Over the past twenty years I have assisted hundreds of divorcing or separating American families in resolving issues related to contested custody, visitation and support matters. I have also helped numerous men and women of Indian origin deal with issues of marital discord, domestic violence, adultery, alcoholism, and desertion. As the idea of divorce is no longer as unimaginable as it once was and the number of divorces among Indians is rising, I became concerned about the future of the sacred institution of marriage in the Indian community. Although Indians can proudly declare that nearly 100 percent of their marriages are a success, recent urbanization and women’s growing financial independence are causing the divorce rate to rise. Gender equality is now giving rise to ego clashes between couples, especially where the wife is also well educated and employed.

For centuries, marriage between Indians has been lifelong commitment and most sacred institution in India. Shaadi, or marriage, is the thirteenth ceremony among sixteen ceremonies in a Hindu’s life. It is a holy sacrament solemnized in accordance with rituals enjoined in the Vedas, the ancient scriptures of Hinduism. Vedic scriptures describe the wedding ceremony literally as the gifting of a young maiden from her father to her future husband, or Kanyadaana. When Indian parents successfully get their children married, it is considered a huge accomplishment, and they feel tremendous joy and relief from fulfilling one of life's most important responsibilities.

The Hindu belief in karma and dharma also impacts traditional perspectives on marriage. Karma, the belief that everything happens as a consequence of past deeds, is integral to the Hindu faith. If a woman or man has an unhappy marriage, the community assumes it is because of some bad actions they committed in a previous life. There is also an important Hindu belief that one must do their duty, or dharma. Dharma requires men and women to marry, as that is an integral part of being a householder, which is a key stage in life. The Vedas divide human life into four stages, brahmacharya ashrama (student), grahastha ashrama (householder), vanaprastha ashrama (retirement), and sannyasa ashrama (renunciation). Dharma forces one to remain married, even if it is an unhappy or difficult relationship, in order to fulfill responsibilities to family and society during the grahastha stage.

Another very important cultural factor for many Indians is saving face. An Indian’s reputation is a critical part of their identity and self-respect. Being divorced in Indian society carries a strong stigma. Couples often prefer to remain in an unhappy marriage in order to protect their image as an “ideal Indian family,” regardless of the pain and heartache the marriage may bring each day. When an Indian marriage fails, there is often a tremendous sense of guilt, shame, and fear of social rebuke. As a result, couples strive to remain together, no matter how painful the situation, in an effort to protect their reputation and children from the challenges associated with divorce, and to save face in the community.
The concept of divorce is still taboo to the vast majority of the Indian population. If a husband and wife are not getting along, the wife is expected to adjust and make things work. Women are instructed by their mothers, sisters, aunts, and grandmothers to concede to their husband’s wishes and expectations, with the hope that they will be able to win their husband’s heart and ultimately lead a happy life together. Some amount of flexibility is expected in any new relationship, yet in Indian society this burden falls primarily on the wife.

The empowerment of women has stimulated the dissolution of many Indian marriages. In the U.S. Indian women are now more open to the option of ending their marital relationship, as opposed to silently bearing lifelong abuses, as generations of women did before them. In our increasingly multi-cultural world, those mediators who take the time to gain awareness and sensitivity to important cultural factors are far better able to effectively assist clients from diverse backgrounds. I believe that the viability of the Indian marriage and the family unit is dependent upon younger generations of Indians better understanding the purpose of Hindu marriage traditions and determining which customs and values they choose to preserve. As mediators, we should strive to understand not only the immediate causes and potential effects of a familial and marital conflict but also the broader cultural and unique social implications as well.

Geetha Ravindra is the Mediator for the International Monetary Fund. She is also Chair Elect of the Dispute Resolution Section of the ABA and Chair of the Joint ADR Committee of the Virginia State Bar and Virginia Bar Association. Geetha previously served as Director of the Department of Dispute Resolution Services at the Supreme Court of Virginia and as an Adjunct Professor at the College of William and Mary School of Law and the University of Richmond School of Law. Ravindra is the author of Shaadi Remix – Transforming the Traditional Indian Marriage available on Amazon.com and Barnes and Noble.com. Shaadi Remix provides an overview of the factors Indian families have traditionally relied upon in arranging Hindu marriages and highlights that primary consideration of these criteria may no longer lead to successful marriages. In her book Ravindra shares more contemporary approaches to determining cultural compatibility as well as tips for good communication and conflict resolution skills. In addition to being helpful to Indian families, Shaadi Remix will be a useful resource for family mediators and attorneys working with Indian couples as it provides a good overview of Hindu marriage traditions and a cultural context for why divorce among Indian families is so difficult.