

The Mutual Consent Divorce within One Year of Marriage

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Abstract

Once the institution of marriage is recognised legally then divorce is a must to terminate this marital relation. Marriage is not always happy ending and in the present, young people are considering it necessary to terminate if its not happy, satisfying relationship. This study is conducted in the Family Court, Mumbai to understand the changing trends in the mutual consent divorce cases, which are increasing in number and happening with the separation within one year of marriage. Mixed method research approach applied in the study. The quantitative study was conducted with the 377 litigants (Women 190 and Men 187) by survey method and qualitative data collected from 32 (Women 15 and Men 17) out of 377 respondents by in depth interview. Major finding is that non compatibility issues are major for mutual consent divorce and which are realised within one year of their marriage. Other finding is that no rational and conceptual thought was given for the marriage decision and no mindful preparation done for building marital relationship. Respondents wanted to terminate the relationship and move on in life instead of being in unhappy relationship. The role expected in the marriage by spouses has changed and needs gender equality in relations. Need of pre-marriage counselling for young people and their parents was observed.

Key Words: Marriage, Mutual Consent, Community,

Introduction

Society is a network of relationships. Marriage is considered as the most sanctimonious relationship, which is bounded by law. It creates families, which are the most basic social units. By definition, the institution of marriage involves the co-habitation of male and female, of progeny, of kins and infant, the whole community (Malinowski, 1973). The idea of marriage inevitably gets connected with the idea of a family, as a way to establish new kin connections and forming a household in which children are brought up (Giddens 1989: 381). The institution of marriage and family have been studied widely across the world and hold significant value in the field of sociology, psychology, economy, anthropology and various other branches of social sciences. Different studies have explained us the changes taking place in the family as a unit and as an institute. However, not every marriage ends in happily ever after. Marital relationships have evolved with the modernization of societies, leading to a change in the dynamics of family as a system. There are many who live in unhappy marriages and for some couples it may lead to a mutual decision of ending the marriage. The statistics shows that ten countries have high rate of divorce in 2020. The USA is having the divorce rate 53 %, France 55 %, Cuba 56 %, Estonia 58 %, Luxembourg 60 %, Czech Republic 66 %, Hungary 67 %,

Portugal 68 %, and Belgium 71 % . (Jegade Abayomi, April 2020). In India 1.36 million people are divorced, that is equivalent to 0.24 % of married population, and 0.11 % of the total population and Gujrat reports the maximum number of divorce case, followed by Assam, Maharashtra, West Bengal and Jammu and Kashmir. (Biswas Soutik, September 2016). Present paper elaborates the changing marital relationship and phenomenon of changing family system in the Mumbai, Maharashtra.

Marriage can be defined “as a socially acknowledged and approved sexual union between two adult individuals”. Further, marriage is defined by patrilocality, patrilineality, heterosexuality, monogamy and exogamy. In the Indian context, marriage outside one’s caste, religion and class was considered blasphemous and led to drastic punishments or ostracisation by society.

For Hindu and Christian marriage is a sacrament meaning it is a permanent, un-breakable and indissoluble union. Andre Beteille (1993) identifies caste and class as important ‘resources’, which contribute to the reproduction of inequalities in a family and subsequently in the society. In the *Holy Bible*, it is written: Man must not separate, then, what God has joined together. In Hindu religion a lot of importance is given to keeping the marriage intact. Pothen (1986) mentioned that ‘Hindu texts suggest that marriage is a union not only for this birth, but for all the births to come; in other words, immortal, interminable, eternal’.

Based on Quran divorce is discouraged and the continuation of marriage is encouraged as it is considered that the relationship should be based on love and it is a duty for both husband and wife to preserve the marriage, even in extreme cases of misbehaviour ([4:34](#), [4:128](#)). In India, Muslim marriage is a civil contract between man and woman. Under Muslim personal law, (Shariat) Application Act, 1937, the divorce may take place by the act of themselves or by decree of the court of law. “Khula” and “Mubarat” are two forms of divorce by mutual consent divorce.

In the life of tribal people marriage is a marital convenience hence, divorce takes place by following certain rules prevalent in their respective tribes.

