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**DIVORCE: CAUSES AND CONSEQUENCES IN ISLAMIC
PERSPECTIVE**

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ABSTRACT:

A Family breakdown may provoke mental disturbances in the partner and their children. Marital crises do not only affect the spouses but usually have a negative impact on the functioning of the whole family. A conflict situation may lead to psychosomatic and psychological illness, behavior and personality disturbances, sexual dysfunctions or addictions. The reason why a problem emerges among spouses is usually a problem caused by one of the partners nearly always affects also the other and requires conflict solving strategies on both sides. When the parents' divorce, the child knows the family doesn't look the same any more. And it certainly feels good to a child to hear a teacher to call his or her home broken or hear the doctor calling the child victim of

divorce or parents stating that their marriage failed. Divorce might affect the children adversely. And many people don't get divorce because of fear about how it might affect the children. Regardless of one motivation and willingness about the divorce, the divorce is likely to affect the children in many ways, while many children are upset by a divorce in the beginning. The children of divorce can survive by maintaining a healthy adjustment in their lives. Divorce is the most hated and unpleasant thing in Islam. The most detestable of lawful thing nears Allah is divorce. Despite the Islam permits divorce as it becomes inevitable in some extreme situations when it is not possible for the husband and wife to pull on together. It is allowed normally when all the efforts for reconciliation have proved abortive and there are no chances left for them to live together amicably. Even arbiters can be appointed, one from the family of each spouse, to resolve differences between the husband and wife.

LITERATURE REVIEW:

A broken home can damage and confuse an individual's world. Human undergo an extensive array of emotions to try to navigate. Parents have to contribute as much stability as feasible and include other responsible role models to provide assistance for their child. Different researchers pointed out broken home and its consequences in their studies.

Dr. Fouzia Khurshi and Sufiana Khatoon in (2012) pointed out in their study that the divorce rate is alarmingly increasing worldwide that has deformed the structure of Eastern countries like those of Western. Even the Islamic states are also growing at the same rate in this regard. The essence and the spirit of the marital bond are not understood by so many couples and they fill their lives with depression and dissatisfaction by spoiling this sacred relation. Compromise in the nuptial bond should be practiced from both the spouses. Divorce results in extremely painful ending of a family life. Islam allows the individuals to entertain their right of divorce but there must be some solid reason behind it. Divorce has become a global issue nowadays.

Paul R. Amato and Alan Booth in (1996) pointed out after divorce, the frequency of contact between children and parent left the house, mostly fathers, is decreased. Children's relation with mothers is observed as same after separation in most of the cases as before divorce; but in some cases, it is found declining long after divorce. It might be because of guardian mother's remarriage. Children start feeling less intimate with their noncustodial parent if they don't share the same gender with them. The troublesome parent-child relationship continues for the whole course of life. The clash between parent-child relations may have its roots in the pre-divorce period either. This study also shows that the fathers and mothers who later broke up with each other had very harsh attitude with their sons in comparison to the couples who remained together.

Igbiosa Victor Omoruyi in (2014) carried out the results that there is a significant difference between single-parenting and academic performance of the adolescents. There is a significant difference between Socio-economic status of the adolescents and academic performance. And there is a positive relationship between adolescents from broken homes and academic performance.¹

¹European Journal of Educational and Development Psychology Vol.2, No.2, September 2014, Published by European Centre for Research Training and Development UK, pp.10-23

Marry Joseph in the year (1999) mentioned results 89 percent respondents live in slums. Since many crimes occur in slum areas, these children who are already affected by broken families are in a vulnerable. Respondents are reported to have some kind of health problems. Main cause of divorce was the second marriage of the husband. Many of them were drop out from secondary school. Majority were in the categories who obtain low grades. 80 percent cannot afford their school fees. Children said that they feel frustrated. Many of them have reported that they take some kind of drugs.

INTRODUCTION:

Divorce rate is relentlessly increasing in Islamic state of Pakistan because of so many financial, psychological and social issues. Though Islam doesn't highly recommend divorce, it gives spouses the right to decide whether they want to live with each other or not. Now it is the duty of husband and wife to protect the rights of their children by giving them justified attention and love that is possible in entirety if they show patience and tolerance in their marital relationship. But all over the world and especially in Pakistan, the dominance of males does not give women their equal rights that spoil the nuptial bond as they try to establish their supremacy over woman for nothing.

