

# **Muslim Women Protection of Rights on Marriage Act and Divorce of Muslim Women in Malappuram District**

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Muslim marriage has several connotations and religious practices. Unlike Muslim women in other Indian states, Muslim women in Kerala have a unique legacy which is shaped from the historic link with the Arab world. The basic question that have been addressed in the article is, what are the social, economic and psychological problems faced by the divorced Muslim women. Another interesting issue addressed is the problem of looking after the children of divorced women. Data based on Muslim divorces from the Family Courts explain that Muslim divorcees in Kerala are not having a different trajectory with the global levels. Still, 'agreement' based divorces are happening among the community under the aegis of religious groups and by adding these kinds of outside the family court settlement, the situation is perilous. The paper evaluates, how the Muslim women (protection of rights on marriage) Act, 2019 impacted this faction in a large Muslim populated district like Malappuram. The universe of the primary data is divorced Muslim women in Malappuram district eliciting a sample of size of 91. The paper identifies that Muslim women have twin impacts; of getting married early devoid of education to earn a livelihood and of facing many consequences after divorce as an individual in family and community.

**Keywords:** Nikah, Talaq, Family Courts, Agreements, Mutual Consent, Maintenance, Social Stigma

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In Islam, marriage is both a civil contract and a religious duty, where men and women are equally treated. A difference in Islamic marriage, irrespective of other religions, is the prevalence of 'Mahr' from the groom's side and it is treated as a source of financial security and this is not refundable in case of divorce. The marriage in Islam is termed as 'Nikah', a civil contract and the connected four pillars are 'Ijabie'- offer, 'Qubul'-acceptance, competent parties and no legal disabilities. Divorce in Nikah is well detailed in a Chapter as "Talaq" in the Holy Quran. In these circumstances, it is necessary to highlight the five modes divorce procedures in Islam viz. 'Mubaraa' (mutual consent), 'Talaq' (repudiation), Talaq-e-taswid (delegated divorce), Khula (redemption) and Faskh (Judicial rescission) and in these men and women have the right to divorce. In this 'Talaq' is husband action, whereas 'Talaq-e-taswid and 'Khula, Faskh' are wife's prerogatives initiated by the wife and 'Mubaraa' is done with mutual consent. Connecting to this is the 'Triple Talaq', which has been a contentious issue, as it is lopsided. The marriage, divorce, succession,

inheritance and charity laws of Muslims in India are governed by the Muslim Personal Law (Shariat) as per the provisions of the Act of 1937. The Act of 1939 gives the right to Muslim women to dissolve marriage on the levels of husband missing for four years, failure of the husband to provide maintenance to wife, husband imprisoned for seven years, impotency of the husband, insanity of the husband, venereal disease, act of cruelty etc. However, the Muslim women (protection of rights on marriage) Act, 2019 explicates 'Triple Talaq' or instant talaq in single sitting is void, illegal and criminal offense. The act also instructs to give subsistence allowances to the wife and children as per the direction of the magistrate.

The importance of Muslim culture and history in shaping the Malabar region is special owing to the higher percentage of Muslim population in the districts of Kannur, Kozhikode, Wayanad, Malappuram and Palakkad and Kozhikode. The social set up in the 19th Century Muslim community is well highlighted by Khadeeja (1995), among other practices, the social fabric of the womenfolk of the community is based on illiteracy and early marriage. Nonetheless, the total social evils and misconceptions have disappeared to a greater extent from the Muslim community in the region with the proliferations of the community with new avenues of livelihood in the Gulf region. However, there are still instances of Triple Talaq. Evaluation of the impact of the Muslim women (protection of rights on marriage) Act, 2019 on the Muslim women especially in a large Muslim populated district like Malappuram tries to magnify the tumultuous actions of the muscled and influential factions of the community. The basic question that have been addressed in the article is, what are the social, economic and psychological problems faced by the divorced Muslim women. Another interesting issue addressed is the problem of looking after the children of divorced women. In the paper, how the Muslim women (protection of rights on marriage) Act, 2019 impacted this faction in a large Muslim populated district like Malappuram is explored using the primary survey.

