Divorce Cases Among Muslims: Demographic Study of Daerah Barat Daya, Pulau Pinang

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Abstract
Nowadays, there are a lot of divorce cases occurring among Muslims in Malaysia. Every day, there are reports on such cases appearing either in television news or newspapers. Following this issue, the paper is focusing on a demographic study of divorce cases that occurred among 94 Muslims couples in Daerah Barat Daya, Pulau Pinang. It was found that 36 cases occurred during the first five years of marriage. The divorces might have taken place due to the external or internal factors that might come across during the marriage period.

INTRODUCTION
Marriage life is the beginning of a family institution and it is the time when the obligation and responsibility for both partners start to increase. In Islam, marriage means the couple has a trust given by Allah and by the consent of the families who are giving away their son or daughter to new families. Each married couple surely wishes for their marriages to last long and live happily ever after. Once the ‘ijab’ and ‘qabul’ is pronounced, there are many things to be put into thought. Given it in terms of knowledge, responsibility, trust, relationship or financial support, these are factors that cannot be ignored by any married couple. However, being happily married does not guarantee that the marriage will last long until one’s death.

Being married could be easy, but building and maintaining a lifelong marriage is a difficult task. During the marriage, there will be ups and downs. The roles of both partners are important to manage and withstand the marriage so that it will not end up in divorce. According to Malaysiakini.com, a research done by Prof. Madya Datin Noor Aziah Mohd Awal on divorce statistic from Jabatan Kemajuan Islam Malaysia (JAKIM), until 2011, there were three divorce cases of Muslim couples occurred within an hour throughout Malaysia with an average of 70 cases daily (Noor Aziah Mohd Awal, 2013). This result is surprising enough and the numbers keep uprising year after year.

There must be some factors and reasons that contribute to the high divorce cases among the Muslim families. Besides that, the same factors could also be part of reasons affecting the length of duration a particular marriage last. Therefore, this paper will look into the number of marriage years that the couples can hold on. Moreover it will summarize the divorce cases that were reported in the first quarter of 2015 at Pejabat Agama Daerah Barat Daya (PADBD), Balik Pulau.
LITERATURE REVIEW

The main purpose of marriage in Islam is to legalize the relationship between a man and a woman. Apart from that is to follow the sunnah of the Prophet Muhammad. (Adler-Baeder, Higginbotham, & Lamke, 2004) said that a quality marriage contains happiness, prosperity, satisfaction and stability in the relationship of both husband and wife. (Nor Ba’yah Abdul Kadir & Bifulco, 2011) found that marriage can improve one’s physical and psychological health, live longer and happier compared to those unmarried or had a divorce. A study also stated that married people especially men gained more benefits in physiological and physical health, whereas, women generated significantly more positive consequences of their divorce than men (Bevino & Sharkin, 2003).

In Malaysia, the law has stated that the minimum age to get married is 18 years old for male and 16 years old for female Muslims. However, for those below 16 years old, they need to get the consent from the Syariah Court. In November 2012, there was a case where a 12-year old female got married to a 20-year old male with the consent to be married from Mahkamah Rendah Syariah Kulim. However, a week before their first anniversary, the husband divorced her with third ‘talaq’. However, there are some marriages that took place because of other reasons. For example, there are people who marry one another because of wealth and the luxurious life that their partner could provide. There are partners who tie the knot just for the sake of lust. Whatever their reasons are, divorce could just knock on anyone’s door.

(Che Hashim Hassan, 2006) found that divorce cases in Kelantan during 1948-1970 showed an increasing trend even though there were some years in between when the number of cases rate decreased. The highest probability for a divorce to happen was during the first six month of marriage and when the marriage was at an early age. The rate started to decrease when the marriage term became longer and the marriage age increased. In a study done among residents in Jitra, Kedah, (Mohd Taib Arifin, 2006) discovered that 16% of marriage lasted after the first five years and below, whereas 20% divorced after 6-10 years of marriage. Most of the divorces happened because of lack of communication that contributed 32.8% from the total number of cases.

Other than that, a study done by (Nor Shafiza Shoib, 2011) regarding the divorce according to Islamic Law Enactment 2008 (Kedah) revealed that the number of divorce cases was increasing at Syariah Subordinate Court of Padang Terap (2000-2008). One of the main factors that contributed to the cases was the lack of understanding of each other. Besides this, the divorce cases reported at Syariah Court Mukah, Sarawak from the year 2000-2010 also showed an increase either in the cases through ‘talaq’, ‘taklik’, ‘fasakh’ or outside the court. Based on the data, 47% of the divorces happened among those between 27-37 years old. From the total respondents, 39% were divorced during the five years or less of marriage (Abe Sohpian Abdul Rahman, Zuliza Mohd. Kusrin, & Anwar Fakhri Omar, 2014).