Islam gives all kinds of essential rights to women. To make a society improve its drawbacks, everyone has to play their part. It is the duty of both men and women to take notice of their flaws and collectively endeavor to modify the situation, which will in turn produce balanced upcoming generations.

Divorce, separation, desertion and polygamy affect the whole family in so many ways either socially, psychologically and financially etc. In both Pakistan and Islam, there are particular family laws for divorce and polygamy with minor differences.

According to verses of Holy Qura'an:

When ye divorce women, and they fulfill the terms of their (Iddat), do not prevent them from marrying their former husband, if they mutually agree on equitable terms. This instruction is for amongst all of you, who believe in Allah and the Last Day. That is (the course making for) most virtue and purity amongst you, and Allah knows, and ye know no.²

Under section 8, divorce can also be made effective after signing a Mutual Divorce Deed by both husband and wife and sending a notice to the relative Government office. A wife can divorce her husband only if the right of divorce has been accredited to her in the nikahnama otherwise she would have to take Khula through the Family Court.³

The Muslim Family Law Ordinance, passed in year 1961, allows men to remarry but under certain limitations. For polygamy, husband has to go to arbitration council. Wife's acceptance is the essential part in this law for the husband to remarry on the basis of solid reasons.⁴

²Mohammad Sharif Choudhary: Women's Right in Islam (Lahore: Booksellers-Exporters Ashraf Printing Press, 2007), P. 49

³ Law of Divorce and Khula in Pakistan. P. 2-4

⁴ Nemat, Orzala Ashraf: Comparative Analysis of Family Law in the Context of Islam, 2006.

In Islam, if husband and wife does not want to live together, the relatives from both the sides are supposed to settle the matter otherwise they would be divorced if husband gives it thrice; and if only twice, a ninety days time (of Iddat) is assigned in which the parties can rethink about their disputes and if this span is not availed, marriage will be dissolved. And if the wife is pregnant, the Iddat span will be added on by the delivery time. Islam also permits women to take Khula.⁵ This is well reported tradition in Bukhari that the Apostle permitted the wife of Sabet-b-Qais to get divorce from her husband by surrendering a garden which had been given to her in Mahr.⁶

Iddah or Iddat is the period of waiting during which a divorced woman or a widow is not permitted to remarry. The primary purpose of this waiting period is two-fold; firstly the ascertainment of possible pregnancy and thus of the parentage of the baby, secondly the spouses are given an opportunity to resolve their differences and reconcile.⁷

Islam allows men for polygamy only if they can do justice with all the wives and only if the second wife needs social protection and financial support.

Pakistani Law and Islam both give mother the right to keep children after divorce or separation. Islam asks father to pay for the expenses of children even after divorce when they are with their mother. The age limit of custody for the girls is 7 years and boys are 9 years to live with their mother. These ages fluctuate in different Islamic sects. After these ages, the children have the right to discern and declare in the court whether they want to live with their father or to continue living with their mother.⁸

The nuptial bond between both parents proves to be a solid ground for children to confidently stand on. This ground let them build their self esteem and all the other essential requirements to make their personality strong; and to groom them as the beneficial members of society. The time this sacred relationship between husband and wife weakens, the whole inner reality of their children is shaken. They start feeling vulnerable from inside and sensitize as if they don't have any strong roots to stand with. In case of divorce or separation, the abilities of children are highly affected. Their academic performance is chiefly influenced. They gain less warmth of love from their parents before, during and after their break up, because of their mental disturbance in the whole course of separation or divorce.⁹

In case of polygamy, fathers' attention is completely divided between the first and the step family that is terribly felt by the children. This lack of attention from either of the parents leads to both long term and short term consequences. Soon after this emotional trauma children may be seen unaffected by the conflict but in the long run they may come up with the extremely adverse outcomes like delinquency, drug addiction, broken marriages, incomplete education and unemployment etc.

A family in Islam is supposed to be an avenue for emotional support, security and socialization, whereby the right religious knowledge and values are transmitted to the next generation.

⁵Law of Divorce and Khula in Pakistan. P. 6-8

⁶Sharif Choudhary: *Op. Cit*, P. 55

⁷ Sharif Choudhary: *Ibid*, P. 54

⁸ Nemat, Orzala Ashraf: *Comparative Analysis of Family Law in the Context of Islam*, 2006.

