

Surge of Divorce in Muslim World

Dr. Hafiza Shahida Parveen*

Family life is a very essential institution for human civilization. Marriage life is accepted norm in all societies and religions. Islam prefers family life and disapproves its breakage. Divorce creates a painful situation for spouses and children families as well as for society. When this institution is disturbed, negative effects are felt by each family member. Ratio of divorce is increasing at high scale, break ups are multiplying. Sometimes divorce occurs on minor and trifling reasons. This panic situation is prevailing everywhere in the world. In Muslim countries, scenario is also very serious and it is the responsibility of whole Muslim ummah to make the situation better. Spouses are not well aware of their marital duties; they are not properly trained for this vital and sensitive responsibility. This panic situation must be addressed carefully and urgently, so that this vital institution peace and tranquility could be saved from havoc.

The most lovely and beautiful shelter on the earth is "home sweet home". This doesn't provide only a physical protection and comfort but also caters for psychological and spiritual umbrella, which luxuriates human life. Every person needs this centre of love, peace and tranquility, without which he is not able to cope with the hardship of life. Marriage life is outcome of a legal and religious bond; which brings liabilities to each partner. Now a day's people don't care for their responsibilities, that is why ratio of divorce is increasing day by day, in the world also as well as in Islamic society.

Meaning of Divorce:

The word divorce traces its origin back to Latin, means the splitting of a unit, the permanent physical separation of the spouses. While the Arabic word "Talaq" means to set loose, set free or to leave.

According to Arabic dictionary, divorce means to breach the bond, visible or invisible.¹

In Islam, divorce (or the dissolution of marriage) is the termination of a marital union, breach of Nikah (marital contract)² in different societies it means the final termination of a marital union, cancelling the legal duties and responsibilities of marriage and dissolving the bonds of matrimony between the parties.³

* Lecturer, Department of Islamic Studies, University of the Punjab, Lahore

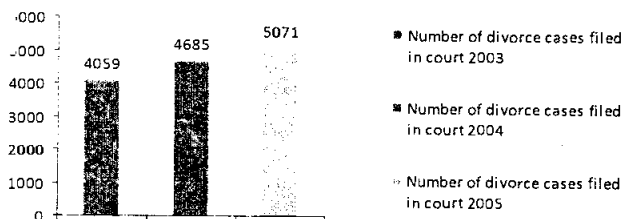
Increase in divorce:

In present era, marriage life is abundant with number of problems, neither it is easy to establish nor to continue it; so many causes are here to demolish this peace giving center. East or West, marriage institution is suffering severely, divorce rate is on alarming scale.

In United States, it is estimated that 40% of all marriages ended in divorce as of 2008. One study estimated that legal reforms accounted for about 20% of the increase in divorce rate in Europe between 1960 and 2002.⁴ In Australia, nearly every third marriage ends in divorce. Marriages are avoided as far as possible and divorces are easier and galore. Not being able to cope with the wide spread sexual anarchy; many countries in the west, including Britain have legalized homosexuality.⁵ Muslim world is also rushing towards the breakage of family life, although having a unerring and elated family laws which provide gaiety and security to married life.

In Saudi Arabia, according to the ministry of planning, 70,000 marriages and 13,000 divorces were recorded last year. In Riyadh, there were 3,000 divorces out of 8,500 marriages that took place in 2002. Makkah had the largest number of divorces (396,093), followed by Riyadh (327,427), the Eastern province (228,093) and Asir (130,812). If the trend continues there will be eight million single women in the Kingdom by the end of the decade according to Dr. Ebtisam Halawani’s study.⁶ According to another report, 33 women face divorce daily, so the percentage has raised to 20%.⁷ In Saudi Arabia, about 70 thousand couples start their marital life annually, a number of 13 thousand divorces recorded in this period.⁸ In my own homeland Pakistan, scenario is the same. In a survey conducted at family court of Lahore, it was revealed that every year the percentage of divorce is increasing. In 2003 cases of divorce filed in family court were 4059. In 2004 the rate increase with 4685 and in 2005 the rate of divorce according to lawyers at family court was 5071.⁹

