

Marriage Dissolution in India

Evidence from Census 2011

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Although India's divorce rate is low in cross-national perspective, the separation rate is three times as large as the divorce rate. There is striking variation across states, with marriage dissolution lower in the North compared with the South and North-east, consistent with previous arguments regarding relative female autonomy across regions. Surprisingly, there is very little difference between rural and urban rates of dissolution of marriage across states.

Although marriage dissolution greatly impacts families, there are few estimates of the extent and correlates of marriage dissolution in India (Amato 1994; Pothen 1989).¹ The Census 2011 data provides a good opportunity to understand some macro-level aspects of the phenomenon because, unlike previous censuses, it separately enumerated individuals who were divorced from those who were separated. It reports about 13.6 lakh individuals as being divorced, equivalent to 0.24% of the married population and 0.11% of the total population. To put this in international perspective, in Greenstein and Davis's (2006) study of 71 countries for 1995–98, the divorce rate ranges from a low of 0.04% of total population in Georgia to a high of 0.46% in Belarus.² And yet Gujarat's divorce rate is greater than that of Belarus, and Bihar's is close to Georgia, suggesting a striking level of regional diversity in India.³ Further, the separated population is almost treble the divorced population, and, to the extent that divorce is more likely to be reported as separation in India than elsewhere, this brings India's

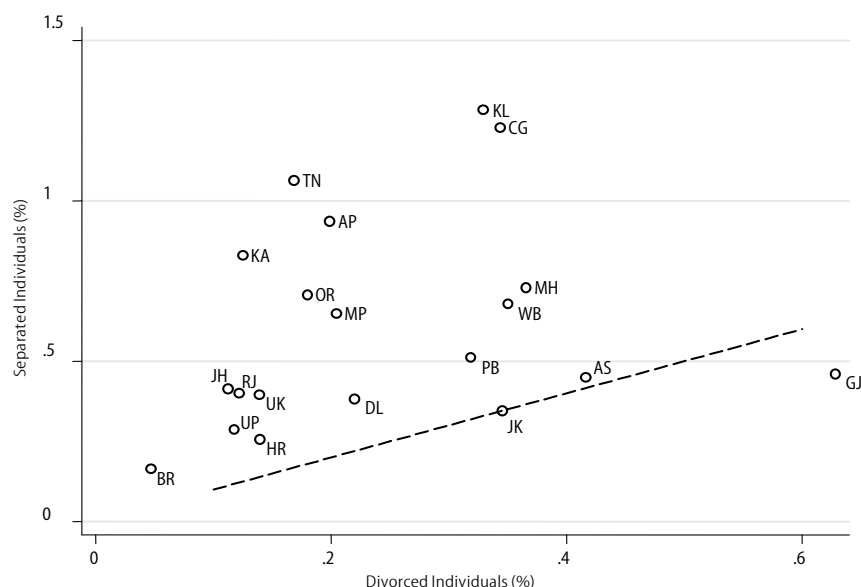
figures closer to the centre of the global distribution.

This article explores marriage dissolution in India and state-level diversity using descriptive statistics from Census 2011 data and points to the need for a deeper understanding of underlying correlates, particularly the importance of women's autonomy in observed rates of marriage dissolution.⁴

Separation and Divorce

Census 2011 reveals that the population that is separated is almost treble the divorced population: 0.61% of the married population and 0.29% of the total population is reported as separated, compared to 0.24% and 0.11% respectively for divorced individuals. Figure 1 plots divorce and separation rates in large states.⁵ Several interesting points emerge. First, unsurprisingly there is a positive correlation between the two rates.⁶ Second, barring the curious case of Gujarat (GJ), all large states have separation rates that are at least as large as divorce rates.⁷ That separation rates are typically higher than divorce rates is not surprising, given the stigma associated with reporting divorce (Bellappa 2013) and given the length of time it typically takes for cases to be tried and resolved in Indian courts (Kumar 2012). Third, Southern states along with the curious case of Chhattisgarh (CG) together have the largest separation–divorce gaps, and Northern states have relatively low gaps.

