



The Causes and Effects of Divorce on Child Upbringing among Muslim Family in Yobe North Senatorial Zone, Yobe State, Nigeria

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ABSTRACT

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This work titled: The Causes and Effect of Divorce on Child upbringing among Muslims Family in Yobe North Senatorial Zone, Yobe State, Nigeria: is conducted with the objective of enlightening prospective couple on the needs to exercise great restraint, caution and tolerance on how this institution could be sustained and maintained for the growth and development of the Islamic Ummah; Islam, as a finally revealed guidance enjoins married couple to handle the trust bestowed on them by Allah (SWT) so that the children they got through that children begotten could become an apple of their eyes in this life and hereafter if they are properly nurture for by both the father and the mother in discharge their responsibility accordingly. But in a situation where such solitary union become broken, the consequences of such dissolution of marriage do affect the couple and the children's upbringing as well. This research work, therefore intends to study the causes and effects of Divorce on child's upbringing in a predominantly Muslim Community in Yobe State. it will further assess the effects of Divorces on both parties and how such dissolution do affect the child upbringing in Muslim Community.

Keywords:

Marriage, Divorce, child custody, Yobe North Senatorial Zone.

INTRODUCTION

An Nikah, or Az-zawaj are Arabic terms used in unchangeably to referred to as "Marriage" Technically, Marriage is referred to as a solitary lives of husband and wife with the objective of establishing comforts, peace of mind as well as bringing into existence legitimate and beautiful children of their own. Abdallah (1982: 135).

However, the history of marriage institution is as old as the history of mankind on earth. It started with the story of Adam (AS) and his wife, Hauwa'u and from that couple all human species originated. To this end, Allah (SWT) Said:

O Mankind! We created you from a single (power) of male and female, and made you unto Nations and tribes that you may know one another (not that you may despise each other). Verily, the most honorable of you in the sight of God is he who is the most righteous of you. And God has full knowledge and is well acquitted (with all things) Q49:13.

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Nevertheless, there are many Qur'anic verses that taught mankind the moral values of marriage that makes sexual cohabitation lawful between the spouses and at the same time provide natural way for man to increase and sustain human species in a legitimates and acceptable way by shariah. To this regard, Allah SWT said:

Among His signs is that He created mates for you from among yourselves that you may find comfort in them and He has put love and mercy between your hearts

In addition, there were many prophetic traditions that taught Muslims the significance of marriage even at old age where he said:

Marry and generate, for I will be proud of you among the whole nations on the Day of Judgment".
Musnad Ahmad

More so, He said:

"Marriage is my sunnah (practice) and whoever turns away from my sunnah is not among my people".

The above Qur'anic and prophetic traditions clearly indicated that the institutions of marriage is Allah's way of creation under certain conditions which must be fulfilled before making it valid and accepted in Shariah.

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Nevertheless, in a situation where such matrimonial contract came to an end due to certain reasons, it is an exclusive right of the husband to resort to divorce unless he (husband) is unjust or aggressive in the use of that right against his wife Ibrahim (1998:62). And the repercussions of such divorce most often do affect the children upbringing in Yobe North Senatorial Zone, Yobe State, Nigeria.

STATEMENT OF THE PROBLEM

The causes and effects of divorce on child's upbringing among Muslim Family in Yobe North Senatorial Zone has become a topic issue that baffled many parents, clerics and jurists for quite a long time. A number of researches and investigations have been conducted by students of Islamic Family Law, Jurists and Students of Sociology and Anthropology to look into these issues and proffered solutions but the problem kept on re-occurring from time to time. Alkali (2001:1).

The ignorance on the parts of the couple with regard to matrimonial relationship are said to be the root cause of divorce and its resultant consequences on child upbringing. Musa (2003:13). While, the hard biting economic situation couple with the inability of the couple to cope with the situation are said to be the cause. Aminu (2019:38). This warrant people to be wondering why this incessant problem continue to re-assert itself and what are the ways to be followed in minimizing or curtailing this problem. In view of this work intends to have an in-depth study into the causes and solutions of divorce and its effect on child's upbringing in Yobe North Senatorial Zone.

OBJECTIVE OF THE STUDY

- (i) Examine the conditions governing the validity of Divorce in Islam
- (ii) Assess the effects of Divorce on both husband and wife in Islam.
- (iii) Assess the effects of Divorce on child's emotional, psychological, social and educational attainment and suggest possible solutions.

