

يحتاج بناء المجتمعات العربية تنمية مستدامة وتغيير ثقافة

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## Arab Societies Building Need Continuous Development, Culture Change, Demographic Dimension, and Applicable Education to

## Reduce Frightening Divorce Phenomenon

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### Abstract:

**Definition:** The divorce phenomenon is so dangerous and risky on Arab communities due to it is increasing and outstanding that needs urgent actions from the governments to reduce its averages and rates locally.

Social phenomenon must be dealt with accuracy, seriousness, intention, measurements, and fund.

**Methods:** The researcher has used the Descriptive Study / Correlational Study, in which he states the phenomenon and its causes and reasons by illustrating the numbers with rates and averages that need actions on the ground as soon as possible. The researcher

has depended on the information, numbers, journals, newspapers, articles, topics, subjects, social media, media, internet and issues that are published on webs and sites to show the risk size of the divorce phenomenon to the communities inside and outside The Arab World to help and find such solutions to invest the important and salient wealth: it is the human beings. The numbers are valid, reliable, significant, descriptive and valuable to be such sources in dealing with the issue of the divorce phenomenon, we have variations and no similarity among numbers according to countries and their towns. The sample used in the study is from most of The Arab Countries like Iraq, Egypt,

Tunis, Saudi Arabia, Jordan, Lebanon, Syria, etc. **Study**

**Aim:** To mention the reality of divorce dilemma in most of The Arab Countries in a descriptive way and illustration of its causes and reasons with suggestion of suitable recommendations and solutions with emphasis on Four Salient Factors: **Continuous Development, Culture Change, Demographic Dimension, and Applicable Education.**

**Conclusions:** No one is responsible of the increasing numbers of the divorce phenomenon in The Arab World Communities, it is the Arab governments which allow such things to happen, we could see new buildings, new roads, new supermarkets, new airports, and concrete things, that most leaders and presidents, in The Arab World, care for; but they don't put the investment and care of their populations in developing systems of education, and improving with enhancement the culture and its importance to amend the bad things and rely on the merits ones.

**Keywords:** Average, Community, Demographic, Disease, Divorce, Education, Globalization, Investment, Man, Reduction, Syria, System

New studies have shown that the number of divorce in The Middle East has been increasing recently and must be the main reason of social

and economical problems. We really need to understand the grassroots of such phenomenon that increases in Arab Societies without seeing actual procedures to encounter it: it is the Divorce Phenomenon. Many Arab countries have witnessed development and progression in terms of education, health, manufactures, agriculture, industry, etc.; but they are unable to solve some salient issues that are killing New Generations. We should understand our roles in the society and community to be able to remedy such social diseases like the divorce.

Marriage is not a process of breeding, it is neither individual view nor selective picture to look at it. It needs to be studied well, from both parties, before acknowledging the day of marriage that means each one has an identity needs to be respected and cared for so as to create intimacy and harmony creates such a stable and strong family. Marriage is not a process of sex and finding a beautiful girl or woman to show your strength upon her. It is the sacred (holy) contract which has principles and instructions to follow as Islamic and other faith showed, and these things have to be illustrated and practiced accurately and thoroughly by those who are committed to build a new family. Most men and women, in The Middle

East, who are willing to marry, follow traditions, according to the desires of their parents, and their ages are not ready enough to go for the marriage or making family. We see the divorce after a year time due to they don't study and understand their real roles in Life and they have been relying on their families in building their future without being able to think about the requirements when they will have a baby!

Middle East people are willing to get children. This is a habit and traditional mood, as they have seen their previous ancestors and their parents; but the paramount question is: Do they care for the numbers equally?, Does the father and mother continue in supporting their children after being married or got married?, and How could the unemployed husband bring the requirements of his family when his wife is also unemployed too, etc.? So, these and other questions are critiqued and need to be understood before deciding the marriage, and people need to be educated and instructed by such centres that are not found locally in some Arab countries. Most of those who had left their early stages of schools, become men and women, and they don't care for education and culture in terms of applications and practice. Therefore, we see commitment of the marriage

without being knowledgeable of its requirements.

If girls are unable to get new baby especially a boy, this is another critical point that most Arab World Families need their old family, the family of their sons or daughters, should bring a boy! And if the girl is unable to bring a boy or girl that will be a dilemma; and her husband will get another wife or girl without being waiting as in the Arab Gulf Countries and we have seen in Kuwait, as Arab websites shows, like Al-Mostakal.Org., the statistical numbers of marriage cases is 13,352 in 2007; whereas the number of divorce cases is 4758 with a ratio of 34% even there is a house consultancies in Kuwait. Also, Dr Adel al-Falkawi from Kasar al-A'del who works as a judge in the Completeness Court / Justice (Equity) Ministry, emphasized on the Divorce Phenomenon by saying: "the rate of divorce has being increasing and we have 30 case in each session ..., and the number of wives complaining rate is also increasing against their husbands due to they ignore their children and their cares and not expending on their children..., and new cases have recently showed up to Kuwaitis Society the beating of a wife to her husband and he is not being able to pay The High Delyer during the divorce..,"

Dr Adnan al-Shatee, consultant of psychiatric, says:

"35% of Kuwaitis women are facing beating and body abuses (body harm) even they are in high positions in the society; but they are unable of confessing due to they afraid from scandals... and continues emphasizing that beating a husband to his wife becomes an accepted social style because of fear of the divorce or sandal...and he also says that the man who beats his wife is a mental sickness and must be cured and changed in his attitude and this sickness has been got during his childhood."

Divorce has many effects on the women like depression, worry, no confidence, inferiority, behavioural shifts, income and social problems that will make pressure on especially when she has got one or more than two children who will suffer if their mothers are unable to protect them or funding their requirements and needs.

