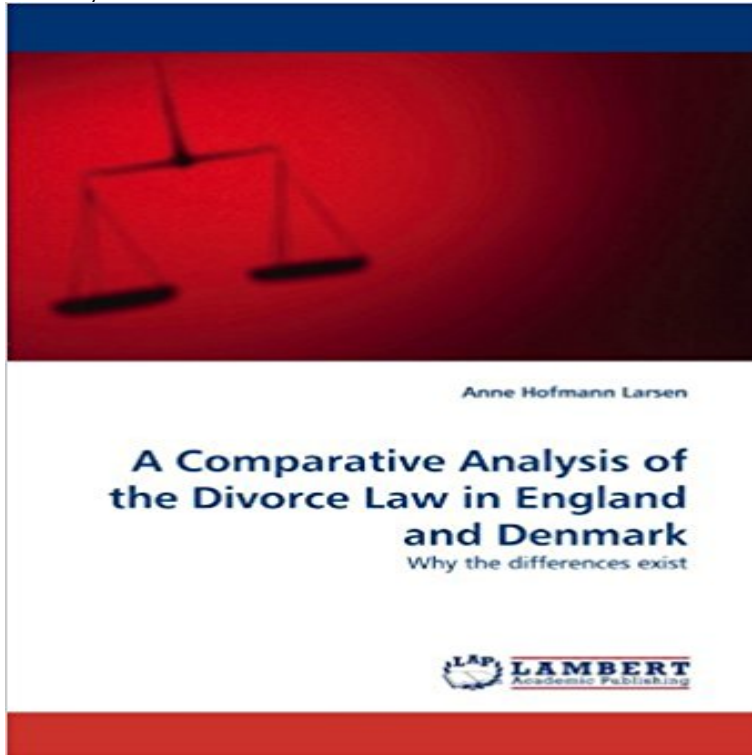


A Comparative Analysis of the Divorce Law in England and Denmark: Why the differences exist



From earliest years, in both England and Denmark and until around the 18th and 19th centuries, getting married was a quite uncomplicated affair, in which the law did not involve itself too much; an individual was free to marry merely by the act of sexual intercourse with their partner. Getting a divorce, on the other hand, was a completely different, highly controversial and complicated affair as the Christian idea of marriage as an indissoluble life-long union prevailed. In the course of time, however, divorce has become an available legal remedy in both countries - first with the passing of the English Matrimonial Causes Act in 1857 and later on with the Danish Marriage Act in 1922. Since then, the rules on divorce matters have developed continuously and undergone significant changes in both countries. Still, despite this relatively similar development, closer inspection has revealed that a number of substantive differences between the divorce law in the two countries still exist. Based on that, the purpose of this study is not only to establish the existing differences, but indeed also to investigate why they exist.

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