Marriage therefore is lawful relationship and it involves certain rights, duties, obligations, and responsibilities between the parties to the marriage. Once the institution of marriage is recognised legally, divorce must be recognised per se. Indian scriptures like the Smrti, srutis denied the right of divorce. For the Hindus, marriage tie is irrevocable but for the Hindu man he enters into several such irrevocable ties. The Hindu woman can enter into only one such relationship. The violation is universal because the men may marry more than one time in the patriarchal family system or can have relationship with woman other than his wife.. The data on the given subject of this study shows that during Vedic period there was consent for divorce. There is a reference of divorce in *Manu smriti* and *Kautilya*. Code of Manu states that “neither by sale nor by repudiation is a wife released from her husband” and it is also stated by *Manu* that a wife is not to be blamed if she abandons a husband who is impotent, insane, suffering from an incurable or contagious diseases. According to Kautilya divorce may be obtained by mutual consent only in the case of mutual enmity and hatred between the husband and wife.

In theory, the word 'divorce' is the legal term for the end of marriage. The couples and families involved in the process, this word brings changes in their personal as well as their professional lives.

Marriage is social event with rituals and ceremony in India. And the marital issues and divorce procedure is treated as personal and confidential. Marriage is considered as a sacramental tie and not a contractual union, which is considered as impossible to dissolve and that it shouldn't be broken down easily. People have social influence and emotional load, when they go through this life experience of divorce procedure. But, due to change in the society there has been change in the marital relationships. It is observed that there is also change in the attitude and thought regarding divorce concept. When the emotional, physical, and economic needs are not met in the marriage they do turn their married life to break and want are contracted for life, every society provides a way of terminating such marriages before the death of the spouses. One such way is divorce and the fragility of family mentioned by Goode (1956), is manifested in the tremendous increase in the number of divorces today. Hence, it is important to understand the details of divorce and this changing mindset.

Definition of Divorce

The word 'divorce' in English is derived from the Latin word *divortium*, which again is derived from *dis* which means 'apart' and *vertere* which means 'to turn'. Divorce is the dissolution of the tie of marriage, where the partners turn away from each other. In the personal life of the couple divorce introduces immense change. Along with divorce all marital rights and duties, responsibilities get dissolved. Divorce creates a challenging new family circumstances in which they have to live. It is said that 'Divorce creates watershed event in the lives of couple'. After the legal divorce procedure is completed, person may again get married if he or she wants.

Divorce is related to marriage and family which are by far the most important and vital institutions of human society. Divorce is a decree of dissolution of marriage granted by the judicial court (Pothen 1986).

History of legalisation of Divorce in India

For a very long time in other countries including India, divorce was not easy to obtain. For example in England prior to liberation of the laws in 1857 there was no sanction for Divorce. The first attempt of written statutory provision for divorce was seen in the 20th century. In India, Indian Divorce Act 1869 was the first legislation in respect to dissolution of marriage for Christians. The Divorce Act, came in 1931. Under this both the husband and the wife were given the right to divorce for impotency, adultery, bigamy, desertion, conversion, cruelty, intoxication and in addition to these, if the wife was pregnant at the time of marriage or if either of the spouses disappeared for seven years or more. This act was amended in 2001 and the provision for dissolution of marriage by mutual consent was introduced. Parsi Marriage and Divorce Act was passed in 1936, which is amended in 1988 and known as the Parsi Marriage and Divorce (Amendment) Act, 1988 (No. 5 of 1988), 25 March 1988. In India, people follow different religion, faith, belief and culture. Hence, there are different laws of

marriage and divorce for different religion. And there is Special Marriage Act, 1954, which provides a special form of marriage to all Indians irrespective of their caste and religion.

In India for long time customary divorce was approved with certain criteria accepted by the community, from which person belongs. The Bombay Hindu Act, 1947 sanctioned judicial separation or divorce on the grounds of impotency, lunacy for more than seven years, leprosy not less than seven years, desertion for a continuous period of four years and bigamy. The society went through a long time to realize the need of legal provision of separation of couple needing to break their marriage. But with the passage of Hindu Marriage Acts the legal provisions were made available in 1955 to couples involved in marriage to break their marriages on certain grounds.

However, this universalization has not made any significant change in the status of the women. Majority of women do not claim divorce because of their dependence especially economic dependence on their husbands. This perhaps is the most significant social change a woman undergoes on marriage her status changes in many ways but the role of the progenetrix is the most important one. In short, therefore, marriage is the institution whereby men and women are joined in a special kind of social and legal dependence for the purpose of founding a family. Women right activist and people who believe in equality of men and women consider that the personal laws are based on the gender discrimination and there is call for enactment of secular Uniform Civil Code irrespective of caste and religion of person. The specific responsibility of legal scholars, feminists, and others is to develop ideas about the relationship between law and their social institutes. (Parashar, 2008).