The Muslim women divorce and related issues have come to the fore with seminal scholarly articles. The psychological issues create negative impacts on the life of the individual after divorce as of Gähler (2006); Trivedi, Sareen, and Dhyani (2009) and Arip rackel and George (2014). A study by Thadathil and Sriram (2020) in this regard has identified domestic violence, poor communication, psychological issues and high expectations about marriage as some of the main reasons for divorce. Types of marriage, whether arranged or love marriage, also determine the initiative for divorce (Maitra and Gayathri, 2015). Violence from the husbands, infidelity, religious issues and financial problems have been identified as reasons for divorce in Mizoram and there have been situations where the women have come forward and filed complaints against the husbands for domestic violence (Ngurthangpuii and Geetha, 2017). Cruelty and desertion have been identified as reasons for divorce in Maharashtra (Girase. 2016). Gender difference in the impact of divorce is identified by Leopold (2018) and the same has been evaluated based on economic, social, health and housing aspects. Different dimensions of triple talaq with respect to the current Indian scenario are discussed by several studies, the prominent among them being studies by Engineer (2004); Hussain (2010) and Rao, Suryakiran, and Shetty (2016) which term this form of talaq or divorce as un-Islamic.

### **Methodology and Sampling Framework**

The paper is a combination of qualitative and quantitative methods and makes

use of both primary and secondary data. The universe of the primary data is divorced Muslim women in Malappuram district. Data are collected from the number of divorce cases filed by Muslims in family courts and the number of divorce cases occurred through the mosque based religious groups in the form of agreement in the Malappuram district. As primary source of data 91 samples are selected based on random sampling technique from seven Taluks in Malappuram District. The paper also uses the information collected from discussions with religious leaders, advocates, counsellors etc. Perception of marriage and divorce of the Muslim community is evaluated with the help of Factor Analysis to elicit the pertinent factors responsible for these two. Secondary data are collected from various published and unpublished sources like books, reports, research papers, newspapers and documents from family court and RTIs.

### **Muslim women (Protection of Rights on Marriage) Act 2019**

The Muslim women (Protection of Rights on Marriage) Act 2019 is “an Act to protect the rights of Muslim women and to prohibit pronouncing of Talaq by their husbands and to provide for matters connected therewith or incidental thereto” (Controller of Publications, 2019). The Act came into force as Talaq-e- Biddat or Triple Talaq was practiced by some with which a Muslim man had the right to divorce his wife by pronouncing talaq three times without citing the reasons for divorce. In some cases, the wife need not be present during the pronouncement. The discriminatory nature of the practice was pointed out by Shayara Bano who challenged this practice of divorce in the Hon’ble Supreme Court of India. Subsequently, a verdict was passed by the Supreme Court on 22nd August 2017 that this form of Talaq violated Article 14 of the Constitution (Kumar, 2019).

In order to give immediate effect of the verdict of the Supreme Court, the Act named the Muslim Women (Protection of Rights on Marriage) Ordinance, 2018 was promulgated on the 19th September. In the same year two more Ordinances were promulgated. With this background the Lok Sabha passed the Muslim Women (Protection of Rights on Marriage) Bill, 2019 on 25th July, 2019 and the Rajya Sabha passed it on 30th July, 2019. After receiving the assent of the President of India, The Muslim Women (Protection of Rights on Marriage) Act, 2019 came into force with retrospective effect from the 19th day of September, 2018 giving continued effect to the first Ordinance promulgated on 19th September 2018. As per the Act, Triple Talaq pronounced by the husband is void and illegal and states that the husband is liable for fine and up to 3 years of imprisonment. Along with this, women are granted custody of their children and are eligible to receive subsistence allowance from their husbands. The Press Information Bureau (PIB, 2021) has reported a substantial reduction in Triple Talaq cases as there has been a drop of 82 percent within a year of passing the Act.

