

## Family relationships

家庭关系

Divorce: a love story

离婚：爱情故事的终结

While the government talks up family values, marriage break-ups are soaring

一边是政府弘扬家庭观念，一边是离婚率飙升。

YANG YOURONG's wife kicks him as they walk upstairs and he falls back a few steps, then follows again at a distance up to the cramped offices of a district-government bureau handling divorces in Chongqing, a region in the south-east. After more than 20 years of marriage, Mr Yang's wife has had several affairs; she is "quick tempered", he says (she had slapped him earlier, he claims). At the bureau, divorce takes half an hour and costs 9 yuan (\$1.40). It is administered a few steps away from where other couples get married and take celebratory photographs. Mr Yang and his wife have second thoughts, however; they return home, still arguing. Most couples hesitate less.

杨友荣上楼的时候被老婆踢了一脚，跌下几级台阶后又重新跟上，在老婆后面亦步亦趋地爬上已经挤满人的重庆某区民政局——他们是来办离婚的。20多年的婚姻中，杨的老婆多次出轨。“她是个急性子。”杨解释道，他之前还被老婆扇了一巴掌。在民政局，离婚只需要半个小时，花9块钱(约1.4美元)就能搞定。而不远处就是一对刚领结婚证的夫妇在拍纪念照。杨氏夫妇决定再想想，但回家之后仍然争吵不休。大部分来离婚的夫妇都没这么犹豫。

Divorce rates are rising quickly across China. This is a remarkable transformation in a society where for centuries marriage was universal and mostly permanent (though convention permitted men to take concubines). Under Communist rule, traditional values have retained a strong influence over family relationships: during much of the Mao era, divorce was very unusual. It became more common in the 1980s, but a marriage law adopted in 1994 still required a reference from an employer or community leader. Not until 2003 were restrictions removed.

中国的离婚率增长得很快。这表明整个社会正在发生巨大改变，在过去的几百年里，结婚是一件很普遍且持续终生的事(尽管传统上允许男人纳妾)。在共产党的领导下，传统价值观念对家庭关系仍具有重要影响：在毛时代，离婚非常罕见，到了80年代则变得普遍，但1994年婚姻法的实施，仍规定离婚需要雇主或党内领导开具的说明材料，这项限制直到2003年才被取消。

The trend reflects profound economic and social change. In the past 35 years, the biggest internal migration experienced by any country in human history has been tearing families apart. Traditional values have been giving way to more liberal ones. Women are

becoming better educated, and more aware of their marital rights (they now initiate over half of all divorce cases). Greater affluence has made it easier for many people to contemplate living alone—no longer is there such an incentive to stay married in order to pool resources.

这一趋势反映了经济和社会的重大变革。中国过去的 35 年经历了人类历史上最大规模的迁移，这直接导致了无数家庭的分崩离析。传统观念让位于更为自由的现代思想。女性受教育程度增加，也越来越意识到她们在婚姻中的权利(如今超过一半的离婚申请都是由女方提出的)。物质条件的改善让很多人不再担心独自生活——不必再为共享资源而被迫绑在婚姻里。

As long as both sides agree on terms, China is now among the easiest and cheapest places in the world to get a divorce. In many Western countries, including Britain, couples must separate for a period before dissolving a marriage; China has no such constraints. In 2014, the latest year for which such data exist, about 3.6m couples split up—more than double the number a decade earlier (they received a red certificate, pictured, to prove it). The divorce rate—the number of cases per thousand people—also doubled in that period. It now stands at 2.7, well above the rate in most of Europe and approaching that of America, the most divorce-prone Western country (see chart). Chongqing's rate, 4.4, is higher than America's.

中国已经成为全世界离婚最容易也是最便宜的国家之一，只要双方同意即可。在包括英国在内的许多西方国家，夫妻双方离婚前必须分居一段时间，而中国则没有此限制。据 2014 年最新统计数据显示，约有 360 万对夫妻分道扬镳，比十年前翻了一倍还不止(离婚的人会领到离婚证并拍照)。离婚率已上升至 2.7，跟同期相比也增加了一倍，该比值已经远超欧洲，直追美国这一离婚率最高的西方国家(见下表)。而重庆的离婚率则冲破了美国的平均值，高达 4.4。

Helped by the huge movement of people from the countryside into cities, and the rapid spread of social media, the availability of potential mates has grown with astonishing speed, both geographically and virtually. But many migrants marry in their home villages and often live apart from their spouses for lengthy periods. This has contributed to a big increase in extramarital liaisons. Married people previously had limited opportunities to meet members of the opposite sex in social situations, according to research by Li Xiaomin of Henan University. Peng Xiaobo, a divorce lawyer in Chongqing, reckons 60-70% of his clients have had affairs.

由于人口大量从农村转移至城市，再加上社交媒体的兴起，在不同地域或不同年龄段内找到另一半的几率已经比从前大得多。但很多背井离乡的打工者都是先在家乡结婚，然后再和配偶长期分居，因此婚外情的现象越来越普遍。河南大学的李晓敏研究表示，已婚人士在之前的社会条件下遇到异性的机会很有限。重庆的离婚律师彭小波也表示，他的客户中有 60%~70% 的人都有过外遇。

Such behaviour has led to much soul-searching. The notion that "chopsticks come in

pairs" is still prevalent; propaganda posters preach Confucian-style family virtues using pictures of happy, multi-generation families. (President Xi Jinping is on his second marriage but this is rarely mentioned.) Many commentators in the official media talk of separation as a sign of moral failure; they fret that it signifies the decline of marriage, and of family as a social unit—athreat, as they see it, to social stability and even a cause of crime. The spread of "Western values" is often blamed.