In recent times law has evolved from the traditional approach where the wife was considered as a mere chattel under the control of her husband. Originally marriage was seen in terms of contract. But the recognition of the individuality of married women has been a slow process. What is equally important as physical freedom is economic independence. Law must recognize that the unity of married life lies in the oneness of the husband and wife; however this should not be used to justify the preservation of the unity of family life at any cost and to reduce the wife to a subordinate position.

Objectives and Approach

This paper is the outcome of the study conducted in the Family court, Mumbai to understand the changing trend of divorce cases. The primary data included researcher witnessing change in marriage relationship in the litigants in the Family Court, Mumbai. It was observed that number of mutual consent divorce is increasing with the breakdown of marriage within one year of their marriage and the number of petition for divorce filed individually by men or women is decreasing compared to mutual consent divorce.

So, researcher has explored the experiences of such couples wishing for mutual consent divorce and collected their views about the marital relationship and conflict of divorce by mutual consent.

Theoretical framework

This study is done with the Structural-functional theoretical framework. The theory comes from a variety of authors, but is most associated with Talcott Parsons. As per this theory

individual and group behaviour not work for a function for the larger group. It views society as having interrelated parts that contribute the functioning of the whole system and this sociological theory has assumption that institutions like religion, politics, economics etc. are all linked together. (Lee Bryant, 2020). A change in one institution leads to a change in other parts. In this study researcher wants to know the changes taking place in the marriage and family system. The marriage system and family system is interrelated. It is always a conflicting situation if change is not acquired by any system. So also need to understand whether there are the conflicting areas in those systems. This study was conducted to explore whether there is change in family system and in marriage system. The divorce is granted by the judicial system. The Judicial system needs to take note of changes taking place in marriage and family system. It reflects in the orders given by Hon'ble Courts. Laws have been amended and also new laws are introduced with the requirements of the changing society.

Mixed methods research approach with pragmatic world view applied in the study. This view holds basic assumption that collecting diverse types of data gives understanding of a research problem. Thus, for the mixed methods researcher, pragmatism opens the door to multiple methods, different worldviews, and different assumptions, as well as to different forms of data collection and analysis in the mixed methods study. The survey method was conducted to collect the quantitative data in the first phase and it followed with the in depth interviews of the respondents for qualitative data to get their experiences.

The Review of Literature

The review of related literature suggests there is a dearth of data on the mutual consent divorce within one year of marriage. But, there were some studies which has reference to breaking up in marital relationship as a focal point.

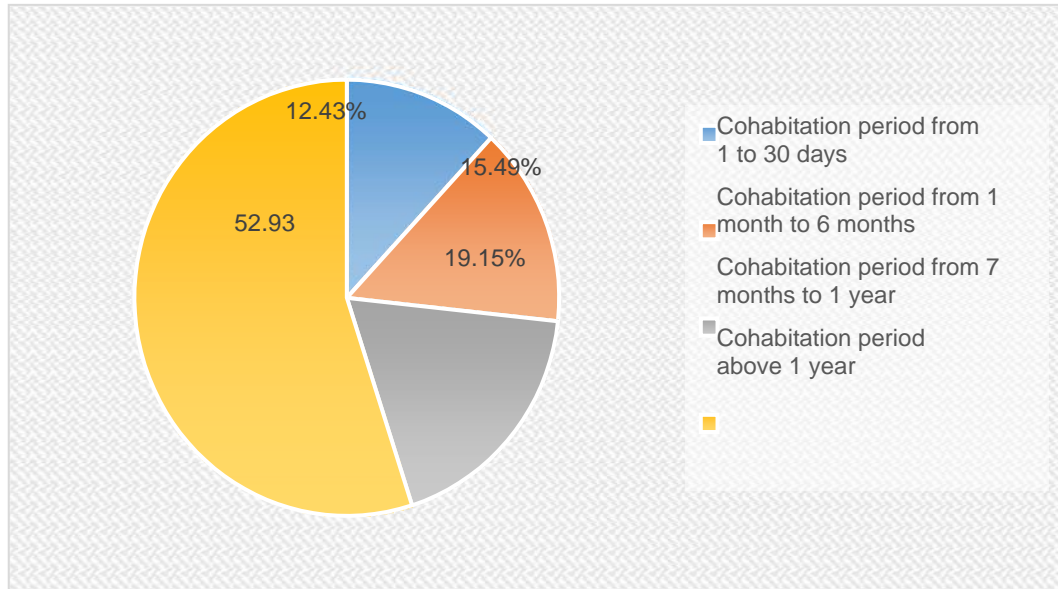
A- Dysfunctions of Romanticism and Changing Attitudes:

Singh, Renuka (2015) conducted a study in Bangalore, India in IT city, by selecting 200 IT professionals working in various firms in Bangalore like software Engineer, BPO executives, and from service industry. The study revealed that 'traditional patterns of family and marriage system are affected by the IT work culture'. Further, rise of contractual relationship is very much prominent among the IT workers. Many respondents had mentioned that "career and money matters lot for them".

B- Separation with short married life

It is observed that the age of marriage has gone upto 25-30years (Bhujbal 2004). The data from 1st Jan, 13 to 30 June 13 from the Marriage Counselors, Family Court, Mumbai had been studied and it highlighted that 47% of the couples in the age group of 25 to 35 years got separated during co-habitation period of less than one year. (Graph No. 1).

Graph No. 1



C- Significant increase in number of mutual consent divorce

Records available in the Mumbai Family Court (2007-2017) as shown in Table has no significant increase in the total number of petitions filed in the Family Court, Mumbai every year, though the number of “ petitions for mutual consent divorce” has risen steadily since 2007 as compared to petitions filed for “matrimonial relief”. The number of total petitions filed for matrimonial relief other than mutual consent divorce in the year 2007 were 2609 and in the year 2017 is 3095, which is on increase of 18%, whereas the petitions filed for mutual consent divorce in the year 2007 is 1525 has increased to 3160 in the year 2017, which is an increase of 107 %. The total number of petitions in 2007 was 6761 and it has increased to 7999 in 2017, which is a 22% increase.

Table No. 1

Year	Total petitions filed in the Family Court, Mumbai	Petitions filed for divorce, judicial separation, restitution of conjugal right, and Annulment of marriage (A)	Petitions filed for mutual consent divorce (F)	Petitions for declaration as to validity of marriage(B)	Petitions filed for maintenance, custody, recovery of maintenance, execution petitions and miscellaneous applications
2007	6761	2609	1525	120	2507
2008	7526	2763	1692	185	2886
2009	7507	2803	1821	166	2717
2010	7388	2886	1930	132	2440
2011	7391	3017	2098	98	2178
2012	7256	2825	2108	95	2228
2013	8370	3329	2411	83	2547
2014	8228	3377	2572	101	2178
2015	7691	3013	2701	82	1895
2016	7726	3191	2789	81	1665
2017	7999	3095	3160	84	1660

D- Issues of marital conflict

The Ph. D thesis (Law) of Dr. Madhavi Desai, Marriage Counsellor, Family Court, Mumbai, conducted during the period of 1998 to 2006 in the Family courts of Maharashtra, reported that 89% of the couples, who approached Family courts belonged to the age group of 21 to 40years. Out of these 23% of couples had cohabited for less than a year of their marriage, who had filed the divorce petition either individually or filed petition for mutual consent divorce. In her quantitative study, Desai stated that spouses get separated immediately

after the disharmony began in their life. The decision to divorce is thus initiated within a period of one year of their marriage (Desai Madhavi 2008). The study suggested the need to have qualitative analysis of the factors responsible for such breakdown of marital relationship by interviewing the litigants of the Family court, Mumbai.

Another relevant study of the judicial dissolution of marriage with special reference to Dakshina Kannada district during the period 2000 to 2008 from the files of the Court. The sample size of the study was 250 divorcees (50 % male and 50% female). The major finding of this study revealed that in 46% of cases the couples had spent less than one year together and 45.6% of the cases the couples had 1-5years of married life. In this study 80% of the respondents opined that they feel divorce is the right solution for marital conflicts and 20 % of the respondent felt that divorce is not the right solution for marital conflicts (Shivappa, R.2015).