⁹Barber, B. L., & Eccles, J. S: Long-term influence of divorce and single parenting on adolescent family- and work-related values, behaviors, and aspirations. *Psychological Bulletin*(1), 1992.P .12

Leadership in the family no doubt has been given to the male but it has more to do with the additional responsibilities of financial support on the male members of the family rather than an added advantage.

According to the Islamic principles, a family comes into being through the institution of marriage and then children. But a family also includes the parents of the husband and any unmarried siblings as well to form a vertically extended family. Islam not only encourages marriage as a means of preventing sexual anarchy in the wider society, but it also has defined certain relationships (“muharramat”) between which there cannot be any marriage at all.¹⁰

Marriage has been prescribed as a sacred relationship in the Qur’an in the following ayahs of SurahAn-Nisa.

“Lawful unto you are all beyond those mentioned, so that you seek them with your wealth in honest wedlock, not debauchery. So wed them by permission of their folk, and give unto them their portions in kindness, they being honest, not debauched nor of loose conduct.”

Hence we see that illicit relations of any kind are strongly prohibited in Islam. The breeding of the new generation and emotional security for women are two aspects strongly emphasized upon by the Islamic social system, which regards cohabitation as nothing more than a means to render children with doubtful lineage. The entire burden in such cases comes on the women who are then expected to bring up such children as single mothers. Such children then go on to form their own unstable relationships in the future and the cycle goes on.

The importance of family and marriage cannot be neglected through social and sociological approach. Family plays a chief role in the development of society through its useful members. While the family works, ultimately it produces progressive and constructive citizens who will give benefit to the society. Besides broken family will produce harmful citizens who will ultimately have adverse affect on the society.

Causes of Marital Breakdown:

There are many different causes and reasons for broken home which disturb the life of the couple. Broken homes are due to personal problems between couple’s marital relationship.

Experts put down social change as the main reason for a rising number of divorces. More and more women are now able to live on their own and are now fully aware of their rights. Experts say career-oriented women are more prone to taking divorce than housewives. Experts describe forced marriages, lust, infidelity, joint family system, misunderstandings, and lack of trust, financial pressures and differences in social status as other reasons for a high divorce rate.

There are many reasons that why people get divorced which can be influenced by a person’s character, age, status, education or religion. For instance, one or both spouses may have few skills in the commitment to marriage or they have deficiencies in the communication of problems. They may have different expectations about rearing children or rely on traditional role model that impedes personal growth. Other reasons include divergent ideas of personal and career goals or else a couple may have financial problems which in turn provoke crises and lead

¹⁰Al-Qura’an, Ayat 23 of Surah An-Nisa

to divorce.¹¹ Divorce is seen as putting a great strain and pressure on the couple in question and there is a temptation, in common sense thought, to see divorce as an indicator of a mistaken or perhaps even damaging relationship. Divorce, however, can also be damaging to others involved in particular young children. So much so that we often hear of married couples staying together 'for the sake of children'.¹²

There are certain factors that appear to play a decisive role and have a negative effect on a pair relationship: such as education, way of life, political convictions, religious beliefs, attitude towards marriage and family (e.g. children, private property), educational level, employment and the environment such as living in urban and rural areas.¹³

Reasons for broken home that are common in Pakistan include desertion, alcohol addiction, physical abuse, emotional abuse, personal differences, financial problems, Interference of in-laws and parents, lack of maturity, religious conversion, cultural and lifestyle differences, sexual incompatibility, lack of patience, wat'tasat'ta, long term clashes, sardari system, wrong religious interpretation etc. A second group who would be critically affected is elderly. Older member of the community cannot rely on the kind of broken family and they become totally dependent on state.¹⁴ Early marriages increase the risk of breakdown, where the both spouses are younger than twenty is the three times than average.¹⁵ Alcoholism brings ignorance and aggression in families which can lead to argument and fights as an alcoholic person lose his senses and talk irrelevant things that might disheartened others feelings. Physical or emotional abuse, Alcohol and drug abuse are among the top behavioural reasons identified by women who divorced in the mid life.¹⁶ Marriage has to be contracted with consent and even the consent of the girl has to be obtained.¹⁷ Pakistani society is very conservative; it is generally considered the rights and duty of the parents to arrange a suitable match of their daughters. It is taken for granted that the girl will give her consent while law does not accept such kind of marriages.¹⁸ Wattasatta is very common in Pakistan in which marriage of a brother-sister pair from two houses is made. This is an endogamous form of marriage. In this type of marriage relationships are very fragile because if husband mistreat his wife then brother-in-law is expected to hurt his wife to take revenge of his sister. The possibility of breaking the relations is double in this type of marriage. If one of the husband's divorces or maltreats his wife, similar treatment is meted out to the woman from his family.¹⁹ Walwar is a practice prevalent in Balochistan which encourages the selling of girls in marriage. This type of marriage is also practicing in Khyber Pakhtunkhwa in which girls are sold