A study done among Malays in Kuala Besut, Trengganu had shown that divorce rate among Malays occurred long time ago prior to our country’s state of independence was much higher than after post-independence. One of the reasons attributing to this was due to abandonment by the husbands, where the wives were left without financial sustenance to survive. Divorce is becoming a common phenomenon not only among in any group, race or religion in this world. It has to do with many factors that are interrelated to each other. Getting a divorce is the last and best solution for each couple to break up the troubled and unresolved marriage (Ruhaizan Sulaiman, Ruzaini Sulaiman, Engku Ahmad Zaki Ebgku Alwi, & Norizan Abdul Ghani, 2013).

Statistics from Jabatan Kehakiman Syariah Malaysia showed that 38,035 divorces from January until August last year, which means at an average there were 156 divorces among Muslims in a day. The vast use of electronic gadgets and social media is one of the contributing factor for the divorces, said Assoc. Prof. Dr. Mariani Mohd. Nor, Dean of Faculty of Education, University Malaya (http://www.themalaymailonline.com). Apart from the benefits of technologies, these are the consequences that technologies have offered and people have to accept it as part of their lives.

Having all these evidences, it can be seen that divorce cases had an increasing trend since years ago, in any place. No matter what were the reasons, age and the length of marriage did play a role in a marriage. Hence, the next part of this paper will illustrate the findings regarding the age and marriage term.

RESULTS

The data used in this demographic study were gathered from the 94 reported cases at PADBD, Balik Pulau. The raw data taken were cases from January until Mac 2015 only since this was part of the requirement for the author to finish his industrial training. Partial records of these data are shown in Figure 1.
Fig. 1.
The data of divorce cases for Jan-Mar 2015

As shown in Fig 1, each record contains the age of male (M age) and female (F age) couples at the time of marriage. Marriage date was the date they got married. Registered date referred to the day the couple filed the divorce whereas the actual date was the date when the divorce actually happened. The last column is the total years of marriage for those couples.

These data are for 94 Muslim couples that filed their divorce at the PADBD for the first three months in 2015. This showed that at an average there were about 31 cases recorded in a month in Balik Pulau only, which can be considered as a large number. Each day there was at least one Muslim couple who got divorced in Daerah Barat Daya. Besides that, the range of age among the couples is also the concern of this study.

Fig. 2.
The bar chart for the percentage of divorces according to age

Fig 2 above illustrates the percentage of divorce cases according to the range of age for husbands and wives. There was only one case that involved a below-20 of age for the wife and the husband. The highest percentage is the in the range of age between 20-29 years old for both husbands and wives, that are 38% and 40% respectively. For the age between 30-39 years old, the percentages are equally high; 36% for husbands and 37% for wives. Astonishingly, there was also one percent of divorce for the husband and wife of age 70 and above.
Fig. 3.
The number of years of marriage

Fig 3 represents the number of years of marriage being categorized into phases of five years each. For the first five years of marriage, it was reported that there were 36 divorce cases. Phase 2 recorded 22 cases and Phase 3 recorded 25 cases. After 15 years of marriage, or Phase 4, the number is lesser that was 11 cases.

CONCLUSION

From the data, it was found that the minimum year of marriage was only one year where the husband and wife were 19 and 18 years old respectively. This couple got married when the husband was 18 years old and the wife was 17 years old. Most of the divorce happened during the first phase of marriage life. This result may be due to lack of responsibility and commitment to live a life with a new person besides. Both partners were still in the process of getting to know and understand one another. Besides that, as months passed by, more attitudes, given it good or bad, will be revealed. On the other hand, this honeymoon phase will also open to new issues on financial stability, adapting with in laws and raising children.

For Phase 2 and Phase 3 the number of cases were becoming less, which were 22 and 25 cases respectively. This could be due to the fact that both partners had built up more confidence and commitment in facing all possibilities and problems that arise in their marriages. It is during this phase too that they started to know their partners better. Similarly, for after 15 years of marriage where only 11 divorces were reported.

However, an exceptional case did occur for a couple of 70 years old and above. After 50 years of living and sharing life together, they decided to end up with a divorce. The reason was because one of them wanted to take care of her/his grandchild. Most probably the argument had come to the point where each of them felt that marriage has no meaning at this age. However, this was one of the rare cases reported at PADBD Balik Pulau.

For future work, the author would like to suggest that the study includes more data such as number of children that the couples have, the reasons why some marriages are registered late, and who files the cases (either the husband or the wife). It will also be beneficial to include some interviews done among those couples.

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