The Statistic Dept. in Technology Centre in Kuwaiti Justice Ministry has talked about the high ratio of divorce is related to financial and educational obligations absence toward children especially from fathers and there is no good living and suitable requirements for children. Besides, the problem of infertility is a strong reason for the divorce and the existence of servants in houses and interfering in children education is the upmost factor

of divorce and laziness of wife from doing her real job of educating her children by relying on servants in doing that and other house works.

Most of young girls and boys got married in Kuwait through the following rates: 40% marriage from parents, 21% marriage through personal fair, 17% marriage through relatives, 21% marriage through neighbours, works, etc., 6% marriage through intimacy between the two, and 93% marriage by the force, these statistics are collected by Kuwait Justice Ministry. Thus, parents selection of a girl or a woman has another factor of creating satisfaction and there is no relation or personal meeting to know each other as well as knowledge of the characters due to they will see some surprises after marriage concerning personality, attitudes, behaviours, and thoughts. The age of divorce, in Kuwait, is around 20s and 30s in ages.

A study of the divorce in Qatar Society shows that 319 case of the divorce against 978 case of marriage, and the biggest rate of men divorce is 27%, is among 25-29 years, and 19% is in the ratio of 20-24 years. Whereas, the biggest ratio of women divorce is 34% is among 20-24 year.

A study, in Oman, emphasizes about the importance of intimacy between the pairs to avoid the divorce

and about 2.5% of the divorced women in Oman who has reached 24 thousand in census of 2010, and the total number was 601 divorced man and divorced woman. The reasons of divorce in Oman are:

1. Family Violence.
2. Unwillingness of a wife to continue in the life marriage.
3. Ignorance of a wife to her husband's rights.
4. Disagreement between the pairs.
5. Interferences and agitation of the family to do the divorce.
6. Unavailability of suitable living conditions and a separate house.
7. Force marriage.
8. Traditional marriage.
9. Sickness of one of the pairs.
10. Disrespect.
11. Inability to bear house and family requirements from the wife.
12. Difference of the social status.
13. Emotional deprivation.
14. Financial dilemmas.
15. Parents disturbances.
16. Social perspective (views).

New studies in Jordan has shown that the rate of divorce phenomenon is registering the highest ratio in The Middle East / Arab Countries, it shows that most of the divorced cases are in the Kingdom among men who are between the age of (20-29) years with a ratio of

25%; whereas the ratio of females is between the ages of (20-24) years with a ratio of 28%. As we know that the Jordanian society respects building the families and obeying rules of tribes and the phenomenon of divorce is making worry among The Social Jordanian Structure.

The number of maidens in Algeria is frightening due to it is reached 11 million, about 5 million of them is up 35 in age and that calls for urgent movement to stop such crisis from happening in that society . It is really important to take benefits from the Indonesian experiment in reducing the rate of divorce to be 3%. We have 40000 thousand divorced woman in Algeria as the Chief of Observatory Sha'h Ja'fery has announced to al-Shurooq al-Yawmee: we have 60000 thousand case annually in an average of 166 case in the month, and 6 cases in an hour, and 1 case in a 10 minutes. This makes the divorce phenomenon as a frightening case in the country causing social and economical dilemmas in the society which needs profound studies to get solutions to the Algerians community. Also, she explodes that she has received many cases to pairs who had married and the divorced after one month finding themselves in the courts seeking the divorce. She illustrates that most of the divorce cases are trifle reasons

related to loss of guardianship (responsibility) and weakness of confess clarity (explicitness) between pairs before the marriage.

She continues illustrating other paramount things by saying that this phenomenon is caused by deliquescence the marriage relations, and one of the most essential causes of the divorce in Algeria is betrayal (unchastely), marriage in the period of adolescences (early age of marriage), marriage in suitable age without cognitive and cultural maturity, hasty in selection without careful study of characters, false believe that the marriage is only a romantic relationship, inability of a young girl to bear social costs charges and social expenses (household expenses, family expenses, and occupational expenses), inability of a young man to filling his wife sexual and social needs of pairs to be satisfied, the marriage is done fearing from reaching the age of maiden from the side of the young girl, carelessness of social differences in terms of culture, social status and scientific certificate for both sides that causes discontinuity of marriage, devalue of a husband to his wife value by forcing her to leave her job or occupation due to he feels lessened from his side, inability of a young girl to continue with a weak character and personality husband that

makes her feeling unsafe with him, illogic reasons and excessive ardency (jealousness) that causes controversies between the pairs, maleness (musicality) culture in The Arab World Society, from the side of Male, that causes inequality among males (men) and females (women), which makes the wife as a maidservant, body for lust, false concept that a man has to give orders inside the family and a woman has to obey these orders without negotiating or discussing them and disrespecting to the wife and degrading her status in the family and society, inability to reconcile their issues properly within the limitation of love, respect, and continuity trying to beautify their relation to be typical and ideal, and there is no real aim, from the pairs, to encounter the reality or face their problems and solve them without attending to the divorce.

Tunis has registered about 12 thousand case of the divorce in each year, that puts Tunis in the fourth country globally and the second one in The Arab Countries! And The Studies Bureau in Childhood, Woman and Family Ministry and the Statistical National Institute emphasized that they have registered about 12 thousand case of the divorce in Tunis, caused by many factors, and violence cases ratio are about 48.3%, in addition to

financial problems that have registered a ratio of 13.2%. Also, we have other causes of divorce like infertility, no confidence, betrayal, and doubts. Besides, the social communications like (facebook, Twitter) that have reached the ratio of 15.8%. Numbers have shown that the ratio of divorces in Tunisia is 27% from the aggregated total numbers that fills in the age of 36 year, and the divorce is happened after the first ten years of the marriage life with a ratio of 57%.