Number of divorce cases filed in court 2003	4059
Number of divorce cases filed in court 2004	4685
Number of divorce cases filed in court 2005	5071



In September 2007, 1213 cases were registered in family courts, 795 cases were of dissolution of marriage among them¹⁰ According to the statistics retrieved from the court of senior civil judge Lahore, from January to April 2008, 3523 cases were registered only in four months, about 80 to 85 cases are being registered daily¹¹ According to the same court of Faisalabad, 1466 cases were, registered in this period.¹²

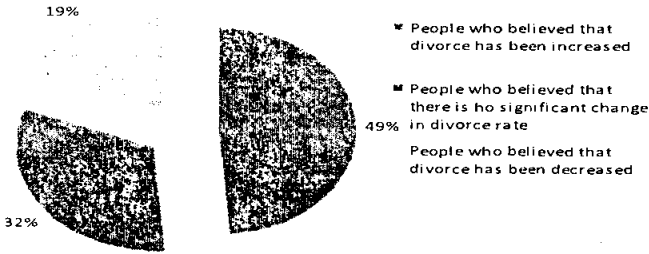
Shazia Rasheed advocate told that divorce percentage has raised 50% to 60% a survey report about family cases shows that every fourth couple gets rid of their marital union.¹³ A large number of "fatawas" are about marital discord, 85% percent questions are about family matters particularly divorce and triple divorce.¹⁴ Marital discords are abundant, causing lot of discontentment to a blissful married life. Faiz Hassan sial did a research in 1998, about martial disagreements, result was very shocking, 90% couples were not satisfied with their marital life, they were agree to leave their spouses if they had a choice to do so, and had a better settlement.¹⁵

Causes of increasing divorce rate

Family life needs care, patience and peaceful behavior, but if the couple is not able to show the proper handling of family problems, then family life suffers and even meets with breakage.

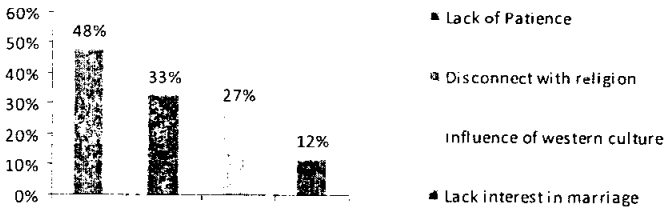
Dr. Jamal al Touwayribi (children psychiatrist in King Fahad Hospital) "said the causes of divorce is lack of understanding in couples, parents do not train their children to solve problems"¹⁶ According to Dr. Ebtisam Halwani's study, causes of increase in divorce are torture and ill treatment of male partner.¹⁷ Prof. Abdullah Al Fauzan said 55% divorce occurred on account of second marriage and 38% caused by mal relations of husband to other women.¹⁸ Sometimes, reason of divorce is very minor and trifling, for instance a Sudian divorced his wife and Egyptian killed just because of purchasing tomato.¹⁹ A sudian advocate said television is also causing disaster to family life; both persons are influenced by programme take divorce as a sultion of these discontentment.²⁰

A recent Gilani poll conducted by gallup Pakistan shows that while nearly half of all Pakistanis (48%) believe that the rate of divorce has increased, a significant (32%) believe that there has been no notable change in divorce rate in the late ten years, whereas 19% claim it has decreased.



Amongst various factors causing an increase in divorce rate, lack of patience top the list as cited by 48% followed by disconnect with religion (33%) influence of western culture (27%), women giving priority to their career (12%) and men’s lack of interest in their marriage.²¹

Factors causing divorce



Bernama, in his study identified seven factors as the main causes of divorce among couples living in Asian countries; those are failure by husbands and wives in discharging their responsibilities, low grounding in religion, interference by third parties, differences in culture, sexual problems, money and careers.²²

There are some other causes that contribute in the occurrence of divorce, these are poor communication, financial problems, lack of commitment to the marriage, dramatic change in priorities, infertility, failed expectations or unmet needs, addictions and lack of conflict resolving skills.