An assessment of various dimensions of the Muslim women (protection of rights on marriage) bill, 2017 is done and drawbacks and problems of the bill are discussed by Sur (2018). Fathima (2017) criticises the Muslim women (protection of rights on marriage) Bill, 2017, as it is a baton to punish any Muslim husband who use Triple Talaq for divorce and it leads to jail for three years as crime. Mandal (2018) puts Triple talaq (instant Talaq) as constitutionally protected right to freedom of religion, as violation of fundamental right to equality and practice disapproved within Islamic legal tradition. Uniform Civil Code is put forth by Yadav (2015) as one and only

solution to protect rights of Muslim women and save them from exploitation. Shrotriya & Chauhan (2019) pointed out that while the Muslim women (Protection of Rights on Marriage) Act 2019 has its own benefits and drawbacks, there is need to strengthen social reform movements that challenge orthodoxy and patriarchy. However, instant divorce practice prevailing in the Muslim society is an injustice to Muslim women, the criminalisation of men is also an injustice.

### **Divorce scenario**

India has the lowest rate of divorce in the world with only 13 cases out of 1000 marriages. According to the Census data (Chandramouli & General, 2011), divorces are mostly happening in the states of Gujarat, Maharashtra, Sikkim and West Bengal. Among the southern states, with relatively higher rates of marriage divorces are from Kerala and Tamil Nadu. It is clear that divorce cases were at the upturn before the inception of family courts and Kerala also showed an increasing trend. Kerala becomes the divorce capital of India as per the year-wise divorce statistics of India. Filing of divorce cases have been increasing year after year, though the state has started several family courts after 2005.

Kerala is unique in many respects owing to the progress achieved by the state with high social development irrespective of its economic development and this has been achieved in the form of a particular development pattern known as 'Kerala model of development'. It is interesting to note that the high divorce rate in a state with 93.91 percent literacy rate shows that literacy rate is invariably connected to divorce rate. From the total 88 lakh Muslim population of Kerala, 66 lakhs are in Malabar area with 71 percent and the issue of divorce among the Muslims in Malabar is also in an uptrend in the recent years. Kannur, Palakkad and Kozhikode have high rates of divorce in the year 2019, whereas Wayanad district has low rate in comparison to other districts of Kerala. Divorce data from the Family Courts pinpoints the increasing divorce rate in the Malappuram district. The year 2018 showed the highest rate in divorce in the Family courts in Malappuram district with 19.6 percent of the cases registered. In 2019 this has increased to 20 percent. Though Malappuram is the Muslim predominated district, the divorce rate of the Muslim community is comparatively lower than the other social groups in the district. One reason quite often suggested is that most of the Muslim divorces are settled out of the family courts i.e., as by 'agreement'. After the enactment of Muslim women Protection of Rights on Marriage Act 2019, it shows a deceleration of about 10 percent (from 206 in 2018 to 186 in 2019) in the number of divorce cases filed during the period 2018-2019.

Recent statistics in Malappuram indicate that the divorces and literacy are on a new path as it has been increasing. Examining the global data on divorce over the past several years reveal that the divorce practices have been an increasing phenomenon worldwide and India's case is the lowest in these statistics. However, Kerala society is generally moving in tandem with the global pattern. In 2019, 24028 divorce cases were reported in Kerala. While analysing the divorce rate in the Muslim predominant area such as Malabar and Malappuram, it shows an increment but not in conformity with the other districts of the state. This is due to the divorce practices under 'agreement' without court interference. Major portion of divorce that occurs in Malappuram as per the Hindu Marriage Act, comes about 66 percent in 2019. Paucity of data relating to agreement divorces makes any analysis and inference difficult.

