

SUMMARY

Divorce is one of the most painful experiences in life. It's not only the death of a marriage, but also the death of dreams and hopes. It is considered one of the most emotional painful human experiences. Thinking about the experience of divorce within the context of attachment generates a greater sense of empathy. Divorce is not just a matter of the heart but an experience that impacts the whole person on a multitude of levels. It triggers all kinds of emotional pain and unsettling feelings. In all societies, divorcee's role is very difficult as well as humiliating and the divorced women face lot of complications. Muslims all over the world draw their sense of identity from the teachings and practices of Islam. The causes of marital breakdown comprise the interaction of many psychosocial and economic factors. Apart from these factors; religious, historical and cultural factors are also important in determining the extent to which couples enjoy marital stability. It is, in this context that the present study is concluded to assess the attitude of divorcee women towards marriage, to study the impact of divorce on Muslim women, to explore major causes of divorce among Muslim women, to study the attitude of divorcee women towards their status, to analyse legal awareness among Muslim women regarding divorce, and to assess social barriers in divorce among Muslim women. For the purpose, the sample of 600 divorcee women were considered, out of which 300 were selected from rural areas and 300 from urban areas. Moreover, the sample was classified as 300 working divorcee women and 300 non-working divorcee women. Furthermore, the sample is divided as 150 childless divorcee women and 150 divorcee women having children. The scales namely "Marriage Attitude Scale" constructed by Pramod Kumar (1986) and "Divorce Attitude Scale" constructed by Anupama Shah, Anjali Gupta, and Jyoti Mazumdar (1993) were implemented under the study. A detailed questionnaire was also constructed in order to achieve the objectives. The summary of the findings are as:

5.1 Attitude of divorcee women towards marriage

Majority of Divorcee Women agree on following irrespective of their dwelling, occupation and motherhood

- ❖ Marriage provides satisfaction of sexual needs
- ❖ Marriage is compulsory for every individual
- ❖ Through marriage a person feels psychologically secure
- ❖ A person blossoms only after getting married
- ❖ Through marriage, one can have the pleasure of having children
- ❖ Marriage provides the most intimate relationship to a person
- ❖ Unmarried person generally lack self confidence
- ❖ Those who remain unmarried have poor self-understanding
- ❖ A person who prefer to remain unmarried are indulged in sexual perversions
- ❖ Through children a person avoids divorce
- ❖ Married people are psychologically fit
- ❖ Sex outside marriage is wrong
- ❖ Children are needed for old age security
- ❖ Life is meaningful only when a person gets married
- ❖ Through marriage, a person can express love and affection towards opposite sex
- ❖ Real and selfless love a person gets only through marriage
- ❖ Most glorious period in life begins when a person gets married
- ❖ Maternal and paternal needs are satisfied through marriage
- ❖ Unmarried person feels loneliness in life
- ❖ Sex within marriage is considered good for couples
- ❖ True love is found in marriage only
- ❖ Unmarried people have negative attitude towards opposite sex
- ❖ Marriage provides stability to the society
- ❖ Marriage is not necessary in life
- ❖ Marriage is done by backward person
- ❖ Unmarried person is always found in people gossiping
- ❖ Only fools get married
- ❖ Through marriage one gets real pleasure of life
- ❖ After getting married a person feels settled
- ❖ Unmarried people suffer from psychological problems

- ❖ Maturity is found among married people
- ❖ A person indulge in extra marital sex should be punished strictly

Majority of Divorcee Women disagree on following irrespective of their dwelling, occupation and motherhood

- ❖ People who are married are more trustworthy
- ❖ Person who is married have good character
- ❖ Social respect and status is gained through marriage only
- ❖ After marriage a person becomes dependent on others
- ❖ Married people are more disciplined
- ❖ Positive attitude towards marriage is found among Kashmiri Divorcee women irrespective of their dwelling, occupation and motherhood.

5.2 Impact of divorce on Muslim women

- ❖ Most of the divorcee women are distressed about opinion regarding divorcee.
- ❖ Majority of divorcee women are careless about themselves after divorce.
- ❖ Greater number of divorcee women are feeling free after undergoing divorce process.
- ❖ Majority of divorcee women are overburdened as a single parent.
- ❖ Most of the divorcee women's children are rejected by father.
- ❖ Divorcee women face financial difficulties in upbringing their children.
- ❖ Greater number of divorcee women face difficulties in social contacts.
- ❖ Majority of divorcee women take income problem as a challenge.
- ❖ Bulk of divorcee women having nobody with whom they share their feeling after divorce.
- ❖ Divorcee women sometimes feel isolated/lonely after divorce.
- ❖ Most of the women had parents only source of financial assistance after divorce.
- ❖ Divorcee women feel that they suffer more than men after divorce. However, most of the divorcee women also feeling free after undergoing divorce.
- ❖ Divorcee women disagree that they should attempt to suicide after divorce.