E- Aspects of gender equality:

It was also observed that issues of marital discord have shifted from physical, mental violence, abuse, addiction financial problems to relationship issues. Sexual compatibility is an important aspect of any marital relationship but is less recognized and therefore given equal attention while studying reasons for separation in the proposed study and also the expectations about relationship with the changing gender roles were studied. There are researchers like Kapadia (1959), Desai (1972) in favor of the law of divorce. They were of the view that divorce would liberate women in reorganizing their family and that it better to secure a divorce than dragging a miserable family.

F- Changing concepts of marital satisfaction:

It is always considered that the relationship satisfaction for women depends on the fulfilment of her basic needs of comfort, care and financial stability.

The most striking finding of the study done by Kelly (1984) is the relatively strong predictive relation of personality traits and marital compatibility. Kelly observed that overall marital satisfaction in stable marriages was influenced by several personality and social backgrounds and found neuroticism (and, in later life, impulsiveness) exerted negative influences on the marital satisfaction of both sexes.

Burgess and Wallin (1953) found personality as a fundamental determinant of marital compatibility. They concluded that personality has a formative influence on the experience and behavior of the partners in the marriage. Financial and economic factors, for instance, were merely mediators of personality differences.

❖ Major observations of the present study:

Following observations are noted from the study which was conducted in the Family court, Mumbai during the period from June 2016 to September 2016.

The study was conducted with the litigants who filed petition for mutual consent divorce in the Family Court, Mumbai with the cohabitation period less than one year of their marriage. The quantitative data collected from 377 litigants (Women- 190 and Men-187) by survey method by giving them questionnaire and qualitative data collected from the 32 (15-Women and 17-Men) out of those 377 respondents, by in-depth interview.

Most of the respondents mentioned the compatibility issues for the decision of mutual consent divorce. It was observed that many of the couples shared good understanding and respect for each other during the legal process of mutual consent divorce in the Family Court, Mumbai. It was also observed that physical violence was not mentioned as the major issue by the couples but non compatibility as the main cause. It was observed that the family structure and family life has been changed but the marriage system has not changed and is based on the conventional patterns.

- The marriages were determined by the horoscope matching and with the help of astrologer by the 50 % of 377 respondents including the love marriage.
- More than 65 % of the respondents reported that the marriage had taken place with their consent but during the in- depth interview most of them have mentioned that they were not emotionally prepared for the marriage or not willing to marry with the person whom they have married. It is observed that they prepared themselves for marriage as parents or near one convinced them for marriage and they were told everything will be fine after marriage.
- It was also observed that no rational and conceptual thought was given for the marriage decision and no mindful preparation was done for the marriage and marital relationship.
- Expectations of parents from the marriage of their son or daughter were different from the expectations of son or daughter, one who was getting married.
- The role expected after marriage from spouse is not changed though the life style of people have changed.
- Compatibility issues mentioned for the decision of divorce were not given intense thought at the time of the decision of marriage and also not considered as the criteria for match making.
- It was told by many of the respondents that they wanted to move on in life and get married again and second marriage would be well-thought-out and bring happiness in their life.
- The proportion of love marriages have been increased so far but the expectations from the spouse, marriage and the reasons for divorce are

observed to be the same in both love and arranged marriages.

- It is also observed that dislikes and negative feelings about the spouse led to disappointment and vice versa led to separation and mutual consent divorce.
- The female respondents staying in the joint family, i.e. with husband and in laws are 65 % of female litigants.
- The respondent not stayed together with each other after marriage under same roof are 9 % of 377 respondents.
- The proportion of the respondents having a child is almost none or as negligible as 1 percent of 377 respondents.
- It is observed that majority of the respondents reported personality differences as a major cause for mutual consent divorce. Family and social issues attributed to second highest proportion of the respondents are around 39 % of 377. The proportion of respondents reporting sexual and financial issues was 4.1% and 4.4 % of 377 respectively.
- Most of the respondents have reported either of their parents' involvement in their lives as a major reason for divorce.
- It is also observed that the couples had very romantic ideas about married life and about each other. They had not given thought to the practical day to day life and responsibilities.
- In the most cases disturbance between a married woman and her mother in law or/and sister in law had affected the husband-wife relationship.
- Most of the respondents were not willing to give time to build their relationship. Further, the respondents were not ready to re-think on their decision of breaking of the relationship. They were so firm on taking divorce that they didn't want to reconsider reconciliation.
- Most of the women respondents, being financially independent, being employed and having financial security, did not want to compromise solely. They revolt back against husband and the family of husband. Women are becoming more aware of their rights.
- Culture of silence was observed broken by women respondents as they were more vocal about their thoughts, expectations, rights and what they feel about their married life and their family members at the time of divorce decision, but they were not assertive, vocal about their thoughts at the time of the decision of marriage and life partner.
- Men respondents and their family members were not able to cope up with the assertiveness, independence, changing role of women and the concept of gender equality.