## Results and Discussions

### Profile of Respondents

Age, education and other categories of the respondents show that the majority of the respondents i.e., more than 60 percent is aged between 18 and 39 years, 31.9 percent between 40-50 years. The data reveal that the issue of divorce is more among the young and middle-aged women. At the time of marriage more than 85 percent were aged below 23 years. Out of this, 26.4 percent got married between the age of 12-17 years, though illegal in India. Most of the Muslim divorced women, as per the survey, got married at a very young age, a time which might be considered important in shaping the academic progress and career of a person. Educational profile highlights the situation of low educational attainment among the respondents surveyed as nearly 70 percent have an education of secondary and below. Out of this, the majority have not completed primary education. Those completing graduation and above are 30.8 percent. Though women education of Kerala is well acclaimed with girls outnumbering boys in terms of enrolment of higher education, in the case of Degree courses (64.6 percent), health and allied sciences (81.35 percent), B. Tech (41.85 percent), Master's Degree (64.69 percent) (KSPB, 2021), in the case of Muslim divorced women it is a different picture. This will impact their livelihood situations and income levels. However, field inference shows that there has been a marked improvement in educational profile of the Muslim women in the survey region as they choose to study and hence those below 30 years have at least completed graduation.

Employment status of the respondents show that 45.1 percent of the women surveyed are employed and 20.9 percent are studying. This shows that they are either engaged in income yielding activities or trying to get themselves educated after divorce. Out of those working, 92.7 percent are employed in private sector jobs. Though financial support is important for them, it also eases their stress and tension. However, majority of the Muslim women have an education of secondary and below, they mostly work in low paid jobs in the private sector. Low income and livelihood insecurity are two major issues faced even by the employed women in the sample. Married women are forced to discontinue their education and in most of the cases enrol back to their studies once they got divorced. Interestingly, they narrated that during the marriage fixing, the groom and his family agree for the continuation of the study, but once marriage has taken place, they force the bride to discontinue her studies. These are detailed in the form of profiles of the respondents in Table 1.

### Process of Marriage

It is evident from Table 2 that most of the marriages i.e., 89 percent were arranged and their life partner was chosen by their family or relatives. In fact, 45.7 percent of the divorced women perceive that their marriage was done without their consent. The process involves getting the consent of the bride before Nikah, the bride mostly obeys her family's directions and agrees for marriage. Field inference authenticates that even the educated women have shared the same experiences with regard to the process of their marriage. For most of the respondents (92.3 percent), their marriage was the first one. Only 7.7 percent opined that they were already divorced prior to their marriage and based on discussions with respondents it is inferred that they had pressure from their family friends and society to remarry. Also, instances of blaming

and exclusion by society and family adds to the trauma and stress. Even for the employed women, it is difficult to escape from the social stigma and family pressure. In the case of male's 78 percent had their first marriage, 22 percent of the spouses who were married already, 80 percent had one previous marriage, 15 percent had two previous marriages and 5 percent had three previous marriages. In fact, it is evident that about 50 percent of males had other wives at the time of the marriage and 65 percent of males have children in their previous marriage.

**TABLE 1:** Profile of the Respondents

<i>Present Age</i>	<i>No</i>	<i>Percent</i>	<i>Age at the time of marriage</i>	<i>No</i>	<i>Percent</i>	<i>Education</i>	<i>No</i>	<i>Percent</i>
18-28	36	39.6	Between 12-17	24	26.4	Primary	37	40.7
29-39	19	20.9	18-23	54	59.3	Secondary	26	28.6
40-50	29	31.9	24-35	11	12.1	Graduation & above	28	30.8
51+	7	7.7	36 and above	2	2.2			
<i>Activity</i>	<i>No</i>	<i>Percent</i>	<i>Type of employment</i>	<i>No</i>	<i>Percent</i>	<i>Reasons for working</i>	<i>Percent</i>	
Job	41	45.1	Govt	3	7.3	For meeting household expenses	63.4	
Study	19	20.9	Pvt	38	92.7	Mental relief	29.2	
Doing household chores	31	34.1	Total	41	100	Overcome divorce shock	12.1	

Source: Primary Survey

The reasons for forcefully conducting the marriage are classified into five. Preference for an early marriage by the family is the major reason cited by majority of the respondents (43.2 percent), and in this 16.2 percent women got married forcefully because of their poverty and 29.7 percent women married because younger siblings in their family had to get married. Another reason might be too late to get married if the marriage is postponed (29.7 percent) and the financial background of the husband (8.1 percent) is yet another aspect which has resulted in forcing their marriage. Here, in more than 40 percent of the cases, early marriage is cited as a major reason for forcefully conducting the marriage. So, most of them got married at a younger age and their decision was influenced by the family. This impacted their educational attainment and future livelihood security.