5.3 Causes of divorce among Muslim Women in Kashmir

- ❖ Rejection by husband was the main reason for taking divorce among most of the women.
- ❖ There has been also contribution of in-laws in divorce.

- ❖ Majority of divorcee women found nobody provide them moral support.
- ❖ Greater number of divorcee women found divorce happened due to lack of commitment and lack of equality.
- ❖ Emotional abuse, led to divorce among majority of women in Kashmir.

5.4 Attitude of divorcee women towards their status

- ❖ Most of the women found divorce is better than domestic violence.
 - ❖ Large number of women found that divorce is a stand for one's right.
 - ❖ Negotiating problems can prevent divorce among women.
- Majority of Divorcee Women agree on following irrespective of their dwelling, occupation and motherhood
- Divorce is better than compromise.
 - Insecurity comes when a person is divorced.
 - A modern partner should avoid divorce by adjusting with the orthodox partner in a marriage.
 - A religious person should not prefer divorce.
 - Relatives are ashamed so divorce should be avoided.
 - When in-laws trouble their daughter -in -law to bring dowry she should take up a divorce.
 - Social interaction is difficult for divorcee women.
 - Divorce should be avoided as children of divorcee are ill-treated by people around.
 - In religious and social gatherings divorcee is ignored/avoided.
 - After having children divorce should be avoided.
 - When divorce takes place parents are overburdened.
 - When divorce takes place parents are unhappy.
 - To stop quarrel between couples divorce is better option.
 - Children life gets ruined after parental divorce.
 - Solving problems can prevent divorce.
 - Divorce should be avoided by illiterate women as she will be economically dependent on others.
 - Divorce should be avoided as children's education is badly affected.

- When a wife spends lavishly the hard earned money of her husband, divorce should take place.
- Wife should willingly take up a job even if she dislikes it to support her husband and to avoid divorce.
- Literate women after divorce becomes economically independent and fulfill her own wishes.
- Divorce should be avoided even if one finds a rich and beautiful partner.

Majority of Divorcee Women disagree on following irrespective of their dwelling, occupation and motherhood

- ❖ Divorce helps a person to start an independent life.
- ❖ In a troubled married life one should go in for a divorce, even if one feels lonely, unhappy and frustrated.
- ❖ When a person is frustrated, divorce is better than committing suicide
- ❖ Early marriage should be avoided and a person should be given opportunity to choice life partner
- ❖ Majority of divorcee women in Kashmir found medium level personal, social, and familial attitude towards divorce irrespective of their dwelling, occupation and motherhood.
- ❖ Most of the divorcee women in Kashmir found medium attitude towards economic status towards divorce irrespective of their dwelling, work status and motherhood

5.5 Legal awareness and barriers among Muslim Women regarding Divorce

- ❖ Women perceive that divorce is only right of husband.
- ❖ As per majority of women Khula means divorce pronounced by wife.
- ❖ Most of the divorcee women are aware of their legal rights.
- ❖ Most of the women found that sharia board is the better option /way to undergo divorce.
- ❖ Most of women are aware about Shariat rules/Islamic rules regarding remarriage after divorce.
- ❖ Greater number of divorcee women were not aware about maintenance provided by husband during Iddat period (waiting period).
- ❖ Divorcee women are unaware, how to obtain legal custody of child.

- ❖ Most of the divorcee women are unaware about maintenance provided by father for child support.
- ❖ Divorcee women lack knowledge regarding for obtaining dowry back from husbands home.
- ❖ Most of the divorcee women's social contacts are declined after divorce.
- ❖ Divorcee women face social criticism on their decision of divorce.

CONCLUSION

It is conclude from the study that divorce is a provocative and terrible social issues in Kashmir valley. Cultural differences between families of couples and drug and alcohol abuse are the most important social risk factors for divorce. Moreover, divorce rates are greatly influenced by lack of commitment to beliefs, infidelity, insufficient communication skills. Many women self-confessed that they continued to have financial problems, emotional problems and worried about their future, the future of their children and especially about housing and being self-sufficient. These concerns are regular with the fact that most women in Kashmir live with their families and housing is a constant problems in the rural as well as urban areas of Kashmir. In Kashmir, women usually do not live independently and are not economically self-sufficient. Expressions such as reprimand, lack of respect, distress, and psychosomatic violence in participant responses, which gives a strong indication of the discomfort and misery that divorced women are facing in Kashmir. Clearly, the results of the study, indicates that the divorcee women are not getting their rightful dues in matters of maintenance, dowry, meher and child support even in the tenets of the existing Laws. There is a great need for education and awareness of the Muslim women about their rights. Marriage councils and religious teachers should include issues around family life education, societal obligations as these are dependent to a large extent on the religious law. Society needs to understand the problems of divorcee's rather than to criticizes her and blaming her on her decision of divorce. So there is need for awareness and conversion in the minds of people to do not stress her, recognize her condition and must embolden her to begin her life again.