此举也给人们带来了深思。熟语“筷子成双成对，永不分离”一直深入人心。媒体也用四世同堂的和美家庭图画来倡导传统儒家家庭美德(事实上，习近平主席也是二婚，但这点很少为人所提及)。官方论及离婚，通常认为是道德风气败坏所致。他们担忧这标志着婚姻与家庭作为社会组成的意义大幅锐减——正如他们所能预见的，离婚对于社会的稳定性以及犯罪都是一大威胁。这些也常归咎于“西方价值观”的“泛滥”。

But marriage is not losing its lustre. In most countries, rising divorce rates coincide with more births out of wedlock and a fall in marriage rates. China bucks both these trends. Remarriage is common too. The Chinese have not fallen out of love with marriage—only with each other.

但是婚姻并未失去它的魅力。在大多数国家，与飙升的离婚率并发的还有婚外生子率的增加、结婚率的下降。中国却违背了这两种趋势。再婚现象也司空见惯。中国人并没有失去对婚姻之爱，只是他们不再爱对方而已。

It is tradition itself that is partly to blame for rising divorce rates. China's legal marriage age for men, 22, is the highest in the world. But conservative attitudes to premarital relationships result in Chinese youths having fewer of them than their counterparts in the West (they are urged to concentrate on their studies and careers, rather than socialise or explore). Living together before marriage is still rare, although that is changing among educated youngsters. People still face social pressure to marry in their 20s. Their inexperience makes it more than usually difficult for them to select a good partner.

不断攀升的离婚率部分是由传统观念本身所致。男性的法定结婚年龄是 22 岁(世上最大的婚龄)。但是中国年轻人对待婚前关系持保守态度，这就造成与西方的同龄人相比，他们中已婚的反倒还要少些(他们被迫关注于自己的学习与事业，而不是去与异性接触、交往)。婚前同居试婚仍旧罕见，尽管在一些受过教育的年轻人当中这一趋势日益改变。20 多岁的未婚青年还面临着社会舆论压力。再加上，他们经验不足，更难找到好的灵魂伴侣。

Couples' ageing relatives are part of the problem too. Yan Yunxiang of the University of California, Los Angeles, says "parent-driven divorce" is becoming more common. As a result of China's one-child-per-couple policy (recently changed to a two-child one), many people have no siblings to share the burden of looking after parents and grandparents. Thus couples often find themselves living with, or being watched over by, several—often contending—elders. Mr Yan says the older ones' interference fuels conjugal conflict. Sometimes parents urge their children to divorce their partners as a way to deal with rifts.

夫妇的老年亲属也是他们离婚的诱因之一。来自洛杉矶加利福尼亚大学的阎云翔指出“父母促使的离婚案件”也越来越常见。中国的独生子女政策造成许多人没有兄弟姐妹来分担照顾父母与祖父母的重担。因此夫妻常常与多个(通常是相互不和的)长辈同住或者受到他们的监视。阎云翔称长辈的干扰会给夫妻间的冲突火上浇油。甚至有时父母会迫使他们的子女与另一半离婚以解决家庭的矛盾冲突。

Women are more likely to be the ones who suffer financially when this happens. Rising divorcerates reflect the spread of more tolerant, permissive values towards women, butlegislation tends to favour men in divorce settlements. A legal interpretation issued in 2003says that if a divorce is disputed, property bought for one partner by a spouse's parentsbefore marriage can revert to the partner alone. That usually means the husband's family:they often try to increase their child's ability to attract a mate by buying him a home.

而当夫妻离婚时，更易遭受经济重创的一方是女性。攀升的离婚率也反映了社会对女性更为包容的价值观，但是司法体系更照顾离婚案件中男性的利益。2003 年颁布的新婚姻法解释指出如果有离婚纠纷，婚前由一方父母出资为子女购买的不动产会被认定为夫妻一方的个人财产。这通常意味着男方家庭会努力购置房屋以增加他们求偶的吸引力。

In 2011 the Supreme Court went further. It ruled that in contested cases (as about one-fifth ofdivorces are), the property would be considered that of one partner alone if that partner'sparents had bought it for him or her after the couple had got married. In addition, if onepartner (rather than his or her parents) had bought a home before the couple wed, that personcould be awarded sole ownership by a divorce court. This ruling has put women at adisadvantage too: by convention they are less often named on deeds.

2011 年，最高法院又进一步裁定如果婚后一方父母为子女出资购买不动产，该不动产应被认定为夫妻一方个人财产。另外，如果婚前一方(而不是一方的父母)购买的房产，那么该房产应归购买房产者(产权登记者)一人所有。这样的判决也使女性处于不利地位：依照规约而言，她们在家庭里的苦劳、功劳不再像以前那么被看重。

In practice, if the couple has children the person with custody often keeps the home—moreoften the mother. Yet the court's interpretation sets a worrying precedent for divorcedwomen. Their difficulties may be compounded by the two-child policy, which came into effect onJanuary 1st. If couples have two children and both partners want custody, judges often assignparents one child each. Marriage and the family are still strong in China—but children clearly liein a different asset class.

事实上，如果夫妻有小孩，有监护权的一方一般享有房屋——通常是指母亲。然而依照最高法院颁布的解释，这项判例令离异女性堪忧。此外，一月一日开始生效的二孩政策又加剧了她们的困境。如果夫妻有两个小孩，而双方都要监护权，那么法官通常会判决双方分别抚养一个小孩。婚姻与家庭观念在中国依旧很强——但是孩子很明显地又是另一项资产。