

# Divorce: the scourge of islamic women

[Religion](#), [Islam](#)



Islam is one of the most influential religions in the world. Under this context, there is no doubt that divorce is one of the most pressing issues that its followers address. Divorce in Islam is allowed (Engineer120) but not thoroughly encouraged. This is despite the fact that Islamic men are permitted to have more than one wife. In Islam, divorce is rather perceived as a “contract (Kateregga & Shenk 161)” or agreement, which differentiates it from other religions. As Kateregga & Shenk explained, in marriage, there are situations wherein divorce serves to be the only plausible remedy or solution (161).

However, this should always remain as a mere option. The reason behind this stems from the belief that divorce is considered as the so-called “most hateful” thing in the eyes of the Supreme Being (Kateregga & Shenk 161). This will also ensure that men are prohibited from abusing their power and authority (Morgan 122). According to An- Na’im, there are three ways wherein divorce can be conducted (46). These are through “talaq, khula or mubaraat and tafriq (An-Na’im 46). Talaq basically pertains to the process in which the husband repudiates his wife (An-Na’im 46). Under this circumstance, the husband is not compelled to provide any reasons for his respective actions (Bowen 200). On the other hand, khula or mubaraat is characterized via the agreements or amicable settlements (An-Na’im 46) agreed upon by both the husband and wife. Yet, compared to talaq, khula or mubaraat are usually initiated by women (Simon & Altstein 107). Lastly, tafriq is a form of divorce that is mediated by the court or judiciary (An-Na’im 46).

Although it is pretty apparent that the equal rights of both men and women are honored and uphold, it cannot be denied that the issue of divorce remains as one of the biggest challenges confront by Islamic women.

Whether one accepts it or not, divorce under the Islamic contexts still has its corresponding effects. One of the most evident impacts that Islamic women experience in divorce is the “ social stigma” attributed to it (Emadi 179). As previously explained, divorce in Islam is simply perceived as an option and the process per se is clouded with negative perceptions and orientations.

First of all, it can be argued that the high regard rendered towards intact marriages is a fundamental part of Islamic social structures wherein practices that tend to go beyond the norms can be overtly considered as something deviant. But this is highly stressful for women primarily because of the seemingly patriarchal stand of Islam. This is most especially true as for the case of females who are repudiated by their husbands. Similarly, if an Islamic woman pursues khula, this situation readily displaces men from the top of the social, economic and cultural hierarchy (Ibrahim & Ibrahim 22).

Given this situation at hand, khula showcases an impending threat to Islamic men’s honor and integrity. Thus, in an attempt to counter this orientation, reconciliations, despite of the obvious failure in the marriage, are consistently sought. Relatively, the above-given scenario is reflective of the derogatory notion towards the status quo of Islamic women. Although divorce rights of Islamic men are accepted and recognized, Suad and Najambadi maintained that the perpetuation and prioritization of patriarchal

interests and status quo are often given much importance (109). Women are further pushed into the periphery (109).

On a critical examination of khula, it can be readily seen that Islamic women must readily show valid contentions and arguments before divorce is granted. This is in stark contrast to talaq, wherein Islamic men can immediately debunk their marriages without providing any justifiable and concrete explanations. Johns and Lahoud used the Egyptian policy, “ bayt al-ta’ah” as an example of how divorce-related laws are adamantly modified to serv patriarchal interests (71). In “ bayt al-ta’ah,” women who are considered “ rebellious” are imposed to return to their husbands while their divorce requests are dismissed.

In addition to that, it cannot be denied that divorce is indeed, in high risks of being abused. More than subverting the women’ status quo, reflects the seemingly never-ending cycle of gender struggle and inequality. In the meantime, Chow and Berheide stressed that divorce also elicits personal effects on women (63). The two further shared that even though divorce Islamic women have the financial means to support herself and her family, this does not mean that they are excused from the scrutinizing eyes of society. On a closer examination, to be repudiated by one’s husband already creates a negative impression or reputation.

The matter becomes even worse as men do not literally owe these women an explanation. They can initiate divorce at their own will. Islamic women remain helpless in this situation. Also, the shame and public humiliation that they have to experience, certainly attack and destroy their self-esteem and

confidence. This aspect is central to the construction and formation of one's identity. It is basically harder for Islamic women to assert their own identities primarily because their existence is defined by their married life.

Meanwhile, in as much as divorce impacts the social and personal lives of Islamic women, its economic effects cannot be ignored and taken for granted. Divorce becomes a nightmare, most especially to women who are financially unstable and to those who have no other source of income other than the support given by their husbands. As Narain mentioned, while it is true that women are able to receive alimony, this is usually short-termed (27). This situation is far more complicated as for the case of women who filed a divorce primarily because their husbands cannot support them.

Under these circumstances, it is even harder for Islamic women to guarantee financial aid. Indeed, divorce is a right given to both Islamic men and women. However, it is also apparent that between the two parties, it is the women that suffer the most. The social stigma, the weakening of their status quo and the corresponding economic burdens that Islamic women have to confront, is a concrete manifestation of patriarchal hegemony. The equal rights are not observed and maintained. Somehow, this is also the reason behind the preference of Islamic women to stay in unhealthy relationships.