RECOMMENDATIONS

- ❖ There is a great need for marital and familial counselling. For this purpose, marriage and family Counsellors should be accessible to all kinds of people. In a team of counsellors, there must be sociologists, psychiatrists, social workers, doctors, lawyers and local Imams.
- ❖ The basic knowledge regarding sex and marriage as well as family living should be given to the youth in schools, colleges and other institutions so as to remove the inhibitions from the minds of youth.
- ❖ Success of marriage is totally dependent on ability to make adjustments so, for that purpose both spouses are required to make all efforts in this direction to develop a good compatibility.
- ❖ Unnecessary interference by parents and in-laws should be avoided after marriage and couples should be given freedom and privacy in order to avoid divorce.
- ❖ For a successful marriage, both partners need to be psychologically mature and they should have a good understanding of each other before they get married.
- ❖ Couples should be financially secure and should have long term plan for the family.
- ❖ Partners should learn to appreciate one's strength and achievements.
- ❖ Partners should learn to accept one's weaknesses that will in turn help to avoid disappointment and conflicts in future.
- ❖ Workload and responsibilities should be shared between couples in order to provide a sense of equality.
- ❖ Immediate short term sheltering assistance should be provided in order to overcome the fear of lost shelter.
- ❖ Financial support must be provided by NGO's, Social Welfare and Women Commission to support the needs of both dependent and independent divorcee women until the final decision regarding maintenance is taken.
- ❖ Slogans and banners must be raised against divorcee women being discriminated in social and religious gatherings.
- ❖ Proper age difference among couples must be considered while match making for the better understanding of emotional and psychological needs of each other.

- ❖ Proper guidelines should be enlisted by government for marriage to stop them from making fraudulent business.
- ❖ Marriage at earlier age must be eradicated.
- ❖ Arranged marriages of earlier age must be eradicated from society and choice marriage at right age should be encouraged.
- ❖ Married couple should endeavor to establish effective intimacy among themselves, enjoy healthy sex together and relate to each other in a good manner, this will help to strengthen their marital quality in the society.
- ❖ Married couple are to be educated on the importance of discipline and how to refrain from extra marital sexual affairs and other bad behaviours and characters that could harm the other partner or their family. This would facilitate restriction to spousal sex interest alone and enhance sexual intimacy.
- ❖ The parent and guardian of married couple need to relate with the couples in a good manner and when there is misunderstanding between couple, they should be able to settle it amicably and do not interfere or poke nose unnecessarily in the affairs of the couple.
- ❖ The religious organizational leaders need to fuse into their teaching effectively by which divorce among couples could be minimized in the society.
- ❖ Effective mode of child rearing and parenting should be given to the married couples and parents in the society. This will help in reducing the level of poor sexual intimacy, and in-law problems and thereby help to stabilize marital relationship in the society.
- ❖ The parent and guardians of married couples need to relate with the couples in a good manner and when there is misunderstanding between couples, they should be able to settle it amicably, and do not interfere or poke nose unnecessarily in the affairs of the couple.
- ❖ Married couples should try by all means to live together all the time.
- ❖ There is need for schools to help children respect the marriage institution from the tender age as part of the curriculum.
- ❖ Forum, workshops, and seminars should be organized to educate marriage couples on the effects of extramarital affairs in their marriage.

- ❖ Further research on a wider scale is needed to come up with empirical based solutions to the behaviour of extramarital affairs/sex, dowry, and domestic violence.

LIMITATIONS OF THE STUDY

The present study has following limitations

- ❖ The study is confined to Kashmir region only. This could hinder the generalization of the study.
- ❖ The sample is restricted to 600 only. The number does not represent the total number of divorcees in Kashmir Valley.
- ❖ Sample from rural as well as urban areas are included in the research considering divorcee women only.
- ❖ Divorced women's perception may be biased due to personal involvement towards divorce.
- ❖ Reports/information gathered from women's police station, Ram Bagh, family courts, from Kulgam and Anantnag could be wrong because of the statements provided by petitioners.