples do not live together, while others do, and the daily life of the family continues to function normally during this period. No matter whether the husband and wife divorce or not, the relationship between parents and children remains unchanged, and they are still responsible for the guardianship and education of their children. No matter what state the husband and wife are in during the cooling-off period, as long as one of the husband and wife is to maintain the necessary daily life of the family and to assume their responsibilities to the children and carry out the behavior, belong to the scope of application of the daily family affairs agency, the behavior in this scope does not need to be authorized by the other party, and the consequences arising in this case shall be borne by both parties. However, if the behavior carried out by one party during the cooling-off period differs greatly from the actual life in the family, the actor should be held responsible by himself.

### 3.3. Improve the System for Protecting the Rights and Interests of Minor Children

#### 3.3.1. Establish a Marriage Counseling and Mediation Mechanism

During the divorce cooling-off period, it is very important for the divorced parties to raise minor children, which should be included in the cooling-off period of divorce, so that the divorced parties can realize the importance of the issue of child rearing and carefully consider it. The marriage registration authority should set up a marriage counseling and mediation agency, and select people with professional knowledge to form a counseling and mediation team to answer professional marriage problems for the divorced parties, and patiently mediate for the two parties. When divorcing by agreement, the husband and wife apply for divorce and have minor children to raise, then they need to make specific agreements on the mode of raising minor children, raising costs and other contents, and write these in the divorce agreement. The marriage registration authority should consider whether the minor children are protected, and focus on mediation in the mediation process. Let the two sides really realize the importance of this matter to the children, so as to guide the divorce parties to reach an agreement on the issue of minor children from the perspective of benefiting the minor children.

#### 3.3.2. Extend the Divorce Cooling-off Period When There are Minor Children to Support

Both husband and wife go to the marriage registration department to apply for divorce, but in the case that both parties have minor children, the divorce cooling-off period should be appropriately extended, so that the couples should have more time to communicate with their children and reduce the physical and mental damage caused by parents' impulsive divorce to the minor children. Minors are the most vulnerable. If their parents divorce suddenly, the impact on their children will be very great without any psychological preparation. Set a divorce cooling-off period of 60 days, so that the people who register for divorce can have more thinking about this marriage, but also have enough time to communicate with their children, during this time, they can listen to their children's opinions, parents have enough time to have in-depth exchanges with their children on the divorce issue. At the same time, parents can also have enough time to think about how to maximize the protection of their minor children and minimize the harm caused to their children.

## REFERENCES

[1] See(2002)Min 0602 Civil Judgment No.5629 of the Early Republic of China.

[2] See(2021)Zhejiang 1003 Civil Judgment No.3119,Minchu.

- [3] See(2002)Qian 0121 Civil Judgment No.1048,Early Republic of China.
- [4] Ma Zhiyong.The generative logic of the “Divorce cooling-off Period”system and its reflection,2022(03):14-28+191.
- [5] Article 1041 of the Civil Code of the People’s Republic of China Marriage and family shall be protected by the State.A marriage system featuring freedom of marriage,monogamy and equality between men and women shall be practiced .Protect the lawful rights and interests of women,minors,the elderly and the disabled.
- [6] Guo Jianping.Legal Thoughts on the construction of divorce cooling-off period system in China[J].Social Scientist, 2018(07):26-34.
- [7] Wang Waisui.Thoughts on improving the System of marriage by agreement in China[J].Journal of Yangtze Normal University,2016,32(02):104-110.
- [8] Yang Yuxuan.Legal Interpretation and Standard Improvement of Divorce cooling-off Period System in Civil Code[J].Journal of South China University of Technology (Social Sciences Edition),2022,24(02): 97-105.