LITERATURE REVIEW

In the process of this work, the researcher has made thorough findings for the materials; The Glorious Qur'an, Prophetic traditions as well as other authoritative sources related to this study.

The Glorious Qur'an: God (Almighty) having created man, He created for him wife so that they can provide comfort and joy for one another and ordained between them love and mercy. To this regard, God (Almighty) said:

"And of His signs is that He has created for you your spouses from yourselves and that you might find rest with them and He ordained between you love and

mercy. Lo! Herein indeed are guides for folk who reflect".

Q30:21.

The above Qur'anic verse and many similar related verses discussed much on the bases on why the institution of marriage has been made lawful in the procurement of love, peace and comfort in this matrimonial relationship.

Hadith

There are many prophetic Ahadith that enjoins Muslims to marry, begot children and also take proper care in nurturing them up so that they would be useful to themselves, Islam and generally to mankind as a whole.

"Marry and generate, for I will be proud of you among the whole Nations on the Day of Judgment".

More so, the above prophetic tradition has rebuked the idea of celibacy as practice by Christian's faithful, thus;

There is no provision for celibacy in Islam

These prophetic traditions have indicated that the institution of marriage in Islam is the only legitimate and lawful contract that legalized sexual enjoyment, procreation of children as well as provision of comfort and solace in a moment of distress and disappointment. NCE (DLS) (2005:10).

BOOKS

The first book that is very much relevant to this work is the work of Abdulhamid (2004:37) titled: 'The Principles of Modern Islamic Law of Succession' in which the author explains on the rights and privileges that Islam provides women based on their nature in child's upbringing in accordance with Islamic dictates. The author made bold attempt in identifying the role/function each parties to perform so that the matrimonial relationship could achieved its desirable objective. He stated Qur'anic verses and prophetic traditions on how the children could be taken care of when such relationship became sort or ended up.

Another important work to this study is the Hajara work (2013) "Islamic Teachings on human Right and Child Custody", in which the author stated that Islam accorded women with high status as a lovely daughter, wife and a mother at a later age who is virtually equal to man, who enjoys certain rights and privilege as she is liable to obligations under the Islamic Law. The author further explained the honourable status accorded to women by Shariah in various dimension and from many perspectives, such as; her rights across the world which she considered as evils by ancient Christian doctrines, she was only considered as a property of personality and feelings, criminal infanticide during the pre-Islamic era and a tool to inherited for fear of humiliation and disgrace. Thus, this research work will discuss on the causes and effects of divorce on child's upbringing among Muslim Family in Yobe North Senatorial Zone, Yobe State, Nigeria.

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METHODOLOGY

A survey research method was adopted for this study. The population comprised of respondents and simple Random Sampling Technique was employed. 492 out of 600 questionnaires were answered and returned valid. Krejcie and Morgan (2006) technique for determining sample size was used. The research instrument used for this study was questionnaire. And, Aina (2004) stated that the questionnaire is the most commonly used instrument for collecting data. It basically seeks the opinion of individual in a sample population on issues directly related to the objective of the research study. Administration and retrieval was done within

two weeks period in the area of study. Nevertheless, data derived from the questionnaires were analyzed using descriptive statistics of frequency distribution which was displayed in the tables below;

PRESENTATION OF DATA

Out of 600 questionnaires that were administered to the respondents in the three Local Government Areas of Yobe North Senatorial Zone of (Nguru, Karasuwa and Jakusko) Yobe State, Nigeria, 492 (82%) were retrieved. The data collected in the study is hereby presented according to the objective of the study.

Table I: Causes of Divorce among Muslim Family in Yobe North Senatorial Zone.

Required Information	Frequency	Percentage
The Agony and Sorrow of bitter marriage could be avoid if couple are informed on Nikah and its related matters	122	24,7%
Divorce do occur in most cases in not consulting Ulama for guidance on matters of Nikah in this area	76	15.4%
Many Divorce do occur in this area due to ignorance and mere customs and personal benefit not Shariah	195	39.6%
When divorce occur the children were bereaved of parental love, care and in most cases became problem in the society	99	20.7%

The respondents were asked to indicate their knowledge on the conditions governing the validity of marriage in Islam and how its decided objectives could be achieved. It can be seen from the table above that, most respondents with the total number 195 (39.6%) are of the opinion that ignorance and mere customs and personal benefit played a vital role in the

causes of Divorce in the area of study. Then, followed by inability of the married couple to be better informed on Nikah and its related matters 122 (74.7%) and the last was the inability of the married couple in consulting Ulama with 76 (15.4%) as indicated in the table above.