Concerning the phenomenon of divorce, Dr al-Habeeb al-Mabrukee, sociologist, says: the divorce phenomenon in Tunis is related to the equality absence between Man and Woman in many levels, especially the environmental and social levels, in which the upbringing had done in rural areas like villages and towns from one side, and the scientific level and ability of acclimation with the environment. Besides, the financial problems that affect on an openness factor that makes Tunisians are looking for new life styles.

Dr al-Mabrukee shows that the betrayal and doubts, from a simple relation and normal life works of a wife, from new social media like (Facebook, Twitter) regard as causes of enticements (seductions) that raise the rate of maidens in relation to women, that makes some of men are looking for

illegal relationship that could cause to the betrayal and then leads to the divorce during the dominated maleness (musicality) culture.

He also refers to violence related to ethics, alcohol drinking and other things that are regarded as the destructive factor to the marriage relation. He adds inability of man to bear the house responsibility and sharing tasks with the wife, and all these things make burdens upon the woman that causes psychological diseases and might cause nerviness which leads to weakness and unacceptability to any defaults from the husband. As family problems raise and existence of the divorce causes in the family.

He also mentions the absence of communication and argument culture stayed as important factors for causing the divorce, and reduction of responsibility bear culture. Thus, we have seen most marriage seekers are looking for young girls like their mothers regardless about the age of motherhood is completely different from theirs.

Hashim al-Shareef, is an expert in the courts issues in the sex science, exploded that 40% of the divorce cases in Tunis is related to the sexual causes within the absence of sexual consonance (cognitive harmony) between man and woman and there are sexual disturbances or coldness or the

likes, especially those who have been married by forces or obligations from their parents or those women who have been looking for men and got married recently to avoid maidens (Middle Aged) and their ages get progress. Therefore, they have accepted the first fiancé who shows up. Besides, there are some cases have registered the marriage rape without the acceptance of the wife and that leads to the divorce.

The theory of (The Autonomy or Independent Effect) means, it is well-known nowadays, the possibility of divorce is increasing when the income of the wife, has reached more than the ratio of 60%, is increased on the husband's income in Lebanon; whereas it is opposite to the phenomenon appeared with the appearance of (The Income Effect) that means the increasing in the family income reducing the divorce. The statistics of The Central Statistics Management in Lebanon refers to the high rate of the divorce from 4283 in 2000 to 5897 in 2010 which is parallel in high ratio from 13% to 14% as rates to the marriage cases. That means the economical things plays the major problem in Lebanon.

Professor Betsy Stevenson says, from Pennsylvania University / Wharton Management School, within the time, Man and Woman enters

to the marriage with expectations harmonized with The Income Dual Sample, and then the husband is chosen within this frame. So, the result will be lateness in the engagement age and reduction of the divorce possibility as the numbers are shown from The Statistics Bureau in The United States of America from 34.1% in 1996 to 28.5% in 2009. Another study has done in Norwegian that shows the rate of the divorce is increased from 50% when the pairs are sharing the house responsibility or when the wife bears the Leo allotment (portion) from that responsibility.

The importance of understanding the law in Lebanon before the divorce process, due to the divorce rules among Lebanese Sects are different, it is allowed in Islamic Courts and it is relatively easy in the Druze Sect. But it still difficult in Christians in general and Catholics in particular; in knowledge that there are many infringement to the law process (breaching the law process) is done nowadays to complete the divorce as quick as possible against the payment. That is what the special lawyer in the divorce lawsuits Batresah Eid, and she points out that the religious reviewers and the courts don't confess about the real numbers of the divorce case annually in Lebanon. In reality, the exchange views

about the number is very big and fearful and estimating failure to the marriage institute. Also, the courts refer to the divorce in Lebanon happened in an average of 350 to 450 cases annually, and about 60% from them the age of marriage is lasted for 5 years and less than that. Also, there is about 50% of them the age of marriage doesn't last for 1 year. Besides, the rate of the divorce in Lebanon has increased from 4% of the aggregated total of marriage cases before 20 years ago to about 35% in the present time, and half of them is happened during the first year of Marriage.

Professor Dr Ahmed al-Shara', the previous Dean of the Islamic Law (Sharia) College in Lebanon, says that the new technology of social media (What's up, Internet, TV) that opens a wide expansions for the talk relations which is not monitored by the family and the effects of that kind of talk on the young woman, ..."

A study of Studies Dept. in The Social and Behavioural Instruction Safety Centre as it is published in Baqiaallah.net, No. 64, illustrates the main reasons of the divorce in Lebanon, they are:

1. Misunderstanding and inconformity bilateral.
2. Mistreatment and abuse to the other party, the males complained from mistreatment from the party of the wife in a rate of 31.7%.
3. Specific characteristics in the other party like (hardheadedness, separate decision, lie, etc...).
4. Bad choice at the beginning and the majority of choosing this reason are females, reference to most of those who have got married, they are married through relation and love in about 40% of them in the age of 20s.
5. During the study, it is appeared that there is one party relationship during the marriage period or outside the marriage which is called the second marriage, which is regarded as an important factor for the divorce.
6. The economical factor doesn't appear as a reason of the divorce during the study, even though most of the divorced families are under the line of poverty. It might be hidden under the bad attitudes (behaviours) that had appeared between the pairs.
7. Withdrawal of religious and ethical level to deal with such issues between the pairs, with reference to withdraw of bearing responsibility.

8. We have other reasons like infertility, sex weakness, psychological diseases, sex failure, social and scientific differences, family interferences, political and religious differences, and the age difference.

