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**DIVORCE AND SOCIAL CONSEQUENCES: AN EXPLORATION
ACROSS RELIGIOUS CULTURES**

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ABSTRACT

But because stress frameworks are so common, research on divorce as a choice that certain individuals make positively or negatively in their lifetimes, or as a life experience that shapes later social behaviour, has received less attention. In addition to the long-term repercussions of divorce, variations in life course patterns may also have an impact on an individual's health in later life if their divorce decision was made along a less socially protected path than that of individuals who stayed married. That being said, divorce is not the only stressor that continues to negatively impact health following a second marriage; individuals who have gone through a divorce may also be less likely than those who have remained married to obtain social support through religious activity in later life. In spite of a wealth of research on the negative health implications of divorce, very little is known about the long-term relationships between prior divorce experience, subsequent religious participation, and potential links to a healthy lifestyle.

Keywords: Impact, Divorce, Family Law, Religion, Consequences

INTRODUCTION

Divorce is a difficult and emotionally taxing process that can affect people individually, in families, and in communities in large ways. The societal ramifications of divorce have drawn more attention in recent years. The breakdown of a marriage has a significant effect on society as a whole in addition to the individuals involved. Divorce is frequently interpreted as a reflection of shifting social mores and conventions. Divorce causes have changed along with social views on marriage and relationships. Divorce used to be stigmatised and taboo, however these days it's more widely accepted. There are other societal repercussions of this change that must be recognised and handled.

Making the ultimate legal choice to file for divorce is a decision that changes your life requires careful consideration. Before deciding to get a divorce, many couples choose to test separation (Website-lexscriptamagazine.com) 3 (lexscriptamagazine@gmail.com)

as a method to weigh the advantages and necessity of the divorce against the emotional and societal costs. Therefore, deciding to end a marriage by divorce can indicate that a person has chosen a different route than those who did not or were not required to make that decision. Divorce has long-lasting repercussions, but variations in life paths may also have an impact on an individual's health in later years if their divorce path is less socially protected than that of individuals who stayed married.

According to earlier research, persons who identify as less religious have a higher divorce rate because they are more likely to hold strong moral convictions about marriage (Guerrero et al. 2007). Regular attendance at religious services has been found to have a high negative link with divorce by Glen and Supancic (1984). While most research examined the relationship between religious attendance prior to or during marriage and the likelihood of divorce, less attention was given to the effect of divorce on the likelihood of future religious attendance after controlling for prior religious attendance. Participation in religion is thought to have protective benefits, such as lowering the risk of and preventing unhealthy behaviours (Idler and Kasl 1992; Rippentrop et al. 2005). According to research by Hummer et al. (1999), persons who practise their religion more fervently had a lower death rate than non-practicing individuals. Therefore, divorce is not just a stressor that affects health following a second marriage; individuals who have gone through a divorce may also be less likely than those who stayed married to get social support in later life through religious activity. Even after remarriage, these variations in the life cycle patterns of individuals who divorced and those who did not may have a lasting effect on health.

In spite of a wealth, divorce is a decision that changes your life, very little is known about the long-term relationships between prior divorce experience, subsequent religious participation, and potential links to a healthy lifestyle. This research aims to investigate two main topics:

- (1) Does prior divorce reduce a person's likelihood of being religious, and
- (2) Does religious involvement affect a person's health later in life?

FAMILY LAW'S FUNCTION IN DIVORCE AND HOW IT AFFECTS SOCIETY

Family law has a big influence on society and is essential to the divorce process. It establishes the legal parameters that govern divorce proceedings and deals with significant problems including child custody, property distribution, and spousal maintenance. The manner in which family law is formulated and applied can have significant ramifications for divorcing individuals and households. The issue of child custody and visitation rights is one of the most important areas of family law. The choices made in this area may have a long-term effect on

children's growth and well-being. Prioritising the child's best interests and making ensuring that custody arrangements are just and equal are essential components of family law. The distribution of property and assets is another area that family law regulates, and it can have a big impact on people's and society's finances. The manner in which these choices are made can affect the overall state of the economy as well as the financial security of each of the divorced parties.