### Process of divorce and its reasons

Table 3 shows the data related to the process of divorce and its reasons. The tabulated data point out that 68.1 percent women get divorced based on the agreement and 31.9 percent women have approached court for divorce. There is also 'agreement' in the form of divorce contract between husband and wife and it is in the form of 'Talaq'. In most of the cases, the initiative of divorce came from the

respondent or her family (60.1 percent). Her husband or his family took initiatives in filing divorce in 30.8 percent of cases. Only 8.8 percent of the divorce were done based on mutual consent. In fact, the wife initiated the divorce in 47.3 percent compared to 24.2 percent by the husband. It is evident that as divorce initiative was taken by the wife, the husband refused to grant divorce in majority of the cases. It shows that 81 percent of women separated from their husband before they got divorce, whereas 80.2 percent have tried to discuss and resolve their issues.

**TABLE 2:** Process of Marriage

	<i>Percent</i>
<b>Type of marriages</b>	
Life partner chosen by parents/family	89.0
Forced marriage	45.7
<b>Motive behind forced marriage</b>	
Family prefers early marriage	43.2
Poverty	16.2
So that younger siblings could get married	29.7
Financial status of the husband	8.1
Too late if the marriage is postponed	29.7
First marriage for wife	92.3
First marriage for husband	78.0
<b>Previous marriage of husband if married</b>	
One	80.0
Two	15.0
Three	5.0
<b>Polygyny at the time of marriage</b>	50.0
<b>Husband has children in previous marriage</b>	65.0

Source: Primary Survey

The reasons of divorce might vary. Sub-classification shows that about 30.8 percent of women say communication gap between husband and wife as major reasons of divorce and 24.2 percent it is lack of care from husband. Another reason is the high influence of their parents and this comes to 24.2 percent. Lack of trust by the husbands towards the wife is also cited as a reason with 19.8 percent. Problems with parents of the spouse and lack of support from the husband are also acting as major reasons for divorce for most of the respondents.

**TABLE 3:**Process of Divorce

	<i>Percent</i>
<b>Procedure to get Divorce</b>	
Agreement	68.1
By Court	31.9
<b>Initiation of Divorce</b>	
Mutual consent	8.8
Husband	24.2
Husband's family	6.6
Wife	47.3
Wife's family	13.2
<b>Separated before getting divorced</b>	83.5
<b>Tried to solve the problems before getting divorce</b>	80.2
<b>Information about divorce received</b>	
Direct	70.3
Letter	15.4
Phone call	14.3
<b>Reasons for Divorce</b>	
Communication gap	30.8
Lack of care and support from the husband	24.2
Influence of spouses' parents	24.2
Lack of trust shown towards wife	19.8
Others	2.0

Source: Primary Survey

**Factors determining divorce**

Issues raised by women vary, it is a fact that graduate women are mostly getting divorced between 1-5 years of their marriage. Better education makes them aware of their rights and they respond to the mistreatment received from their spouse and family compared to the less educated women. Education of the husband also plays an important role in determining the duration of marriage. About 51.2 percent of respondent's husbands with primary education have been divorced within five years of getting married. About 64.9 percent of respondent's husbands with secondary education have divorced within five years of getting married. Age difference is yet another determining factor in divorce and the tendency for quick divorce is seen common among spouses who have age difference between 6 to 11 and who have lived together for 1 to 5 years, which is 64.2 percent. And divorce seen among spouses



showed that the age difference between 0 and 5 years and who have lived together for 1 to 5 years is 20.7 percent.