Annahar Newspaper, in its number 26021, issued 11 July, 2013, published the following information about the divorce in a title "Divorce between Man and Woman Witnessing an Increased Growth in the World", and says: the divorce in Lebanon increases among Muslims to 40% or 45%, at the present time, and during the year of 2014, we have 7180 cases of the divorce contracts among all Lebanese Sects.

The researcher in the family sociology, Dr Zuhar Hatab says that the number of marriage contracts in Lebanon has reached 1500 contract annually; whereas the judgment of the divorce is about 400 writs annually, which means 32%, while 12% divorce writs between pairs establish a family, and then decided the separation. Others have separated in the youth age, during the betrothal (engagement) period or after the marriage awhile. He also regards the separation in the engagement stage, not a divorce, and the right to say: Marriage Contract Ending.

Whereas, Dr Abass Makee, in the clinical psychology, regards the separation in that stage, forming attestation of existing a problem that is more complicated than the causes of the divorce after the marriage, which is the inability of the young man and the young woman, to do the experiment of mutual living in the marriage house.

Lebanon is facing the pressure of continuous Syrians emigrations since 2011, that shows the number of Syrians emigrants reached 929 thousand according to The High Refugees Commission of United Nations; but the Lebanese Government says the numbers exceed 1,000,0200 thousand.

Practically speaking, after revising al-Ja'farah Court Copybooks in al-Nabataya, it has showed that the rate of the divorce between the years of 2012-2013 as follows:

2012: we have got 1230 marriage case against 247 divorce case.

2013: we have got 1011 marriage case against 254 divorce case.

Saudi study in 2013, according to the Saudis Justice Ministry data, has mentioned that the divorce case in the Kingdom increases to be more than 30 thousand case in 2012, which means 82 case per day, that is 3 cases in an hour, this study has done by The Economical Unit in The

Economy Newspaper and the average of the divorce cases in Saudi in 2012 is 2.5 case for each 1000 person above the age of 15 from the male in the same year. That puts Saudi Arabian in the second class of The Gulf Corporation Council after Bahrain which reaches the average of 2.7 divorce case for each 1000 thousand of the male above 15 year.

The main reasons of the divorce phenomenon in Saudi Arabian are being away from religion and substitutes the religious principles and values in the capitalism principles and values as the study shows due to Islam has arranged the marriage life in which it is built upon mercy, affection and unity. The capitalism principles and values looks for the concrete values, which puts the woman as a person equals in rank or capacity competing to prove the self. So, the woman gets out to work and get her economical independency so as not to leaving a space to the man to control her from the economical side. She works long hours regardless of the damages to her children and the unity of the family and that makes her firmly connected to the work and money more than connecting to her house. Some of the women have raised a logo: "Give me my Rights, Unleash my Hands...", to get their dignity back and they regard their life have been lost in the name of Marriage,

and they want to get enjoyment through independency. We also get the perspective of choosing a wife that relies on the concrete measurement instead of the Islamic one. Also, we have misunderstanding, with many young men and young women, about the meaning of the marriage and responsibility of creating a family. Some young women think that the marriage is not more than a wedding suit, jewelries, a house, etc. and some young men want to get married to satisfy their parents or to be lead in meetings as a strong men among his followers that they have got married, and drawing an imaginative picture, that is illogical, about the marriage life through them watching from films and series, and Marriage means to get a beautiful wife and handsome husband who is rich and he, as a husband, will bring gifts, and as a wife, will go parties and do meetings, travelling to countries, going to the beach and spending time in the resorts, regardless of the children care and family requirements, etc. that will collided with the reality and the divorce takes place.

Dr Abdallah al-Rwash, The Manager of Family Reconciling Centre in The Family Association, that there are 10 reasons of the divorce phenomenon in Saudi Arabian, they are:

1. Characteristic differences.
2. Abjectness (Offenses) of the husband to his wife.
3. Beating the wife.
4. Exceeding jealousy.
5. Parents choice for the wife.
6. Relative interferences.
7. Addiction.
8. Age gap.
9. Husband greediness (stinginess).
10. Family conflicts.
11. Sexual insensitivity, it is one of the reasons as mentioned by most sites.

Abdallah Omar al-Khayam, Divorce Rate Increase, 2016, in Okaz News, states that an official reports of Justice Ministry has pointed out that the registered divorce cases reached 33954 case during the year of 2014, and 434 Taking Off case; whereas the marriage cases had reached 11817.

New studies have discovered that the divorce rate is increasing in Saudi Arabian in the last year to reach, according to the latest official reports, more than 35% of the marriage cases, with an increase from the Global Average that is approximately between 18% and 22%, according to what is got by Saudi Arabian Journal, Saturday, March 21, 2015. And according to Family Development Centre related to Charity Society in al-Hasa Province, that the rate of the divorce has reached 60% in

Jeddah and 39% in Rayed, and 18% in Eastern Zone, and 20% in al-Hasa.

Dr Mohammed al-Jeranee, a judge in The Religious and Endowments Directorate relates to Justice Ministry in al-Qatif Province, states that most of the divorce cases happened in the first year of the marriage in a rate reached 60% and the reasons of the divorce are as follow: unreligious perspective in a rate reached 25%, sexual organic diseases in a rate reached 5%, great number of travels in a rate reached 5%, inability of financial requirements and poverty and inability to satisfy the marriage requirements to achieve luxury (comfort) in a rate of 20%, the marriage betrayal in a rate of 15%, great advance of technology and social media effects which is called "Husbands Silence" in a rate of 20%, multi-marriage in a rate of 10% and there is no justice between pairs and abandonment from the husband.

Mohammed Bata' al-Baladee, in al-Madenah Journal, issued date is 17.12.2014, published an articles entitles "Why do Divorce Phenomenon Increasing?", and states two reasons of the divorce in Saudi Arabian, they are:

1. Appearance of new marriage types for entertainment and not serious, that are

previously judged by failure, due to they are based on the divorce like Misyar<sup>(1)</sup> (Nikah), Msyaf, and Misfar and other marriages that have burdened The Justice Ministry Registers in the cases of Marriage and Divorce.