¹¹Margit Gaffal: Psychological and Legal Perspectives of Marital Breakdown (Germany: Springer Heidelberg Dordrecht, 2010), P. 9

¹²Liz Steel and Warran Kidd: The Family (Division and Palgrave Publishers Ltd. 2001), P, 176

¹³Prof. Dr. Margit. Gaffal: Psychological and Legal Perspectives of Marital Breakdown (Heidelberg: Springer Heidelberg, 2001), P. 10

¹⁴Stephen Moore & Barry Hendry: Sociology (Hodder and Stoughton, 1983), P. 57

¹⁵ Moore & Barry Hendry: *Ibid*, P. 48

¹⁶David Knox, Caroline Schacht: Choices in Relationships, an Introduction to Marriage and the Family (United States of America: Publisher not Identified, 2005)P. 430

¹⁷Sharif Choudhary: *Op. Cit*, P. 38

¹⁸Saveitri Goonesekere: Women's Right in Islam (Violence, Law & Women Rights in South Asia (New Delhi: Sage Publications India, 2004), P. 192

¹⁹Goonsekere: *Ibid*, P.194

off bartered to rival parties to settle disputes.²⁰In few regions, weddings are preceded by the payment of an agreed-upon dowry by the bride's family. Failure to pay the dowry can lead to violence and then divorce. In case of failure to pay the dowry women have to face dowry death like: suicide, hanging, poisoning, burning and most of the cases lead to divorce.²¹An extra marital affair has been associated with subsequent divorce. The spouse having the affair may feel unloved at home. Involvement in an affair may bring both love and sex and speed the spouse towards divorce.²²Managing differences and conflicts in the marriage helps to reduce the negative feelings that develop in a relationship. Some partners respond to conflict by withdrawing emotionally from their relationship; others response by attacking, blaming, and failing to listen to their partners point of view.²³Separation of the husband and wife generally precedes divorce. This separation actually constitutes the disruption of the marriage.²⁴Arguments, suspicion, ego, male dominance, kids, and misunderstanding can be the factors that contribute to divorce or separation. Usually divorce occurs because of dishonesty, demands, and arguments on minor issues. Those occupations involving regular absence from home are high at risk.²⁵ Divorce has become more socially acceptable. Young people who have high expectations of marriage might divorce at a later stage if these expectations are not met longer life expectancy might mean that as married couples grow older they grow apart. Changes in law and different Divorce Reforms Act made divorce easier to obtain.²⁶Khula or Talak is obtained by the wife if the husband is found guilty or neglecting or torturing his wife and his guilt has been proved beyond doubt. It can be obtained if husband is physically and mentally incapable of performing his marital duties or denied his wife the position of honour she is entitled to.²⁷

Islamic Perception about Marriage, Divorce and Child Bearing:

Divorce is the most hated and unpleasant thing in Islam. According to Abbu Daud, the Messenger of Allah said: "The most detestable of lawful thing nears near Allah is divorce." Despite the Islam permits divorce as it becomes inevitable in some extreme situations when it is not possible for the husband and wife to pull on together. It is allowed normally when all the efforts for reconciliation have proved abortive and there are no chances left for them to live together amicably. Even arbiters can be appointed, one from the family of each spouse, to resolve differences between the husband and wife.²⁸

Divorce is an extreme crisis for family members who are associated with a situation in which there is a strong community opinion against divorce and in which there is emotional involvement and interdependence of activities. In the past, divorce was regarded as so great a disgrace that husbands and wives would endure almost unbearable situations rather than resort to the divorce

²⁰Goonesekere: *Ibid*, P.194

²¹Bharti Satsangi: *Women and Human Rights* (New Delhi: Random Publications, 2015), P. 170