Table II: The Effects of Divorce on both Husband and Wife.

Required Information	Frequency	Percentage
Divorce causes the wrath of God-Almighty and distance one from the mercy of God with disastrous consequences to both husband and wife.	86	17.4%
Divorce endangers the security and freedom of the couple as granted to them by Islam in such a way that the reciprocal role of proper child's upbringing may not be properly achieved.	186	37.8%
The moral foundation of marital function and serenity as an abode of peace, mutual love and compassion is completely broken	120	24.3%
The privacy, comfort and independence of a woman is completely lost if the chain of marital is detached.	100	20.3%

In the above table, the respondents were asked to show the effects of Divorce on both husband and wife in the area of study. As observed from the table above, 186 (37.8%) opined that the effect of divorce endanger the serenity and freedom of the couple as granted to them by Islam in their inability to discharge their responsibility diligently in proper upbringing of a child. 120 (24.3%) the moral foundation of serenity,

peace and mutual love and compassion is broken. While, 100 (20.3%) opined that the privacy, comfort and independence of a wife is broken due to divorce. And, finally, 86 (17.4%) were of the opinion that the wrath of God Almighty is incurred on both parties if divorce is not exercise in accordance with the laid down criteria made mention by Islam.

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Table III: Problems faced by Children as a Result of Divorce in the area of study.

Required Information	Frequency	Percentage
Loss of parental love, affections and compassion that may lead the child to become deviant.	203	41.2%
Harsh treatment from step-mothers that may affect child’s educational, emotional and social development.	98	19.9%
Exposure of child to all sort of criminality due to hardship and negligence from step mother	86	17.4%
Dual residential of a child without knowing where the child actually resides permanently.	105	21.3%

The Table III above shows the problems encountered by children in Yobe North Senatorial Zone as a result of separation of their parents through divorce, 203 (41.2%) opined that the consequence of divorce on the children in the area lead to loss of parental love, affection and compassion that affect the child’s upbringing in the area of study. While, 105 (21.3%) were of the opinion that divorce led a dual residential of a child between his father’s home and where the mother do resides. It was followed by 98 (19.9%) who responded that harsh treatment of step mothers also play a role in the child’s emotional, education and social development whenever their parents become separated. Finally, 86 (17.4%) responded that the effect of divorce on children most often lead the child to all sorts of criminality due to hardship and negligence the child encountered from step mother.

Be it as it may, the causes and effects of divorce on child upbringing among Muslim Family in Yobe North Senatorial Zone, Yobe State, Nigeria has revealed manifold results that marriage as a corner-stone upon which so many things are built upon, needs to study carefully and then enter into it with the intention of serving God-Almighty in earning His Grace, pleasure and mercy in this life and hereafter.

SUMMARY OF THE FINDINGS

- a. Divorce in the area of study do occur due to ignorance and mere customs and personal interest not shariah.
- b. The effects of Divorce on both husband and wife in the area of study endanger the security and freedom of the couple as granted to them by shariah in proper child’s upbringing in accordance to Islamic Law provisions.
- c. The problems faced by children as a result of divorce in the area of study led to loss of affection, love and compassion from their parents.

CONCLUSION

Based on the findings of the study, the conclusion drawn is that, many divorce in the Yobe North Senatorial Zone, Yobe State, Nigeria, do occur due to ignorance and mere custom. To this end, there is need for mass educational campaign, enlightenment and sensitization n the rule and regulations governing the validity of marriage contract in

Islam. The study also concluded the effects of divorce on the couple in the area of study do endangered their security and freedom. To this regard, the couple, especially husbands,needs to exercise great retrain, patience and perseverance in marital relationship before resorting into divorce as the last option.

Last but not the least, the study also concluded that children most often lost parental care, love and affection, which in most cases do affect their educational, emotional and social development. Thus, in line with these findings it is expected that Muslim Clerics, Shariah Implementation Committee and other Stake-holder should join hands together in improving the tie of marital relationship in the area of study.

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