2. Differences among Saudi Arabian Areas, which means it is so difficult to be divorced in some areas; whereas it is so easy and simple to do it in others! Besides, the facilities are presented by the residential communities in the Kingdom have participated in that inflation (easy come ... easy go) and that what Ministry of Justice Statistics Emphasis were!

(1) Misyar Marriage is a type of marriage has fulfilled all its conditions; but the wife abandons some of her legislative rights with her choice and satisfaction like alimony and housing at her location. The reasons of the appearance of this type of marriage are: 1. Great numbers of maidens, divorced women and widows and special conditions that some women have. 2. Refusal of the idea of multi-marriage by many married women by their husbands, that forces them to follow this type of marriage so as not to know the first wife. 3. Interest of some men to get Halal (permitted) entertainment which suits their special conditions. 4. Escaping of some men from the marriage responsibilities and its costs, that shows most of young men are looking for this type of Marriage. 5. The interest

of some young and old woman to stay at their parents houses for being needed to take care of their parents due to they are sick and that have increased the number of maidens.

\* Dr Ibrahim al-Khaderey says: "This type of Marriage is old and it was called (Forenoons) and (Daylights). It is firstly appeared in al-Qassim Zone".

Maymuna al-Bassal, Feb., 2, 2015, in her publication in al-Araby al-Jadeed, an article entitles "High Rate of the Divorce Case in Iraq", says: the Federal Jurisdiction Authority announced registering Iraqi Courts 10877 marriage and divorce cases, emphasizing that al-Rasafa Court has registered as the highest rate of cases. The spokesman of The Federal Jurisdiction Authority, the judge Abdual Sattar Beruqdar, has emphasized that the country courts within the Appealing Headships have registered 8660 marriage cases, and 2277 divorce cases, and Maysan Appealing Headships has registered the lowest rate by getting the last stage in 217 marriage case with 5 divorce case.

Yahya al-Nassar, Economical Expert, has clarified to al-Araby al-Jadeed, the main reasons of divorce phenomenon in The Iraqi society are related to economical factors in the first rank, with the nature of changes that The Iraqi Society has witnessed after the events of 2003 which forced the Iraqi individual to transfer, with a

very short periods, between two different environments. I mean from a closed society on itself to an opened society completely, and this transformation has caused Iraq to lose a very important class (category), it is the middle class which is regarded as the backbone of the societies. That makes two classes dominate the Iraqi Scene, they are: the Atrocious Class and the Abject Poverty. Besides, we have new social diseases like unemployment as it is estimated by The United Nations and The Planning Ministry of Iraq more than 52% in 2014, and the poverty that has raised to reach more than 32%. Also, we have got from fighting, unsafe country, and security instability to have approximately 1.6 million of widows and about 5 millions orphans and the distribution of drugs taking and social violence.

Manal Dawood al-A'kedee, a lawyer, in The Iraqi Women League (IWL), published an article entitles "Reasons of Divorce Case Increasing in the Iraqi Society" in Jul. 27, 2014, states: The Iraqi Law contains flexibility and gaps participate in the acceleration of the divorce cases, and requesting for the legal separation of the spouses. From the basic legal causes that the item 29 from (The Personal Affairs Law No. 188 for the year of 1959 the adjusted), it stipulates on the

necessity of claiming the case in the Legitimacy Court, to whom he wants to get the divorce and getting a sentence in it. But we find the appearant thing, which is the most, that the divorce happens outside the court by judgment in absence (Judgment in Absentia) or Satisfaction or Voluntary Divorce (Taking Off) due to the lack (state of not having) of legal conscience and inability to count the value of marriage life and quickness. Also, the item No. 40 in The Iraqi Judgment allows to whom he has got damages and unable to continue in the marriage life asking for Separation; but the majority who asks for Separation doesn't rely on this item due to they afraid from confutation (refutation) of their suits. They know there is no oppressive damage be difficult the continuation of the marriage life due to the damage doesn't make difficult with it the continuation of the marriage life. So, they follow other ways to get the divorce. And the item No. 41 stipulates the acceptance of requesting Separation from any one of the parties when animosity between them, and the legislator has forced the court, in this case, makes required investigations and follow the juridical paths in terms of arbitrage and reconciliation (mediation). But what is going on is that the courts don't

activate the role of social researcher due to he is the authorized person legally to submit a report to the court about the ability of continuation of the marriage or not.

In al-Dewanaya Province in Iraq, the number of the divorce suits that has registered by the court is 6376 in 2015, as it is emphasized by the Personal Affairs Court Judge, Khadim Abd Jassim al-Zupaydee, and it is an increasing rate, and the court has registered 1630 a divorce case in 2012. It is an article published by Noura al-Zadee in Iraqiayat.org, in Jan. 31, 2016, entitles "Dewanaya Registered more than 5000 Divorce Case during 2015". Also, the judge mentions, within the articles, the causes of the divorce like marriage non-age, poverty, unemployment, and family violence, and most of the divorced cases happened in the age between 15-25 years.

Emee al-Ashqar, published an article in Nasiriyah News Network, Jan.,

2, 2013, entitles: "Reasons of Marriage Relation Failure and Early Divorce / Study and Analysis" in which she states four main reasons, they are:

1. Selection and acquaintance.
2. Woman culture and philosophy.
3. Man culture and the idea of musicality.
4. Society philosophy and the environment impact.

