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In marriage-centric India, shortening the path to divorce

By Emily Wax
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CHENNAI, INDIA -- Even in [India's](#) most traditional cities, a powerful new profession has arrived: the divorce lawyer.

Divorce rates are rising in India as the fast-growing economy unleashes unprecedented financial freedoms and mobility, especially among women and young city dwellers. But divorce cases often drag on for years, clogging already backlogged courts and causing painful and even violent family disputes.

This month, the Indian government proposed a law that would make it easier for couples to get divorced based on the "irretrievable breakdown" of the marriage or "incompatibility." In most cases, courts currently grant divorces only when there is mutual consent or proof of abuse or adultery. Proving those allegations is often so fraught with drama that tabloid newspapers regularly feature the fights in print.

The latest amendments to what is known as the Hindu Marriage Act 1955 and Special Marriage Act 1954 will need Parliament's approval before they become law. A similar move was abandoned in 1981 after significant resistance to the change. This time, however, many are hailing the amendments as a way of catching up to social realities.

About 75 percent of India's population is younger than 35. And more middle- and working-class women are carving out new identities as they become economically independent. Some divorce experts say urban women are driving the divorce law change.

Divorce has long been stigmatized here, while marriage is a cornerstone of culture, linking families and businesses, and is seen by older generations as an essential duty.

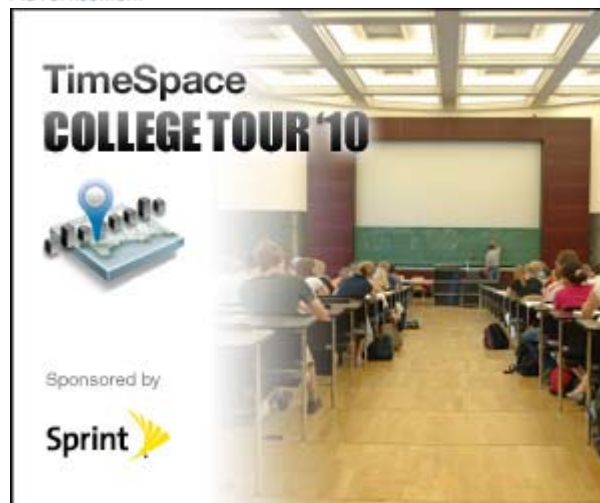
Until recently, couples were reluctant to divorce, even if they were miserable. They worried about letting down their families, which often meddle in their decisions and traditionally live with them. Some couples live apart for decades and take on new partners but never officially divorce.

"But aspirations are growing, and women are not as tolerant of cheating or feeling unhappy in an arranged or 'love' marriage that maybe they were unsure of," said Bharanidharan Viswanathan, co-founder of the matchmaking Web site SecondShaadi.com, which targets divorcees and widows. "Shaadi" is the Hindi word for marriage.

The trend is evident in new matrimonial columns in newspapers that help divorced people find partners, something unheard of 20 years ago. Experts say that roughly 11 Indian marriages in 1,000 end in divorce. The rate in the United States is about 400 in 1,000.

K.T.S. Tulsi, a prominent lawyer who is in favor of changing the law, recently told the Indian media that "wedlock turns into deadlock" as divorce cases drag on.

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"I think the new law is a very healthy thing if a marriage is broken down," said Manjula Shanmugasundaram, a divorce lawyer in Chennai. "But Indians will continue to be unhappy with the word 'divorce.' "

V.K. Bajaj, chief executive of Today's Chanakya, which conducts surveys on social and political issues, said a recent poll in cities across the country showed that Indians were conflicted about changes in divorce policy.

"India is a country of various cultures, but the most common thing is that marriage is at the center of our lives," Bajaj said. "Some people don't want to abandon the traditions and love of family that we are famous for around the world. A simple divorce may be too simple."

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