- Most of the respondents mentioned the issues of compatibility for the breakdown of relationship and the reason for their decision of mutual consent divorce.
- It is observed that many of the respondents shared good understanding and respect for each other during the legal process of mutual consent divorce in the Family Court, Mumbai.
- It was also observed that physical violence was not the major reason mentioned by the respondents but non compatibility as the main cause for the mutual consent divorce.
- The responses collected from the in-depth interviews, also show the various reasons of accepting the legal provisions and going for mutual consent divorce. It was very important to note that around 43 % of the 377 respondents wanted to have a respectful separation and to avoid the allegations they have opted for the choice of separation. Around 16 percent wanted to avoid allegations whereas around 19 percent wanted to save the time and get free at the earliest from the relationship. More than 13 percent of the respondents did not have any other choice hence, opted for mutual consent divorce and its legal provisions.

Conclusion:

Talcott Parsons theory views society as having interrelated parts that contribute the functioning of the whole system. This sociological theory has assumption that institutions like religion, politics, economics etc. are all linked together. A change in one institution leads to a change in other parts. It is observed that family system is changing and marriage system needs to undergo change to meet with the need. Family system also has to make the changes in the so-called expected roles to avoid the conflicting relationships.

Due to the prevalence of patriarchy all over women are pushed back towards home, sustaining the sexual division of work. 'Patriarchy is control or power of men over women in the family and larger society, specified primarily as control over their productive and reproductive activities'. Walby (2010): "*Patriarchy is defined as a system of social structures and practices, in which men dominate, oppress and exploit women.*" As per the views of Walby western societies have moved from a system of 'private patriarchy' to "public patriarchy". That means for long time women were kept under the subordination of men in domestic lives, controlled by men i.e. before marriage father and later husband within their immediate family. Even though women have become financially independent yet, crucial decisions of their life are made by men in their life. Whereas public patriarchy keeps women segregated at work places at lower levels of hierarchy, while men at higher positions make policies for them and control their public

life. In the present study it was observed that women respondents under study have not yet crossed 'private patriarchy' and they have been paying cost of it. And for achieving street or public patriarchy the Indian women have to go a long way.

There is a need to make people aware about gender equality to ensure that they change their mind set. People need to be made aware about accepting the fact that modern educated women have changed a lot and that men have to change to get to the terms that women do have their aspirations to full fill and that they need their pace and space to grow. The families need not keep asking girls do the age-old jobs and make them perform roles as they used to do before. If the modern families wish to have women with career there has to be adjustment from both the sides. Divorce changes the status of the couples. There is a need to help couples to be more acceptable to each other and to know how to adjust to his/her problems. This can be done by arranging for Pre marriage counselling for healthy marital relations. Pre marriage counselling is very essential for youth for enabling them to make conscious decision about their marriage so that they can lead healthy, happy and satisfying married life. It would help youth in preparing oneself for marriage and understand their expectations from marriage and also from the life partner. Young people of today need to be given training in life skills, problem solving and communication skills in their formative age. It would support them to understand the conflict, manage their differences, and would enhance the ability to communicate and share emotions, likes, dislikes. This will make young people more matured, responsible, and caring. It would also make them able to understand the emotions of other person in marital relationship and value human relationships to make the married life healthy, satisfying and enjoyable.

References:

- Béteille, A. 1993b, Empirical meaning and imputed meaning in the study of kinship, University of Delhi: Department of Sociology, Working Paper No. 6 (mimeo).
- Biswas Soutik, What divorce and separation tell us about modern India, <https://www.bbc.com/news/world-asia-india-37481054>. Accessed April, 14, 2020.S
- Burgess, Ernest W., University of Chicago, Chicago, IL, US. "Economic, Cultural, and Social Factors in Family Breakdown: EBSCOhost." Accessed July 13, 2015. <http://web.b.ebscohost.com/ehost/detail/detail?sid=d1b3f410-fbaf-4e7a-87d6-215a3be2c358%40sessionmgr113&vid=0&hid=124&bdata=JnNpdGU9ZWwhvc3QtG12ZQ%3d%3d#db=pdh&AN=2013-38639-004>.
- Creswell John W., Research Design Qualitative, Quantitative and Mixed Methods Approaches, Second edition, Chapter 1, Page 12, University of Nebraska, Lincoln, SAGE Publications International Educational and Professional Publisher, Thousand Oaks, London, New Delhi.