Also, we have other reasons like the mutual livings, illiteracy, legal illiteracy, Unawareness, violence against women, parents pressure, and economical factors, as it is published, "Human Rights – Early Marriage and Mutual Marriage are the most Reasons of The Divorce", in al-Aalem Newspapers, and the article continues illustrating rates stating that the divorce phenomenon has increased to be 65% in about 820,453 case.

**Table No. (1) Iraqi Statistics of Marriage and Divorce Cases for February, 2015**

Appealing Name	Marriage Cases	Divorce Cases
Baghdad Appealing / Federal al-Rusafa	4499	1168
Baghdad Appealing / Federal al-Karkh	2489	983
Federal Nineveh Appealing		
Federal Diyala Appealing	1722	312
Federal Babil Appealing	2119	258
Federal Najaf Appealing	1562	210
Federal Kirkuk Appealing	884	174
Federal Dhi Qar Appealing	1963	318
Federal al-Anbar Appealing		
Federal Basra Appealing	2745	560

Federal Wasit Appealing	1186	194
Federal Salahdin Appealing		
Federal al-Muthanna Appealing	724	112
Federal Maysan Appealing	1021	95
Federal Karbala Appealing	1224	278
Federal al-Qadasya Appealing	1281	198
Total	32419	4860

The Source:  
<http://www.iraqja.iq/view.2778/>

Table No. (2) Iraqi Statistics of Marriage and Divorce Cases for March, 2015

Appealing Name	Marriage Cases	Divorce Cases
Baghdad Appealing / Federal al-Rusafa	2971	1150
Baghdad Appealing / Federal al-Karkh	3694	1132
Federal Nineveh Appealing		
Federal Diyala Appealing	1446	261
Federal Babil Appealing	1990	293
Federal Najaf Appealing	1362	240
Federal Kirkuk Appealing	874	162
Federal Dhi Qar Appealing	2074	273
Federal al-Anbar Appealing		
Federal Basra Appealing	3015	563
Federal Wasit Appealing	1835	215
Federal Salahdin Appealing	533	87
Federal al-Muthanna Appealing	790	108
Federal Maysan Appealing	954	103
Federal Karbala Appealing	1096	238
Federal al-Qadasya Appealing	1210	179
Total	23844	5004

The Source:  
<http://www.iraqja.iq/view.2809/>

Table No. (3) Iraqi Statistics of Marriage and Divorce Cases for May, 2015

Appealing Name	Marriage Cases	Divorce Cases
Baghdad Appealing / Federal al-Rusafa	2810	854
Baghdad Appealing / Federal al-Karkh	2625	882

Federal Nineveh Appealing		
Federal Diyala Appealing	1041	228
Federal Babil Appealing	1674	290
Federal Najaf Appealing	695	183
Federal Kirkuk Appealing	846	187
Federal Dhi Qar Appealing	1630	287
Federal al-Anbar Appealing		
Federal Basra Appealing	2297	486
Federal Wasit Appealing	968	181
Federal Salahdin Appealing	631	106
Federal al-Muthanna Appealing	470	84
Federal Maysan Appealing	821	121
Federal Karbala Appealing	1053	212
Federal al-Qadasya Appealing	867	177
Total	18428	4278

**The Source:**

<http://www.iraqja.iq/view.2880/>

These numbers show the differences among Iraqi provinces for only three months samples. It is indicative and reliable to illustrate the size of dilemma and its importance to be dealt with due to it reflects the reality of the divorce phenomenon has been threatening the communities for many reasons as they have been mentioned earlier in terms of Iraq's situation and community. I have taken the numbers from an official office, as the sources have mentioned under each table.

We have 10 million child who is suffering from many problems like deprivation from the spousal support, education weakness and working in the age of early life because of the increased divorce in Egypt. According to The United

Nations and The Central Device of Statistics, which shows that Egypt at the front of other countries list in the side of high rates of the divorce, in an average of 1 case in every 6 minutes especially among recent marriages. And Family Court reveals that the divorce averages have reached 387 case per day, and the Taking Off judgments have increased to reach 3335 judgment annually, even though the suffering of waiting to get the suits in the courts that might sometimes continue to two years to issue the judgments of the spousal support. This is an article "Divorce Deprive 10 Million Child in Egypt", published in the Tmm24.Org Newspaper in 2016.

Mohammed Salyman, 2014, states The Central Device of Statistics exposes that the marriage contracts have regressed and the divorce

contracts have increased in Egypt in 2013, and according to the annual brochure of statistics of marriage and divorce in 2013, issued on Sunday, the marriage contracts have reached 909.3 thousand in 2013, against 922.4 thousand in 2012 with regression reached a rate of 1.4%. The total regression has happened in the marriage contracts due to the regression of contracts in the urban areas in a rate of 10.6%; whereas the marriage contracts have increased in the rural areas to reach a rate of 6.1%. On the

other side, the number of certifications (affidavits) of the divorce has reached 162.5 thousand in 2013, in an increase rate reached 4.7%. The increase in the divorce rates is in the rural area in about 12.7%; whereas the urban area has regressed to 08%. The highest rate of the divorce is registered in the ages of 30-35 years old.