²²Knox, Caroline Schacht: *Op. Cit*, P. 430

²³Knox, Caroline Schacht: *Op. Cit*, P. 430

²⁴Harvey J. Locke: *Predicting Adjustment in Marriage, A Comparison of a Divorced and a Happily Married Groups* (New York: Henry Holt & Co, 1951), P. 77

²⁵Moore & Barry Hendry: *Op. Cit*, P. 54

²⁶Liz Steel and Warren Kidd: *The Family* (Division and Palgrave Publishers Ltd, 2001), P. 177

²⁷Dr. M. U. Qureshi: *Women and Crime* (New Delhi: SBS Publishers & Distributors, 2006), PP. 249-250

²⁸Mohammad Sharif Choudhary: *Women's Right in Islam* (Pakistan: Booksellers-Exporters Ashraf Printing Press, 2007), P. 52

court. Even though there has been a great decline in the stigma attached to divorce, negative values are still associated with being a divorcee.²⁹

Divorce might affect the children adversely. And many people don't get divorce because of fear about how it might affect the children. Regardless of one motivation and willingness about the divorce, the divorce is likely to affect the children in many ways, while many children are upset by a divorce in the beginning. The children of divorce can survive by maintaining a healthy adjustment in their lives.³⁰

Is the family is dying institution? Some observers say yes, arguing that the family is doomed. The family according to arguments contributes more misery than benefits because it is all adapted the modern social life.

A family is a group united by marriage, blood and adaption in order to satisfy intimacy needs, bear and socialize children. A family becomes a problem when it does not fulfill its purposes, particularly its purpose as a primary group.³¹

After birth, our self image comes from our primary caregiver's eyes and that is our family. The family is the most ancient of human institutions. It is bound up with all our strongest instincts. A genuinely united family is one of the greatest possible sources of happiness. Every family member play pivotal role in the family. Family is a vehicle that lead human to a new life in this society.

The Holy Qur'an says:

Marry those among who you are single, or the virtuous ones among your slaves, male or female: if they are in poverty, God will give them means out of his grace: for God ancompaseth all and He know the all things.³²

Marxists also sees the family as a compensatory agency which offers comfort and esteem to the worker who returns from a factory or office where he has no control or satisfaction. The family is a haven from pointless, frustrating work, and therefore controls tensions in a way which keeps the workforce quiescent.³³ As the basic unit for raising children, anthropologist most generally classify family organization as matrifocal (a mother and her children); conjugal (a husband his wife, and children; also called nuclear family); avuncular (for example a grandparent, a brother,

²⁹ E Ernest W. Burgess, Harvey J. Locke, Mary Margaret Thomas: *The Family: from Institution to Companionship* (Van Nostrand Reinhold Co. Inc. 1960), P. 454

³⁰ Philip M. Stahl: *Parenting after Divorce Resolving Conflict and Meeting your Children Need* (USA: Impact Publishers, 2007), P. 3

³¹ Robert H. Lauer, Jeanette C. Lauer: *Social Problems and the Family of Life* (New York, NY: McGraw-Hill, 2006), PP. 344-345

³² Mohammad Shabbir Khan: *Status of Women in Islam* (Aligarh: S.B Nangia A.P.H Publishing Corporation, 2001), P. 66

³³ Moore & Barry Hendry: *Op. Cit*, P. 33

his sister, and her children); or extended family in which parents and children co-reside with other members of one parent's family.³⁴

The Holy Prophet said to Ali (A.S): O Ali there are as many rights of children incumbent upon parents as there are rights of parents incumbent upon children.³⁵

The family is the child's foremost context of development, family provides nutrition, hygiene, security, safe physical environment, opportunities to play and to explore objects; the family also introduces children to the physical world. Within the family, children acquire language, an abundance of useful information and skills, an understanding of themselves and other people, and moral and cultural values. The love, affection and security children receive from the family have no lasting effect on their further relationships in the future.