VIEWS FROM RELIGIONS REGARDING DIVORCE AND HOW IT AFFECTS PEOPLE INDIVIDUALLY AND IN COMMUNITIES

Religious views on divorce are very diverse and can have a significant effect on people as well as communities. Perspectives on the legitimacy of divorce and the integrity of marriage vary throughout religious traditions. These viewpoints have the power to influence how people view divorce and to influence the societal repercussions that follow. Divorce is either strictly forbidden or discouraged in certain religious traditions. For those who want to divorce but are confined by religious conventions and beliefs, this might provide serious difficulties. In many religious communities, the social repercussions of divorce might include social rejection, condemnation, and a reduction in social support.

However, some religious traditions offer direction and encouragement to those going through a divorce. They could provide spiritual direction, support groups, and counselling to assist people in overcoming the practical and psychological consequences of divorce. These religious groups can be quite helpful in reducing the detrimental societal effects of divorce and giving people the support they require.

DOES RELIGION AFFECT DIVORCE AND BREAKUP?

Religious dependency has a difficult to determine effect on divorce because it is more likely to result in early marriage than cohabitation. Specifically, we would like to discover if there is a lower divorce rate among religious individuals who are married. The likelihood of divorce is somewhat lower for religiously educated women in the absence of restrictions on marriage age or premarital cohabitation indications. The results are almost the same when age at marriage is included as a control, indicating that although religious people married later, their divorce rates are still somewhat lower. But the simple fact that religious people are less likely to cohabit could account for the decline in divorce rates. Women with religious education had about the same divorce rates as other women with similar romantic backgrounds and financial backgrounds. Put another way, women who grow up in religious homes are less likely to live together before getting married, which may account for some of their lower divorce rates.

CIVIL VERSUS RELIGIOUS DIVORCE

Similar to how marriage is acknowledged in both civil and religious society, divorce is accepted in both. Legally speaking, a religious divorce dissolves a marriage according to one's beliefs. Under your nation's or state's secular laws, it has no bearing on divorce. Put another way, our system of civil law, which is independent of religion, has specific prerequisites for divorce. But in certain religious groups, like Reform Judaism, obtaining a civil divorce could be seen as a divorce based on religion.

Religions all have different policies and practices when it comes to divorce and remarriage. Certain people have particular beliefs and guidelines regarding marriage annulment. This essentially indicates that the union is regarded as null and void. While there are certain similarities between religious and civil divorces, their working environments are frequently very different. The **Pew Research Centre** reports that 57% of persons who are divorced or separated say that religion is very important to them.

HOW DIVORCE IS SEEN IN SOME RELIGIONS

Religions obviously have different perspectives on a wide range of life's concerns. This is a diagram showing how many religions feel about ending a marriage.

1. Divorce and Christianity

Christianity is based on the documented accounts of Jesus Christ's life and teachings and explicated in the Bible, despite the existence of many different denominations. This monotheistic religion centres on the conception, crucifixion, and resurrection of Jesus. In 2015, there were more than 2.3 billion adherents worldwide, making it the largest religion in the world. Many are curious about The Bible's position on divorce. Regarding Christianity, marriage is typically understood to be a lifetime commitment between two people. Though the narrative doesn't finish there, many people interpret this to suggest that Christian divorce is often frowned upon because God detests divorce. Biblical grounds for divorce include cruelty (Exodus 21:10–11) and unfaithfulness (Matthew 19:9). Naturally, several groups interpret these scriptures in different ways. Let's examine some of their shared viewpoints regarding divorce.

A. Protestants:

While many Protestant denominations permit divorce in cases where a marriage is irreparable, she opposes it anytime it is feasible. Protestants permit remarriage rather commonly.