Figure 1: Divorce and Separation Rates across Large States



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Interstate Variations

The rest of the article uses the aggregate of divorce and separation as an indicator of marriage dissolution. Figure 2 maps this aggregate figure across states and union territories. It reveals large spatial variations in overall marriage dissolution rates. The North-east region appears to have relatively greater rates overall. The rest of the country shows a striking North–South division, with the region to the south of the Vindhyas having distinctly greater divorce and separation rates than the region to the north. This corresponds with other North–South distinctions made in the demography literature, most notably that of Dyson and Moore (1983) who argue that the Southern region has relatively greater female autonomy. Among Northern states with relatively low rates of marriage dissolution, Bihar (BR), UP, and Haryana (HR) stand out. Among Southern states with relatively higher rates, Kerala (KL) and Tamil Nadu (TN) stand out, along with the curious case of Chhattisgarh.

Focus on the North-east

The states of India’s North-east (Meghalaya (ML), Mizoram (MZ), Sikkim (SK), Tripura, Nagaland (NL), Arunachal Pradesh, Manipur and Assam) deserve a special focus for at least two reasons. First, tribal customary laws allow for unions which are informal and where cohabiting couples are deemed married (Nongbri 2003; Xaxa 2004). Second, conventional wisdom attributes relatively higher status of women in this region, partly due to the practice of matrilineal kinship systems and matrilocal residence among some tribes. However, traditional sociological markers of autonomy such as the participation of women in the labour market, economic decision-making, freedom of movement and access of and control over economic assets (Bloom, Wypij and Gupta 2001; Dyson and Moore 1983; Jeebhoy and Sathar 2001) may not be the best indicators to assess women’s agency in the North-east, given the limitations imposed by geography, livelihood patterns, out-migration, and insufficient political participation (Nongbri 2001).