“The most important factor which is contributing in high rate of divorce in Pakistan is financial independence of women, lack of compromise from both sides and intolerant attitude. Women are acquiring higher education and contributing their due share in every sector of society and they are not a burden any more. Working

women, who are financially strong, are less willing to work on their marriages and can quickly opt for divorce.²³

When women earn themselves, husband mostly do not care for their maintenance responsibility in this way conflict arises. Sometimes earning women do not pay due respect to their husbands.

In the last two decades there is a substantial raise in divorce in Pakistan, there are few reasons behind this whole dilemma such as lack of patience and tolerance towards each other, lack of spousal respect, forced marriages, child marriages, emotional instability, verbal or physical abuse, cultural clash, third party intrusion and change in attitude towards divorce.

Impacts of divorce

Islam provides laudable family laws which protects this centre of peace and tranquility and imposes checks to break this shelter of civilization. Our peace giving religion does not appreciate divorce because breakage of marital contract brings ruins to children as well as spouses. After divorce a child has to choose either his mother or father, in this situation he is deprived of sound love, care and affection. These broken families can not bring up children as a healthy and balanced person because of single parent hood.

“The family additionally provides such other socially beneficial functions as the, rearing and socialization of children, along with such humanitarian activities as caring for its members when they are sick or disable. On the economic side, the family provides food, shelter, clothing and physical security for its members. Finally, on the social side, the family may serve to promote order and stability within society as a whole.²⁴ In case of divorce, all above said blessings are dispursed, consequently, whole society suffers, social evils such as murder and other crimes prevail in society indirectly. It also causes many psychological problems to effectees of divorce. That is why, the shaitan, the worst enemy of a Muslim, confers awards to his such agents who are successful in breaking family life, he manages to stir up discord between a man and his wife.²⁵

Divorced families have higher rates of clinical depression. Family disruption and low socio-economic status in early childhood increase the long-term risk for major depression.²⁶

It is widely known that widows are at high risk of medical illness, a number of studies show that, generally, even more

physical and mental health problems effect the divorced. Data collected by Gollagher, for instance, found that divorced and separated individuals have worst health status.²⁷

After divorce, women especially in Pakistan setup are left in critical situation. Their readjustment in society is likely to be a serious problem affecting not only their individual personalities but also the one related to them and sometimes whole society. But proper socialization is only possible if families are integrated, on the other hand if family life is broken, this function is disturbed and family life may produce maladjusted personalities that may cause serious social problems.²⁸

Remedies to reduce divorce rate:

Marriage is very important decision in one's life, and should be taken, only when one is mature enough to handle all that is outcome of this bond. Compromise is key to the success in marital life, parent must train their children to compromise with others "The potent cure to most marital problems is for each spouse to be kind to the others. In this regards a women would do well to take the first step"²⁹ Privacy of matters also be maintained. "They are the wise husband and wife who strive to resolve their problems on their own unless, of course, the situation becomes so dire that outside help is needed."³⁰ Rushing to the courthouse for the most trifling of reasons, some times makes problems more complicated. "It is also important to understand that judges can not help to resolve problem it is such that they can only be resolved in private, without the intrusion of a judge. They are problems that cannot be resolve by force or by a court order, they can only be resolved when both husband and wife act based on their religious and moral consciences or, if things get really bad, when they choose wise and just arbitrators from within their families. When marital conflict is taken before a judge, very few couples are saved from divorce."³¹ Proper and necessary training must be given to the persons before entering in the contract, both should know their liabilities and responsibilities of marital life and way to handle marital strife carefully. In joint family system, people should know the limitation of their authority and sensitivity of privacy.

Allah has decreed:

وَعَايِشُوا حَتَّىٰ بِأَلْبَابِهِمْ بِالْمَعْرُوفِ .³²

And live with them in a proper manner

The Holy Prophet (S.A.W) on the occasion of the Hajj-atul-Wida addressing a very large gathering, said: "Listen to me, O People! Treat your women nicely as they are under your control. You have no authority to maltreat them except when if they misbehave."³³

If a man does't like his wife, Islam forbids him to hate and ignore his wife. Allah exalted directed Muslim in Quran

فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا³⁴

"For of you dislike her (for some reasons) it may happen you hate a thing wherein Allah has placed much good (for you)

The Holy Prophet (S.A.W) has explained this point by saying

لايفرك مؤمن مؤمنة إن كره منها خلقا رضى منها آخر³⁵

A Muslim should not hate his Muslim wife, if he dislikes some habits of his wife, if is just possible that he may like some other traits in her.