**Table No. (4) Development of Numbers in the Marriage Contracts and Divorce Certifications in Egypt during the years of 1990-2000**

Year	Marriage Contracts		Divorce Certifications	
	Contracts Number	Average %	Certifications Number	Average %
1990	405141	7.6	67195	1.3
1991	400274	7.3	64165	1.2
1992	396941	7.1	61689	1.1
1993	431922	7.6	65166	1.1
1994	451817	7.8	67028	1.2
1995	470513	7.9	67653	1.1
1996	488861	8.3	69219	1.2
1997	493787	8.2	70899	1.2
1998	503651	8.2	71792	1.2
1999	525412	8.4	73414	1.2
2000	952381	9.3	68991	1.1

**The Source:** [http://www.t-series.capmas.gov.eg/divorc\\_marry.aspx](http://www.t-series.capmas.gov.eg/divorc_marry.aspx)

Dr Adel Amar, 2014, says: the family of the husband thinks about the divorce in a rate reached 6.5; while the family of the wife thinks about the divorce in a rate reached 5.2% due to the family of the husband are more thinkable of the divorce from the family of the husband. That relates to

the Egyptian culture in which the family of the wife thinks about the future of their daughter to protect her family life and not destroying her house and afraid of the separation. Concerning the divorce style has reached 25.6% of the divorce cases done through the court, and 5.9% is done by Taking Off due to the quick marriage is one of the main reasons of the

easiness of the divorce in the first year of the marriage; which is regarded as the most difficult years in the process of understanding each other. Besides, the infertility that is regarded as an important factor of the divorce due to The Arab Families looks at fertility as an active factor for the continuation of the family building. Infertility causes differences family and social disintegration.

Sheryhan Ashraf published an article entitles "The Divorce: Social Pest Attacking the Egyptians Society", in which he illustrates this phenomenon and takes views of specialists like Dr Sammya Khadeer, Sociologist in A'yan al-Shams University, who says the increased averages of the divorce is connected with the increased averages of the poverty, declaring that many families send their daughters, in early ages, to be married because of money or bringing a good husband will buy all the marriage requirements. Khadeer also adds that the reasons of the divorce could be summarized in argument disappearance, being away from the right choice, marring in the early ages especially females, no arguments between couples then pairs, interfering of parents in the life of their sons and daughters, forcing them to get children continuously that causes increased poverty and divorce

averages, and the solution is to establish education project against the divorce and increasing the interest of the family in the stability.

Islam cares in the unity of the family and its social entity (structure), and we have seen the information in the web of, [www.correspondents.org](http://www.correspondents.org), that has published by the correspondents who make outing with the registered officers of Tabraq Criminal Court in Libya, even though the shortage of information they have got there, but we investigate in the actual numbers of the divorce cases in the first ten months in 2013, has reached 390 case, in medium of 39 case monthly, in the town that has got 120 thousand persons according to the census of 2011. We also see, the damage and witnesses approval is not presented, that most women accept the voluntary divorce (reconciling) agreement between pairs that makes the woman get the paper of the divorce against the abandonment from all her rights that help her and the special condition of children appearance. According to Wikipedia.org., we have seen the average of the raw divorce that means the average of the divorce among 1000 persons, in Libya, it is 0.3 in 2002.

Nazar al-Jalee, the lawyer, sees that The Libyan Law concerning the special judgments about the marriage

and divorce and its amendments which is regarded as proper law, and there are no gaps stop justice achievement, especially after cancelation of Polyandry Law.

Dr Salma Abdallah, sociologist in Sociology Dept. in Tabraq Arts College in Libya, mentions that there are many reasons of the divorce some of them are personal concerning the individual cultural differences between the pairs, that leads to argument absence, which causes dissent (detachment) between the pairs that ends to the divorce. Other reasons are social like the variation (inequality) between the pairs and their ages. She also regards alcohol drinking and drugs taking from the husbands reasons of the divorce. Besides, the infertility problems and inability to give birth; whereas the living problems, decrease of the husband income are the most prominent motivation for the divorce. She emphasizes on the expansion of care and social helps to remove the threatening financial reasons to the family.

We have other types of the marriage like Sexual Intercourse Marriage<sup>(1)</sup> (Divorced Woman Marriage), Clandestine Marriage<sup>(2)</sup> (Unregistered Marriage, and Civil Marriage<sup>(3)</sup>).

(1) Dr Ahmed Sabhee Mansoor, 2009, says: "Sexual Intercourse Marriage (Divorced or

Single Woman Marriage) is a kind of marriage that is bounded by period upon the dowry that is agreed about satisfactorily. This marriage is ended within the determined period. There is no maximum or minimum periods and in that marriage the breeding is proved. The woman deserves the inheritance if it is conditioned in the marriage contract. this is the opinion of Shaya's' Jurisdictions".

This types of the marriage is appeared in Iran for the widows due to it is applied there, as Maryan Prammar, translated by Raad al-Bash and published in al-Qantara Site in an article entitles "The Sexual Intercourse Marriage in Iran was Aimed at Widows in Origin," it is published in 2013.

(2) Slaman Bn Salah al-Kharashee, published an article in Saaid.net, The Difference among Misyar, Sexual Intercourse, and Clandestine Marriage, in which he says: "The Clantestine Marriage has two types: A. Vain (Unlawfully), it means the man writes between himself and the woman a paper acknowledges in it that she is his wife, and two witnesses the testimony, and it is in two copies; one to the man and the other to the woman, and given her some money! This type is Unlawfully due to it happens in secret and without being announced. B. Legal, it means that this type of marriage is like the normal marriage; but it is not written down officially in the specified official office! And some scientists forbid it due to it is not recorded in the specified offices and what problems will happen in the future because of it.

(3) Mohammed Shakeer, 2015, published an article entitles "The Civil Marriage: it is an Islamic vision", in al-Akhbar Website. It doesn't have its religious lawfulness due to what we aim at in The Civil Marriage, it is not only the contract. But Mr Tahseen Berqdar, 2010, published his article in Rasality Website, entitles "The Civil Marriage: Definition", says: "it is built on that the government is responsible on its arrangement by laws it issues, and the government which is responsible on the

separation if differences happen without obeying any religious instructions that is issued by a religious party. So, it is a secular in application for the creed (belief) of separation of the religion and the government. This type of marriage is not lawful unless it is made before a specialized officer.

