

Divorce in New York

Let them unwed

Breaking up is a bit less hard to do

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CHANA and Simon Taub battled in the courts for years. Unlike every other New York does not allow a fast, blameless divorce. Irreconcilable differences fly; adultery, abandonment, or cruel and inhumane treatment must instead be proven. In the case of CHANA, she denied his wife's claims of abuse. Both refused to leave their Brooklyn home. The dividing wall split their living quarters. And the Taubs are hardly alone. In the case of a presidential candidate and former mayor of New York, famously feuded with his ex-wife over who was cruel and inhumane. Both couples might have benefited from a bill that has just been passed by New York's state Senate.

If the bill is also passed by the Assembly, New York will at last join the club of states that allow people to divorce speedily without the consent of their spouse or a proof of fault. Raoul Felder, a celebrity lawyer known to the gossip columns as "Dr Estr" and "Duke of Divorce". He thinks that divorce rates will rise and that the only change will be his fellow legal eagles. He is partly right. According to a 2008 study by Wolfers at the Wharton School, divorce rates rose sharply after other states adopted no-fault divorce, but this trend reversed within a decade. Indeed, Mr Wolfers found that after the reform, the divorce rate is lower."

The New York State chapter of the National Organisation for Women (NOW) and the Catholic church for once agree; they are both vehemently opposed to the new measure. They argue that the change will leave women unprotected. Liz Krueger, a state senator who opposes the change disagrees. "The research shows female suicide and domestic violence fell after the adoption of no-fault divorce laws," she said. Ms Krueger had to move to Ohio to get a divorce.

Even judges are fed up with the outdated process, not to mention all the money that is wasted. New York's divorce law is in "the dark ages", lamented one law-school professor. It is only antiquated law on the books. Adultery, for instance, is still a class B

United States

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