All the relationships are bi-directional, so that both adults and children affect each other in a positive manner. Relationships with family members, with not only parents but also siblings and grandparents affect children's attitudes. Quality time that parents give to the children in talking, playing, reading and disciplining, includes ways of interaction that encourage children's motor, cognitive, and social skills. When parent's marital relationship is warm and considerate, mother and father praise and stimulate their children more and scold them less. In contrast, when a marriage is tense and hostile, parents are likely to express anger, criticize and punish. Similarly, tense environment adversely affect parent child interaction.³⁶

A child behavior is its origin in the attitude, personality and intelligence of his/her parents. Child personality is partly the product of environment. Broadly speaking he/she is also under the strong influence of teacher's personality and also to the attitude behavior personality of the parents, siblings and other children. Actually some behaviorists claimed that behavioral problems have their origin before birth and often before conception. Rejection in happiness and lack of love in child's life may well affect the next generations. A parent who was regularly beaten and he chastised may grow a habit to apply the same treatment on his/her children. The social class in which they are brought up, by the personality and attitude of their parents and by the love and feelings of security or lack of it also affects the children. Parents, damaging aggressive behavior results in child beating and non accidental injuries. Children are effected by spacing of birth also by the number of siblings, smaller the gap greater the jealousies among siblings. Among the first born there is excess of genius and delinquents.

Islam has given parents so much right on their children. But it does not mean that parents have been given license to ill-treat their children. Tyrant parents are a danger to Muslim society and family.

Holy Prophet (S.A.W.W) has said: "Allah has cursed those parents who (by their behaviour) compel their children to disobey them."³⁷

³⁴ Dr. Gajanfar Alam: *Society, Kinship and Religion* (New Delhi: Random Publications, 2015), P. 193

³⁵ Sayyid Saeed Akhtar Rizvi: *Family Life of Islam* (Tanzania: Bilal Muslim Mission of Tanzania, 1988), P. 16

³⁶ Dr. S. Gurusamy: *Girl Child* (New Delhi: S. B. Nangia A P H Publishing Corporation, 2007), PP. 19-20

³⁷ Saeed Akhtar Rizvi: *Op. Cit*, P. 34

If the parents themselves do not care about the rights of their children; if they do not give proper religious education, if they neglect their character-building, if they put so much burden upon them that is beyond their strength; if they behave towards their children tyrannically- then it is they who are compelling the children to revolt against them; and they will become candidates of the above mentioned curse of Allah.

Human gets his essential social traditions from the family. The real foundations of moral characters are laid while the individual is yet in pre-school age; for it is the most impressionable period of his life and this is mainly within the family circle. The family is the chief bearer of social traditions, because the personage gets his language mainly in the family. In the family the human first learns the meaning of authority, obedience, loyalty, love, service and all the human virtues. Human learns to develop positive interpersonal relations and learn to compromise for each other.

The Holy Prophet (SAWW) says:

“Listen, every one of you is a guardian and every one of you shall be questioned about the people The Caliph who is the ruler of the people is a guardian and he shall be questioned about his subjects. The man is the guardian of the members of his family and he shall be questioned about them the wife is the guardian of her children and the members of her husband’s family and she shall be questioned about them. Listen again; every one of you is a guardian and every one of you shall be questioned about the concerned people.” (Bukhari)³⁸

The family determines the geographic and social class position of a child in community. The family, school, peer group, and abuse of drugs play critical role in daily social life of a child. For example, if the family is believed to be the cause of delinquency, family counseling and therapy may be used to prevent it. Discipline and supervision, family relationships, parental conflicts, parental life style, family structure and child abuse play very important role in making juvenile delinquents.

Harsh childhood treatment always has adverse effects upon the personality of a person. Child abuse or child battering is a form of excessive punishment. It is of different types, both intentional and non-intentional abuse. Non-intentional can be even shaking, tossing, throwing and grabbing a baby because these can cause severe mental and functional abnormalities in future.

Mental abuse of children may be defined as a psychological trauma inflicted upon a child by an adult as for example degradation and ridiculous “constant verbal harassment of a child may destroy his or her self image. Intra family violence, children depend upon parents for love and nurturing is emotionally split by the violence between his parents.

The family determines the prestige of various persons and consequently affects the child’s preferences for certain type of social relations. He learns to appraise persons as important or not according to their language, personality, occupation, nationality or other traits. In other words if

³⁸Naseem Ahmad: Women in Islam (Delhi: A.P.H Publishing Corporation, 2003), P. 473

the person to whom he seeks primary relations outside the home are delinquent in their attitudes and values, the probability is high that he or she will become will delinquent.³⁹

Families also pass down cultural traditions from one generation to another including language, beliefs, religion, knowledge and rituals. Through the teaching of families, children mature and learn how to survive outside the family. Within the family, children learn how to survive outside the family. They learn about gender roles, peer relationships, and responsibility to self and others. Moreover, they learn to develop work ethic and first realize their potential. Sigmund Freud said: "A healthy person is one who knows how to play and work" and it is through the family that children develop skills with which to play and work in a life long journey toward accomplishing these goals.⁴⁰

Family provides individual with environment where children develop their attractive personality. Family is a platform where individual learn to communicate effectively with others, learn to express feelings openly, source of providing a sense of integrity and solidarity among each other, individual feel happy and relax with family.