The kind and benevolent treatment of the Holy Prophet (Peace and blessing of Allah be upon him) towards his wives is a practical example for all the believers. He never even thought of giving physical punishment to his wives.³⁶

In order to ensure discipline and stability in domestic life, men have been given more responsibility over women. The Holy Prophet (Peace and blessing of Allah be upon him) has taught that a mumín should be an embodiment of virtues and of excellent moral conduct and behavior and that the best of you in this respect are the kindest of you to their wives.³⁷

The Messenger of Allah (Peace and blessing of Allah be upon him) has observed.

"The most perfect of the believers in faith is the best of them in moral excellence, and the best of you the kindest of you to their wives."³⁸

One main aim and object of the Messenger of Allah (Peace and blessing of Allah be upon him) in calling for the meeting of the Ummahat-ul-Muminin (mothers of the believers) in Madinah, eight or nine years before his death was, besides other thing, to give a practical lesson that mutual love and harmony should exist between husband and wife.³⁹

Allah the exalted has said in the Holy Quran.

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ⁴⁰

Men are in charge of women because Allah hath made the one of them to excel the other, and because they spend of their property.

It is, however, the duty of a pious lady that in the event of clash with her husband, she should overcome her anger considering her husband to be the head of the family. Due to the husband's love his wife, the latter must also please him, be solicitous for his ease and comfort and have respect for and honour him. A husband who showers all his love and affection on his wife and spends his hard earned money to provide her comforts and amenities, taking her to be the centre of his devotions must be respected and honoured by his wife.⁴¹

The Holy Quran guides to solve the conflict between spouses in this manner.

Allah Almighty says in Quran

وَأِنْ خِفْتُمْ شِقَاقَ بَيْنِهِمَا فَابْعَثُوا حَكَمًا مِنْ أَهْلِهِ وَحَكَمًا مِنْ أَهْلِهَا.⁴²

And if you fear a breach between them twain (the men and wife), appoint an arbiter from his folk and an arbiter from her folk.

Hedrat Maulana Ashraf Ali Thanvi gives the following comments on this verse:

And the women who are arrogant in their behavior should be first admonished. If they do not change their behaviour, do not share their bed. If they still disobey you beat them not causing any injury. If they obey you, do not commit aggression on them on one or another pretext. If the circumstances are such that there is risk of the situation being worsened, a judge who is competent to resolve the dispute may be appointed from either side who should investigate the matter and admonish those at fault, the husband or wife, or both. If the judges are sincere in their mission, they would by Allah's favour succeed in effecting a reconciliation between them. Allah is all knowing, all aware. Allah knows how mutual love can be restored between them and when he sees the good intention of the judge, He will guide them on the right lines. The judges must sincerely try to remove the doubts and suspicions existing in the mind of husband and wife and patch up the differences between them. The husband and wife should also cooperate with the judges and act upon the decision arrived at by them.⁴³

Now a day's, most people do not care for kindness and behave strictly to their wives and treat them like slaves. Naseem

Ahmed highlights this situation with these words “the husband assumes the role of ruler, superior, controller, oppressor and master, while the wife on the other hand, is reduced to a slave, a captive, a low, inferior and submissive creature.”⁴⁴

Epilogue:

In short, this relationship is very precious, societal development depends on its solidarity; we should try to bring happiness to this life. Breakage of this blissful relation makes life of spouses and their offspring like a desert where every person suffers. This life, soothes our physical and psychological desires satisfactory, it is responsibility of the whole society to cater strength for this lovely and peace giving institution.

Parents must train their children, both male and female, for marital responsibilities. In our religion and society male is more responsible for the betterment of family, so he must treat nicely and softly. Forgiveness and patience is key to success and will make this life sound, peaceful and healthy.

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