- Debele, Efa (2019). Social Action and Social Structure: Summary and Commentary of Contemporary Sociological Theories with Special Emphasis to Talcott Parsons's Book, accessed April 15, 2020, https://www.researchgate.net/publication/335099733_Social_Action_and_Social_Structure_Summary_and_Commentary_of_Contemporary_Sociological_Theories_with_Special_Emphasis_to_Talcott_Parsons's_Book
- Desai Kumud. 1972, 2nd Edition, Indian Law of marriage and Divorce, N.M. Tripathi Private Ltd., Mumbai.
- Desai M., The socio-legal aspects of divorce among Hindus-The changing scenario, PhD Thesis, Mumbai University, 2008.
- Desai M. and Bhujbal S., 2004, Causes of increase in the number of divorce petitions and suggestions to minimize such litigations, 'Pratibimba', The Journal of Marriage counseling, pp. 70-72.
- Diwan Paras, Law of Marriage and Divorce 754, Universal Law Publishing Co., New Delhi, 15th Edn, 2008.
- Giddens Anthony, 1989, Sociology, Polity Press, London.
- Goode William J. 1956, After Divorce. New York. The Free Press Glencoe.
- Hazan, C. & Shaver, P. R. (1994). Attachment as an original framework for research on close relationships. Psychological Inquiry, 5, 1-22.
- Jegede Abayom, April 2020, Top 10 Countries with higher divorce rate in the world, Accessed April 14, 2020, <https://www.trendrr.net/8004/countries-with-highest-divorce-rate-world-famous-lowest-india-japan/>.
- Kapadia K.M., 1959, Marriage and Family in India, Oxford University Press, London.
- Kelly, E. Lowell, U Michigan, and Conley, James J. "Personality and Compatibility: A Prospective Analysis of Marital Stability ...: EBSCOhost." Accessed July 13, 2015. <http://web.b.ebscohost.com/ehost/detail/detail?sid=d16d3351-212c-4682-9521d6658ea01486%40sessionmgr198&vid=0&hid=124&bdata=JnNpdGU9ZWhvc3QtbGl2ZQ%3d%3d#db=pdh&AN=1987-15348-001>.
- Malinowski Bronislaw, Sex, culture, and myth, Harcourt, Brace & World, 1962, https://archive.org/download/B20442452/page/cover_w500_h500/jpg.
- Lee Bryant, Functionalism, Accessed April 15, 2020, URL: <https://www.historylearningsite.co.uk/sociology/theories-in-sociology/functionalism/>.
- Manu Smriti Sanskrit Text With English Translation, Accessed April 5, 2020. URL: https://www.academia.edu/31478379/Manu_Smriti_Sanskrit_Text_With_English_Translation.
- Parashar, A. (2008). Gender Inequality and Religious Personal Laws in India. *The Brown Journal of World Affairs*, 14(2), 103-112. Retrieved April 6, 2020, from www.jstor.org/stable/24590717.



- Pothen S., 1986, Divorce, Its Causes and Consequences in Hindu Society, New Delhi, Vikas Publishing House Pvt. Ltd, Published by: Iranian J Pub1 Health, 2006, Vol.35, No.3, pp.47-53, Downloaded from <http://journals.tums.ac.ir/>.
- Shamasastri R., KautilyaArthaashastra, page 224, Government Press 1915, English Translation.
- Quran, Downloaded from <http://quranforandroid.com>, Accessed April 16, 2020, Translation:Dr. Shehnaz Shaikh & Ms. Kausar Khatri <http://emuslim.com/>
- Singh, Renuka, Jawaharlal University, Information Society and Changing Family Relationships: A Case Study of Bangalore.” Accessed December 27, 2015.
- Shivappa, R., University of Mysore, A Study of the Judicial Dissolution of Marriage with Special Reference to Dakshina Kannada District.” Accessed December 27, 2015. <http://shodhganga.inflibnet.ac.in/handle/10603/37448>.
- Table 1, Data from the records of Family Court, Mumbai.

APIJGS