The family is a training place for life, the training that individual received in the home be made to bear fruit in our larger social life. It gives a human know how about what's wrong and right, good and bad and how to deal with problems in life.

A great amount of education takes place in the family. Religious and political attitudes are expressed by the adults of the family, and the younger members assimilate them. Courtesy, obedience, character, loyalty, altruism, team work, manners, ideas and ambitions are developed within the family circle. Every type of question and problem with which the individual of the home will, in after years, be concerned is presented, discussed and in one way or another resolved within the family circle.

There are family clashes in every society; in fact clashes and disagreements are normal part of life. Every member in family freely express their opinions and share their feelings as this aspects help the family to understand their differences and feelings. It's the family institution that constructs a positive family connection and provides such environment that motivate human to learn and behave in a decent way at home or educational institution. Family teaches an individual the meaning of the world around them. Family remains the key nucleus in people's lives across the globe as its one of the strongest bond that support in the development of human growth. It's the family institution on whom individual depends on during the time of hardships or the time when some tragic event triggers in individual life.

³⁹Sarwat Inayat Mirza: *Female Criminality: Woman and Crime* (Lahore: BookBiz JalalCenter University of Education, 2006), P. 37

⁴⁰Don Collins, Cathleen Jordan, Heather Coleman: *An Introduction to Family Social Work* (Canada: John David Hague), P. 25

It's the nature of a people of this world to come and go throughout duration of life but it's only the family that mostly remains forever in thick and thin.⁴¹

Family gives a human feeling of love and importance so that they should never feel neglected and know that they are worthy of respected. Unification of family helps the human to learn easily and it will also enhance individual's confidence level higher. Family unity gives human a sense of security regardless any situation that bother individual. Family structure is a chain where younger people learn from their elders.

The aim of marriage in Islam is to enable a person to lead virtuous life and to create healthy environments in the society. The marriage can be successful only if there is harmony between husband and wife. It is also essential that they must be capable to satisfy the sexual need of each other. Islam the full right to the spouses to divorce each other in case the other party lacks the capability for proper discharge of sexual functions. Hazrat Umar (R.A.A) and other companions opine "that not only the sexual incapability but also the diseases like blindness, leprosy and lunacy are the valid grounds for divorce". However Imam Ibn Qayyum (R.A) says:

"The separation can take place on any ground that creates hatred between the spouses and the love lost which is the sole aim of the marriage".⁴²

The marriage is considered a firm bond in the Islamic society. It is based on the natural wants of a man and woman. Hence the sanctity of the Nikkah cannot be violated under any circumstances. Though Islam allows divorce but only on solid grounds. The marriage cannot be dissolved on trivial matters.

The Holy Prophet (S.A.W.W) has said:

"The women who seek divorce from their husbands without valid reasons are the hypocrites."

"The women who seek divorce from their husbands without valid ground, even the smell of Heaven is forbidden for her."

Yet on another occasion, the Holy Prophet (S.A.W) has said:

"He is the greatest sinner before Allah who marries a woman and leaves her after satisfying his sexual desires and also swallows her dower."⁴³

Family institution neglect weaknesses and mistakes of the individual and still loves them whole heartedly. Family is considered to be one of the greatest blessings of God to us. Family is the most precious thing we have. Family has a strong reflect upon individual's life as one's life is incomplete without family. Family teaches the human to love and serve, and share their sorrow and joy. Family is a role model for an individual as it influences child to adopt their qualities and

⁴¹Ch. Muhammad Aslam Hayat, T.S. Gill: The Manual of Family Law, P. 530

⁴²Naseem Ahmad: Women in Islam (New Delhi: A.P.H Publishing Corporation, 2003), P. 471

⁴³Ahmad: Op. Cit, P. 471-472

he or she acts in the same way like their family do. In simple words family has a great influence on human's life because it's the family who looks after their child and play vital role by providing decent upbringing and instruct them such lessons that he or she have never learned from educational institution or books.

