

Extended Abstract

International Symposium of Sabaragamuwa University of Sri Lanka (ICSUSL) - 2017

Title: A Sociological Study on Divorce among Muslims in Sri Lanka

Author 1: Miss T.M.F. Wazeema

Affiliation: Instructor in English, English Language Teaching Unit (ELTU), Faculty of Arts & Culture, South Eastern University of Sri Lanka.

E-mail Address: wazeefathima@gmail.com

Author 2: Mrs N.S. Jayathunga

Affiliation: Senior Lecturer in Sociology, Department of Social Sciences, Faculty of Social Sciences & Languages, Sabaragamuwa University of Sri Lanka.

E-mail Address: nadeesara@yahoo.com

1. Abstract

The prevalence of divorce has been increased among Muslim Community in Sri Lanka. This study was conducted among 80 divorcees to identify the causes of divorce, consequences of divorce among divorcees and role of Quazi (Islamic Judge) in Muslim divorce case with special reference to Akkaraipattu DS division. Primary data was collected through interviews and observation. Secondary data was gained through Quazi Court (Islamic Court) records, DS office records, reports, religious books (AlQuran and Al-Hadees), journals, articles, and website. Collected data were analysed by using qualitative and quantitative methods and presented in text, tables and graphs to get the descriptive outcome in an appropriate and attractive manner.

The study explored that, Early age marriage, Unemployment, Poverty, Low income, Alcohol addiction, Quarrels and arguments, Secularization trends, Low religiosity, Inadequacies in divorce laws and Poor qualities of Quazi (Islamic Judge) are the demographic, economic, behavioural, cultural and legal factors which

contributed to more divorces among Muslims. The study focused the consequences of divorce among divorced couples. Both divorced men and women face difficulties after their divorce. Stress, economic burden, family responsibility, child rearing, depression and not interested in remarriage are the negative consequences faced by divorced women. Divorced men also impact emotionally and socially. Loss of social recognition, aggressive, loneliness and guilty feeling are some of it. Freedom, peaceful environment, another chance to lead a better life and release from marital stress are the positive consequences of divorce. Negative outcomes of divorce is severe than positive outcomes, especially among divorced women. The study also talked about the role of Quazi (Islamic Judge). We can observe a shift in Muslim Community through this rapid growth of divorce towards modernization; it definitely destructs the basic social

institution family. Immediate actions are essential to address this social issue to preserve the marriage and family life.

2. Introduction and research problem/issue

The human society constructed with various parts and it has social order. When they fail to regulate and adjust themselves, the result will negatively impact the whole society and it leads to social problems (Rao, 1998). Divorce is considered as one of the social problem found in every society today. Divorce defined as the termination or cancelling the legal duties and responsibilities of matrimonial life under the rule or law of the particular country between married couples (Divorce, 2016). In the past, divorce is considered as a sinful and shameful activity, but today it's common among all. Not surprisingly, the number of divorce cases is increased among Muslims in Sri Lanka. This explorative study was conducted among Muslim divorced couples to identify the causes of divorce, consequences of divorce and the role of Quazi (Islamic Judge) in Muslim divorce case.

The rising divorce rate among Muslims in Akkaraipattu Divisional Secretariat division [63 divorces in 2010, 72 divorces in 2011, 57 divorces in 2012, 53 divorces in 2013, 75 divorces in 2014, and 84 divorces in 2015 (Statistical Hand Book, Akkaraipattu DS division, 2014-2015)] illustrates that marriage is no longer considered as a life-long commitment. Muslim Community should be responsible for this huge number of divorces that take place in every year. Islam considers marriage and family life as worship, due to its benefits to the people. Family life is compulsory in Islam and it does not approve divorce in normal way and it is the most hateful thing in the view of "Allah" (Akram, 2011). But now divorce becomes a common thing and normal ending

for an unhappy marriage life among Muslims in Sri Lanka. What has gone wrong? Where we are now? This study addressed this problem to prevent divorce and promote healthy marriages among Muslims in Sri Lanka.

3. Research Methodology

This study was conducted in Akkaraipattu DS division of Ampara District which is located in Eastern Province, Sri Lanka. It's predominantly a cultured area with full of religious awareness. In here can observe three ethnic groups; however majorities are Muslims (99%) dwelling for the last several decades. The main occupations of people here are agriculture, fishing, and small industries. Also numbers of educated people are working in different types of employment sector and contribute to economic development of the area (Resource Profile, Akkaraipattu DS division, 2011-2012). The sample usually represents a subset of small size. Purposive sample method is used for this study and sample size is 80 divorcees who got divorce in 2015. Interview and observation are the primary data collection methods and Quazi Court (Islamic Court) records, DS office records and annual reports, religious books (Al-Quran and AlHadees), journals, articles, and website are the secondary data used for this study. Collected data were analysed through qualitative and quantitative methods to get the descriptive and qualitative outcomes. Computer soft wares like Microsoft of word2007, Microsoft of excel-2007 also employed and collected data were summarized and presented in text, tables and graphs in an appropriate and attractive manner.