Judicial statistics show the number of the divorce cases in Syria has reached 9 thousand case in 2014, in an average of 30 case per month. In reference to the number of the woman who had asked for the divorce because of infertility is not more than 2000 case. Another judicial statistics have shown that the number of suits related to the divorce cases because of chronic diseases in males, reached 8000 suit in Syrian, 25 suit in Damascus and its rural areas, 200 suit in Halab, 100 suit in Homas, 40 suit in Daraa, 500 suit in Hama, 200 suit in Tartus, 400 suit in Lathaqai, 100 suit in al-knatara, 250 suit in Adlab, and 300 suit in Deer al-Zour. The reason is sexual deformities in males. The medium average of those women who had asked for the divorce is between 20-30 years according to The Local al-Watan Newspaper, 2015.

The first judicial judge in Damascus, Mahmood Muraaee, exposed that the Syrian Personal Affairs Law allows to the wife to ask for the divorce incase the husband is unable to do the marriage tasks, and one of them is to have sex, and the wife has the right to ask for the divorce

because of the sexual diseases or testis cancer, and The Syrian Law has given the right to the woman rather than the man.

Rasam Mohammed, 2013, published an articles entitles "Increasing in the Divorce Averages, in Damascus and its Villages, is not more than 10%", and states that The Judicial Courts Statistics of Damascus has shown that the official papers of the divorce was 5700 in 2009, and it is decreased to 5300 in 2010, and became 5000 in 2011. Another decrease had happened to reach 4100 in 2012 as it is published in The Syrian Days Centre.

#### **Conclusions:**

1. Establishing The Marriage Bank for supporting new couples who don't have fund or enough money to do the requirements of marriage.
2. Arab Countries Leaders, Presidents, and Princes must solve the dilemma of the divorce and separation within their zones. Besides, they should be able to deal with issues such as maidens especially in Syria, Jordan, and Lebanon.
3. Courts are unable to solve some of the divorce problems; therefore, we need to establish foundations, associations, and assemblies to deal with that problems as institutes

- and offices through peaceful manners due to there are children, widows, and divorced women and men. These offices are related to separate entities and have special laws implemented according to demographic, cultural, social, economical and scientific rules of each country environment.
4. Benefiting from the experiments of developed and highly-recommended countries like Malaysia, which reached 7% in 2004 which was 32% as it is published in Hoursnews.net, 2013, by using Marriage Permission (Concession) to new married persons issued by The Malaysian Prime Minister Mahathir Mohammed, and Singapore to transfer them through applicable accurate translation to decrease the rates and averages of high divorce in The Arab Countries like EUA which is the first country in the Arab Gulf, as it is published by Omar Baryonee, 2011 in Emaratallyoum.
  5. There are clear variations and differences according to statistical views of the descriptive method which indicates that most Arab Countries need to cooperate with each other to hold an assembly to solve the problem of divorce due to it becomes an endemic phenomenon. That could be done by League of Arab States to invest the human beings due to the human is the best creatures on Earth that has created by Almighty.
  6. Making emendations and corrections to most of the actual rules and systems in terms of establishing (Empowerment Centres) under the supervision of The United Nations.
  7. Books could not be solve the divorce dilemma, it could be solved through actions and real implementations of new ways that suits each country accordingly.
  8. There must be institutes which take care of children, widows, maidens, divorced men and women to find them jobs so as to enable them interfere with the communities and societies.
  9. Arab World Societies need to change the thoughts of their young men and women and trying to establish good training centres to give training courses in building the self, human beings investment, changing thoughts and attitudes due to most of the Arab Men and Women are known in their nervousness in dealing with their social, economical and cultural things. These centres need

specialists, experts, and consultants who have salient and paramount experiences and skills. The centres are funded and supported by the governments and should be locally located and worked. There must be also research and translation centres to transfer the experiments locally according to each country.

10. Islam urges us to establish the equity between Men and Women by taking care of each other in terms of family building, children care, live stability, respect, cooperation, coordination, argument, work responsibility and family requirements, communication, education and development, and romantic and passion issues. Most of The Arab World Families are reserved that effect on the views and thoughts of the women in dealing with issues of marriage that create the problems and accelerating the divorce process. Divorce is the destructive stage in the life of women and men.
11. The demographic dimension is the salient thing in the divorce phenomenon reduction due to we have some kinds of nutrition, tradition and norms, the effect of hotness

(weather conditions and instability) which is very hot and very cold in some Arab Countries that have an influence and impact on the attitudes, behaviours, and thoughts of Arab Citizens. Besides, we have, many to numerate, some social beliefs and social disintegrations. Distribution of European and American Education in The Arab World Communities and its influence on thoughts, attitudes, and behaviours to change the inherited values and concepts.

12. The impact of Globalization on The Arab Countries.
13. The role of External Gravity (attractiveness or desirability) in terms of selection, romantic persuasion and decision that completely relies on location and zones.
14. Behavioural problems and psychological disturbances are factors that participate in the divorce phenomenon (Abou Shamala, 2002: P.2).
15. The functional status of Woman is absent in Arab Countries, she has roles and jobs other than Her family and care ones: it is dependency. Women who have participated in The House Economy, gets stabilized family in terms of

supporting and funding the family requirements in comparison with those who haven't got The House Economy will be registered within the divorce statistics (Amato, 2003). But we have seen, in a study of the 71 country in which women work out of their houses, the divorce rate is increasing and their works don't get them any authority or charisma (prestige) and they get authority and charisma when they practice their roles and jobs inside their families without having any other jobs outside the family frame (Greenstein, 2006) due to that affects the family jobs and the social and economical sides of the marriage life (Astone, 2002).

16. Self-dependence, sexual education centres, family instructions, personal rights participated in the divorce reductions and occurrence (Mitchell, 1980).

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