Families have a set of goals of their own. Family is a platform where human learn to communicate effectively with others, learn to express feelings openly, source of providing a sense of integrity and solidarity among each other, individual feel happy and relax with family.

Apart from all the above mentioned functions of a family, it is also a fact that every family has conflicts but family members should realize the situation and try to assimilate with each other and express themselves openly, and should listen the opinions of each other with understanding so that they can resolve the conflict and eliminate the differences and ventilate their feelings. It is important because human learn the things which they observe in their family and adapt the same way of living.

Another reason may be the family, which may fail to provide harmonious and pleasant place for the child to live. If the primary relations in the family are obnoxious the child may leave them either physically abandoning the family or by withdrawing physiologically.

Delinquency is higher in unbroken but unhappy home than it is in broken homes. Whether a child from an unhappy or broken home becomes delinquents however is determined by the kinds of outside relations he encounters when he leaves the home. When parent's marital relationship is warm and considerate, mother and father praise and stimulate their children more and scold them less. In contrast, when a marriage is tense and hostile, parents are likely to express anger, criticize and punish. Similarly, tense environment adversely affect parent child interaction.⁴⁴

A psychological broken home is one where quarrelling and fighting dominates, where regular verbal abuse of children and parents occurs. Physically broken homes are those where one or both parents are missing.

Mostly the researchers focus on physically broken homes and indicated that many children are the products of broken families. For example a summary conducted; between 1929 and 1958 reported that children processed by officials for delinquency are almost twice as likely came from physical broken homes. In the 1940's a psychiatrist gave psychological tests to one hundred young criminal offenders, and the result showed that many felt hostile, aggressive, and sexually confused as a result of long term exposure to family conflict. Other social scientists indicate that, quarrelling or any form of conflict between parents, is more closely associated with delinquency.⁴⁵

The emotional impact of marriage breakdown is hard on all- the man, the woman, and the child. Particularly the first year is full of shock and fear. The divorced persons are themselves

⁴⁴ Inayat Mirza: *Op. Cit*, P. 37

⁴⁵ David Musicks: *An Introduction to the sociology of Juvenile Delinquency* (Albany: State University of New York Press, 1995), P. 149

unprepared for the impact of the changed role and status, from married to divorce. Loneliness, anger, depressed feelings, pervasive guilt, towards their children, as well as feeling of resentment against the children for interfering with their freedom and happiness are usual response.⁴⁶

Divorce creates a chasm for every member of the family. In some ways children of divorce have a more difficult time than do their parents, because they must adjust to the two new situations that both of their parents are establishing. Through these steps taken may reduce the level of insecurity and crime ratio in children.

RECOMMENDATIONS:

In the light of study the following recommendations have been put:

- Being religious and following the virtues will lead to a happy family by the standards set in the Holy Quran.
- On an institutional level, awareness sessions can be held on consequences of divorce, its effects on mental health, coping strategies, and how to break the stigma.
- The government's role is to provide social services of healthcare, education and child support, and skills training programs for less educated, lower income and single working women. Government should work on rehabilitation of such kind of women and children.
- New profession in marriage and family counseling is emerging. This profession is made up, in part, of those social workers who specialize in family case work, particularly those with training in social psychiatry.
- Special courses of human behavior need to be developed, including courses in the principles and techniques of marriage counseling, methods of research in the field of family and of marriage, and the theory and use of marriage prediction and adjustment instruments.
- Family researches should be conducted, so the psychologists, psychiatrists, sociologists and economists can more work over divorce and its consequences and for the betterment of the society.
- Many who have been crushed strictly in their childhood are unable to identify the experience of adulthood. It's necessary for a person to stay in a healthy, positive, balanced environment to meet the standards of adulthood without damaging the family that he or she will create.
- People should have right to choose their partner seriously and analytically before getting married.
- Respect and admiration are also primary means of confrontation against marriage tensions.

⁴⁶Dorothy R. Freeman: *Couples in Conflict, Inside the Counseling Room* (Buckingham, Open University Press Celtic Court), P. 202

- It is essential to devote time, patience and tenderness to the other spouse. Because marriage demands time, attention and devotion.
- Parents should pay attention and provide emotional affection to their kids because whatever time they had to spend enjoying has been passed. It's the children's who have to grow up and suffer.
- Parents should mentally prepare child about their complicated relations that might end soon.
- Parents should try to develop confidence in their children so that they are able to make their own decisions by themselves and face the challenges of life.

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