### **Problems after divorce**

The process of divorce in itself is a time-consuming process for both the parties and hence results in trauma and stress. Especially, if it is not by mutual consent, it will take a long time to complete. Though completing the divorce process is a relief, women after divorce also face so many psychological and financial problems inter alia the stigma connected with divorced women, which makes it difficult for them to interact with society. Table 4 depicts the problems faced by the Muslim women after divorce. The data shows that the social life of women is highly impacted after divorce. The social disgrace and issues faced by women after divorce take the form of mental trauma and stress and even psychological disorders. Psychological issues show that only 35.2 percent perceive the same, whereas the majority are of the view that they do not face mental issues after divorce. Out of those who have raised concerns about the psychological issues, they face multiple issues like depression, insomnia, anger, anxiety and psychiatric disorders. However, a major cause of concern in this regard is that while some conceal the fact that they have mental stress after divorce, those admitting mostly have not undergone any treatment. In fact, the mental issues and interaction problems are often inter connected as one is intensifying the impact of another. Along with this is the issue of financial problems. They fail to get back jewellery and gifts given by their family to the husband at the time of wedding. Nonetheless, it is not technically termed as dowry, it is a fact that most of the families demand jewellery and expensive gifts during marriage. Compared to the jewellery and gifts received by the groom at the time of marriage, the Mahr given, in most of the cases, to the bride is negligible. In this respect 29.7 percent have not received back any of their jewellery or wedding gifts, land etc. given to the husband. 'Iddah' is four-month period of after divorce and hence it is mandatory right of Muslim woman that the maintenance amount should be given by her husband. Legally, it is called 'Iddah mathah'. It shows that 80.2 percent of women did not get maintenance during the Iddah period. The fact that most of the women had to discontinue their job or education after marriage, which makes it difficult for them to find a job later.

### **Perception about Muslim Women Right to Protection on Marriage Act 2019 and Triple Talaq**

Only 50.5 per cent of respondents are familiar with Muslim women right regarding the protection on marriage act 2019. Field inference also shows that even those who are familiar with the Act do not know the detailed implications of the Act. It shows that 61.5 percent of respondent's face divorce with three Talaq at the same time. Such a process of divorce is not coming under Islam or as per the Muslim Women Right to Protection on Marriage Act 2019. This implies that most of these divorces might have happened before the enactment of this Act. This clearly endorses the need for such an Act to protect Muslim women from the threats of Triple Talaq as it is stealthily happening in the Muslim society. As the Act is new, it is too early to go into the pros and cons of this act based on the perception of Muslim divorced women. This is because they still depend on religious institutions in most of the cases to get divorce, maintenance and return of their dowry after divorce. This highlights the need to make the Muslim women know the importance of the Act, inasmuch as they

are not exploited in future and the process of divorce takes place in an organised legal manner.

**TABLE 4** :Socio-psychological and financial issues after Divorce

	<i>Percent</i>
<b>Difficulties to engage with public after divorce</b>	39.6
Public function	63.8
Neighbours	47.2
Family	41.6
Friends	38.8
<b>Mental Problems after divorce</b>	35.2
Depression	68
Anger	34.3
Anxiety	38
Psychological issues	15.6
Insomnia	40
Medicines for Mental issues	12.5
<b>Did not receive back all the property after divorce</b>	29.7
<b>Did not receive maintenance at the time of Iddah period</b>	80.2

Source: Primary Survey

### Perception about Marriage and Divorce

The perception of respondents about divorce and marriage was evaluated based on 11 statements. The responses were recorded on a five-point scale of 1 to 5 with 1 being strongly disagree and 5 strongly agree. Factor Analysis is performed and results are shown in Tables 5 and 6. Table 5 shows the Kaiser- Meyer-Olkin (KMO) measure of sample adequacy and Bartlett's Test of Sphericity. The KMO value of 0.662 is above the accepted value of 0.50 as per Burns and Burns (2008). Significant value of Bartlett's Test of Sphericity testifies that Factor Analysis can be performed.