The mapping exercise of Figure 2 had suggested that marriage dissolution rates

Figure 2: Map of Divorce and Separation Rates (Aggregated), by States

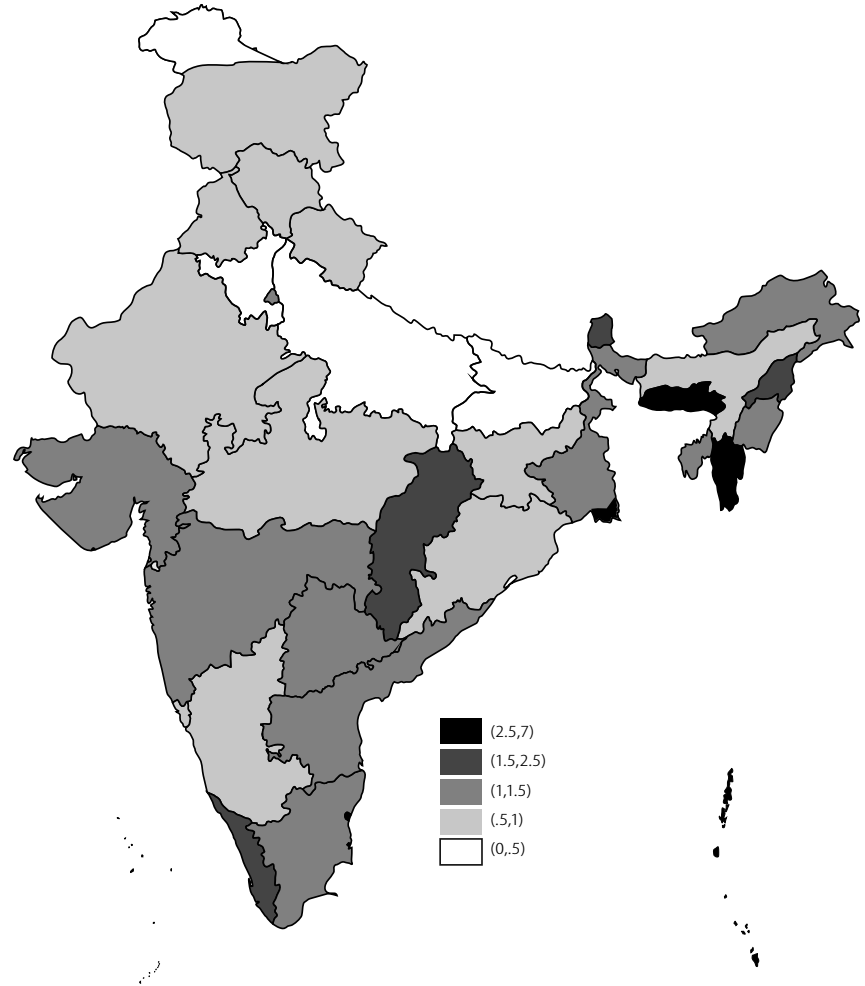
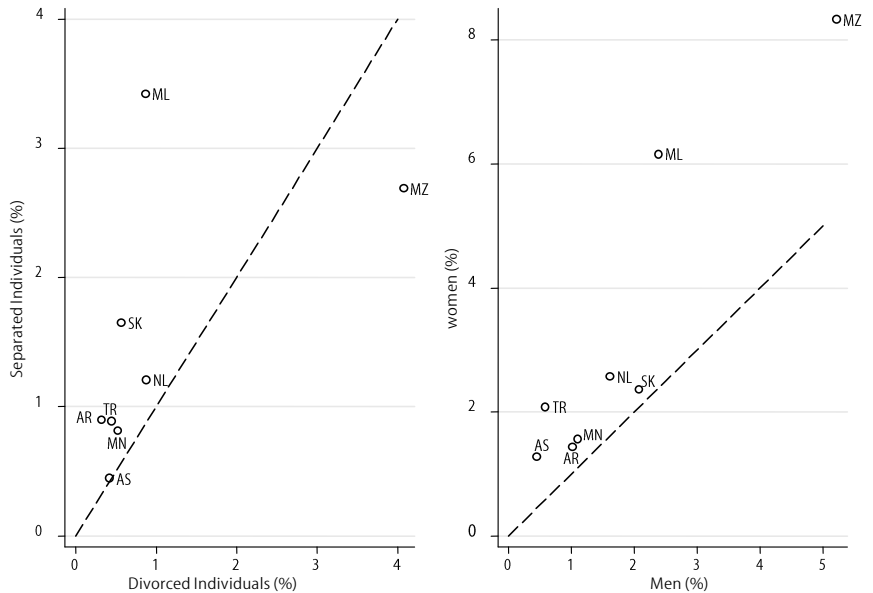
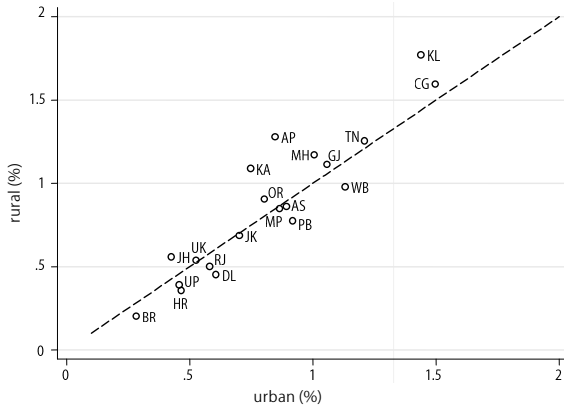


Figure 3: Divorce Rates, Separation Rates, and Gender Differences in the North-east States



in North-east states were relatively higher than elsewhere in India. In fact, Mizoram (MZ) has the highest divorce rate (4.08%), over four times the state with the second

highest rate (Nagaland, NL 0.88%) and over five times the highest non-North-east state (Gujarat, 0.63%). And Meghalaya has the highest separation rate (3.42%),

Figure 4: Marriage Dissolution across Large States, by Rural–Urban Status

more than double the highest non-North-east state (Kerala, 1.28%).