4. Results and findings

This study found that, various and interrelating factors have contributed to rapid growth of divorce among Muslims. Early age marriage is the demographic factor which contributes to more divorce among Muslims. Poor economic situation often impact negatively on marital relationship, Unemployment, Poverty and low income are the economic factors which induce the divorce rate among

Muslims today. Alcohol addiction, Conflicts are the behavioural factors which also contribute to high rate of divorce in the study area. According to Islamic religion, divorce is not an appreciated one and it hated by God Allah and his messenger Prophet Mohammed. Secularization trends and low religiosity are the cultural factors which

contribute to high risk of divorce among Muslims. Inadequacies in divorce laws and poor qualities of Quazi (Islamic Judge) are the legal factors which further increases number of divorces in the study area.

This study discussed about the consequences of divorce among divorced women and divorced men. Compare with Muslim divorced men; Muslim divorced women suffer more after their divorce and experience low standard of living. Most of the divorced women in the study area need to look after their family. Child rearing leads to greater economic burden and responsibility in them. They worried about their divorce and it leads to stressful life. Uncontrollable crying, depression are common among them. The remarriage of the divorced women become a dream and most of them are not interested in marital life. Not only the divorced women, but the divorced men also impact emotionally and socially due to their divorce. They lost their social recognition, less likely to share their personal feelings, become aggressive, be alone always and have guilty feeling. Most of them are worried about their divorce and thinking about their future life, especially their children. Divorce also views in positive way. The study revealed positive consequence of divorce too. Of course divorce is the best solution for some couples who lived in a conflict and abusive environment. There are some cases in which divorce leads to a happier, healthier life. Divorce provides freedom and peaceful environment to couples. The divorced couples have another chance to lead a better life according to their wish and they feel relief after their divorce.

Quazi is an Islamic judge, governing the Muslim religious law. The role of Quazi (Islamic judge) differs from other lawyers and legal system (Muslim Divorce and Marriage Act, 2016). The Quazi (Islamic Judge) plays a significant role as mediator or facilitator than a judge in dealing with divorce cases. According to divorce case, divorcees, their background, and the environment of the people, the approach of Quazi (Islamic Judge) can differ. Though, mediation or reconciliation between the husband and wife is the first priority of Quazi (Islamic Judge) than giving the marital separation legally. The crime, bribe and illegal dealings are restricted in this service oriented

profession. He is the responsible person and should be unbiased and neutral in dealing with marital problems between husband and wife.

5. Conclusions, implications and significance

Divorce is increasing among Muslim Community in Sri Lanka. Multiple and interconnected factors such as demographic, economic, behavioural, cultural and legal factors contributed to this increase in number of divorces among Muslim couples today. Divorce carries both positive and negative consequences among divorcees. Compared with divorced men, divorced women suffer more after their divorce and negative consequence of divorce is severe than positive consequences of divorce among divorcees. The Quazi (Islamic Judge) played a significant role in preventing divorce among Muslims. Strong recommendations and immediate actions are essential to address this social issue to preserve the marriage and family life.

6. References (Selected)

- (2011-2012). Resource Profile, Akkaraipattu DS division.
- (2014-2015). Statistical Hand Book, Akkaraipattu DS division.
- Akram, M. (2011). *Nadaimuraketa Islam* (Vol. ii). Colombo: Islamic Book House.
- *Divorce*. (2016). Retrieved March 13, 2016, from Wikipedia, the free Encyclopedia: <https://en.wikipedia.org/wiki/Divorce>
- *Muslim Divorce and Marriage Act*. (2016). Retrieved May 16, 2016, from Laws of Sri Lanka: <http://www.srilankalaw.lk/Volume-V/muslim-marriageand-divorce-act.html>
- Rao, S. (1998). *Primary Principles of Sociology with an Introduction to Social Thought* (2nd ed.). New Delhi, India: S.Chand & Company Ltd.

Keywords: Divorce, Divorcees, Muslims, Quazi (Islamic Judge)

Corresponding Author: **Miss T.M.F. Wazeema**

Tel: 0094-76-6122753

E-mail Address: wazeefathima@gmail.com