**TABLE 5:** KMO and Bartlett's Test

<i>Kaiser-Meyer-Olkin Measure of Sampling Adequacy.</i>		.662
Bartlett's Test of Sphericity	Approx. Chi-Square	236.696
	Df	55
	Sig.	.000

**TABLE 6:** Rotated Component Matrix

	<i>Component</i>			
	1	2	3	4
Getting divorced was the best choice	.663	-.103	.041	.346
Get married only after completing the education	.740	-.043	.027	-.181
Get married after getting a job	.819	-.059	-.048	-.066
Choosing a life partner should be done only with the full consent and will of the woman	.640	.062	.141	-.094
Women should be financially independent	.783	.103	.128	.025
Society views divorced women living alone badly	.180	.685	-.233	.480
Mental problems occur in women after divorce	.017	.808	.063	-.179
Women should be provided counselling after divorce	.067	.079	.820	-.039
After a divorce, it seems difficult to get engaged in the society	-.131	.815	.233	.163
Divorced women do not receive decent compensation	-.168	.064	.189	.852
Women should not agree to pay dowry	.138	.053	.730	.204

The first factor has five statements out of which four are related to the need to obtain consent of women for marriage, financial reliance and importance of education for women before getting married. They also perceive that getting divorced was the right decision. The statements relating to financial independence as well as education are important in most of the divorced women as they opined that they were forced to discontinue their job or studies by their spouses despite the promise given to them before marriage. Lack of employment would mean higher dependence on one's husband and those who are uneducated find it more difficult to find a job even after divorce. Completing the education and getting employed before marriage is the best choice as per their opinion as they can be more independent, both financially and intellectually. Another issue is the lack of consent and they hence perceive that consent of the women are needed while choosing life partners. The points discussed are difficulties faced by them, which culminates to divorce. Because of these reasons, they feel that getting divorced was the right decision taken by them. The second factor has three statements relating to the negative impacts of divorce on their life. Social mingling and interactions are difficult because of the societal attitude towards the divorced women. They also face mental trauma and issues after divorce. To overcome this, they need to be given counselling which is one of the two statements evolving as the third factor. In the third factor, they also view dowry as a major issue and perceive that dowry should not be promoted. This is because of the amount of dowry their family had to pay burdening their family, which they regret after divorce. Adding to this is the inadequacy or lack of compensation received by divorced women from their ex- husband and this advances as the lone statement in the last factor. They feel that the maintenance they receive is inadequate to meet their and children's expenses. Lack of education or employment, along with the social stigma about

divorced women make it difficult for them to find a job to eke out a living. Hence, divorced Muslim women face problems like financial, social and mental during their post-divorce life. Despite this, they strongly feel that getting divorced was the right decision.

### Conclusion

Marriage and divorce of Muslim women are indeed very intricate and hence analysing it under the recent Muslim Women Protection of Rights on Marriage Act 2019 is a complicated task. Muslim women have twin impacts of getting married at an early age devoid of providing education to the girl to generate a livelihood as they need to face many psychological and socio-economic consequences after divorce as an individual, family, and community. These issues are manifold if they have children in the case of divorced women. These are well supported by the primary data inference. The women generally perceive that education and financial independence go hand in hand, and hence, warrant the necessity of education for their dignity as married women, and also for their livelihood options as divorced women. Though divorces are happening at an increasing rate on the basis of family court data, divorces are also taking place on the basis of 'agreement' outside the purview of family courts. Paucity of data pertaining to 'agreement' acts as major hurdle for understanding the real divorce scenario of the community. Lack of financial independence of the Muslim divorced women makes it difficult for them to lead a meaningful life after divorce, therefore some depend on family, friends, NGOs etc. for financial help. A study with wider amplitude encompassing the Muslim Women Protection of Rights on Marriage Act ,2019 would be helpful in unravelling the nuances of Muslim women divorces.

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