However, there are considerable variations even within the North-east region, as evidenced by Figure 3 (p 26). Meghalaya and Nagaland have similar divorce rates (0.88%), and yet Meghalaya has almost three times Nagaland's separation rate (left graph). Sikkim (SK) and Meghalaya have similar men's aggregate rates (combining divorce and separation), and yet Meghalaya has well over double Sikkim's women's rate (right graph). This particular pattern suggests the influence of the matrilineal structure of Meghalaya's numerically preponderant communities. This is consistent with the work of Leonetti and Nath (2009) which suggests that marriage breakdowns are significantly higher in matrilineal communities in the North-east.

Absence of Substantial Rural–Urban Differences

Figure 4 shows the difference in aggregate rates of marriage dissolution for rural and urban areas in large states. While one might expect urban rates to be substantially greater than rural rates, it is striking that this is not the case. In fact, the states with the relatively higher rural–urban gaps (Andhra Pradesh, Karnataka, and Kerala) have higher rates in rural rather than urban areas.

For Future Work

This article has reported divorce and separation rates recorded in the Census 2011 and explored the considerable degree of variation in these rates across states. The fact that marriage dissolution rates are higher in India's South and North-east

compared especially to the North calls for deeper scrutiny to explore the underlying factors. The regional variation in marriage dissolution reported here overlaps with regional variation in female autonomy made previously in the literature (Dyson and Moore 1983 and others), and it will be useful to explore this connection. It will also be important to understand why urban–

rural differences in marriage dissolution are not particularly stark, and the implications for relative cultural change.

NOTES

- 1 However, the qualitative literature discusses several factors affecting marriage dissolution, including domestic violence, infertility, infidelity, real or perceived excessive interference from in-laws or a woman's natal family (Ghosh 2015; Grover 2009; Mand 2008; Palriwala and Uberoi 2008; Unisa 1999).
- 2 The international literature uses two alternative definitions of the divorce rate. The first, Crude Divorce Rate, is the number of divorces per 1,000 population. The second, Refined Divorce Rate, is the number of divorces per 1,000 married population. We use the latter, although the patterns reported here do not change if the former is used instead. Note, also, that we prefer using percentages (that is, per 100 population) instead since this is more intuitive.
- 3 Since Greenstein and Davis's (2006) study is based on data for the late 1990s, this is meant merely as a broad brush comparison rather than a careful analytical one.
- 4 http://censusindia.gov.in/Census_And_You/age_structure_and_marital_status.aspx (accessed on 16 March 2015). To check on the reliability of census data, consider another source, the National Family and Health Survey (NFHS). However, unlike the census it is a sample survey focussed on maternal and child health, limited to the population aged 15–49, and disproportionately focused on women. From NFHS-3 (2005–06), we estimate 0.28% divorced individuals among the married population, and 0.78% separated individuals, figures that are broadly consistent with the census figures (0.24% and 0.61%, respectively). The difference between the census and NFHS figures could be due to the following reasons: (a) the NFHS surveys 15–49 year olds and therefore with a younger cohort, the rates of marriage dissolution are higher; (b) divorce and separation rates could be systematically underreported in the census because unlike the NFHS surveys which are longer, repeated, detailed surveys with many sensitive questions (for instance around HIV status and domestic violence) requiring building of rapport and more time, the census is conducted once every decennium and has no scope for eliciting such sensitive information. Note also that "separation" in the census figures appears to include instances of desertion; the NFHS-3 estimates these separately.
- 5 These are states with over 1 crore population: Uttarakhand, Jammu and Kashmir, NCT of

Delhi, Haryana, Chhattisgarh, Punjab, Assam, Jharkhand, Kerala, Odisha, Gujarat, Karnataka, Rajasthan, Tamil Nadu, Madhya Pradesh, Andhra Pradesh, West Bengal, Bihar, Maharashtra, Uttar Pradesh.

- 6 Although this is not statistically significant when the 20 states with over 1 crore population are considered, that may be due to the small set of observations. When all 35 states and union territories are considered, the positive association is statistically significant at the 99% level.
- 7 This can be seen by comparing observations against the dashed line (line of equality): states above it have separation rates greater than divorce rates, and states below it have separation rates lower than divorce rates.

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