- **Catholic:**

There are differences in opinions regarding divorce even among Catholics. Some claim that divorce is prohibited by the Catholic Church. One can remain a devout Catholic even after divorcing or being separated from their spouse; in the perspective of the church, the actual issue is remarriage following divorce without the required annulment procedures. Some advice doing. As per a particular source, the most grave and widespread misrepresentation regarding the doctrines of the Catholic Church is the assertion that those who have been divorced or remarried are ineligible to receive Holy Communion due to their mortal sin.

- **Mormonism:**

Similar to Protestants, Mormons oppose divorce, though they do occasionally permit it. It is possible for a couple to obtain a "nullification of the sealing," meaning that the church would recognise the termination of their marriage.

- **Judaism and Divorce:**

One of the oldest religions in the world, Judaism is based on the belief in a single God and his promise, which implies a remarkable bond between God and his people. The Torah, the holy book of Judaism, serves as the foundation for all Jewish laws and teachings. Like many Christian denominations, Judaism allows for separation, even if it isn't authorised. According to traditional Jewish law, a husband can legally divorce his wife, yet some conventional Jews continue taking that into account, the majority of Jewish communities today accept a separate initiated by a man or a woman.

Jewish law requires a valid report for separation under certain situations because Jewish couples who get married sign a ketubah, or marriage contract. That's known as a "get," and situations like betrayal, abuse, or hostile contrasts are among the situations in which it could be granted. In traditional Judaism, a dedicated individual has to go through formalities; recently, a rabbinical court has approved a "get."

- **Hinduism and Separation**

Hinduism originated in India and is a set of moral precepts that constitute a way of life rather than a single, monotheistic religion. There is no one holy text, unlike the Torah or a book of texts, but many Hindus believe in dharma, the religious code that governs a person's behaviour and obligations. Hinduism allows for separation; however, it appears to be less widespread than in other religions. Hindu relationships generally forbade separation since women were viewed as inferior in both culture and society. Separate was never an option either, as Hinduism views marriage as a lifelong commitment made in the presence of a select few celestial entities (Website-lexscriptamagazine.com) 7 (lexscriptamagazine@gmail.com)

and a sacred rite. Regardless, the Hindu Marriage Act of 1955 allowed for separation in India under specific circumstances, including betrayal, submission, violence, and absence of communication, among other things.

- **Divorce and Islam**

Islam, the second largest religion in the world, holds that there is only one God and that God detests divorce. Christian divorce is frequently frowned upon. According to Muslims, the Koran, their primary and most revered holy text, must be followed and that they must submit to Allah's will. Similar to other religions, Islam is divided into various factions, such as Sunnis and Shiites, and these factions have different beliefs. Like many other religions, Islam allows for divorce, although it is only done as a last resort. As Prophet Muhammad supposedly said, "The vilest thing that is lawful before Allah is divorce," Muslim spouses are actually moving towards divorce. It can be suggested that you cooperate with the mosque to settle any disputes beforehand. For men and women, there are different guidelines when it comes to remarriage. Men are allowed to marry again right away following a legal divorce, but women are not allowed to do so for a set amount of time (typically three months). This is one of the distinctions.

- **Buddhism and Separation**

Buddhism allows for separation and is unrestricted since it lacks rigid rules regarding marriage. If a difficult marriage becomes a push or an ongoing issue, it may be advisable to consider getting apart.

TAKING RELIGION INTO ACCOUNT WHEN CONTEMPLATING DIVORCE

Research suggests that a pious affiliation can lower the chances of separation (by as much as 14 percent agreeing to one). And even the smallest consideration reveals that attending church together as a spouse decreased the likelihood of divorce. However, this does not make the process any easier or less difficult for people who are thinking about using it. Separation can be a touchy subject, regardless of one's religious beliefs. Even while opinions on separation have evolved over time, there may still be a stigma attached to it that is hard to overcome. Some people definitely emphasise that being different would lead to criticism or even shame from other members of the religious community. Alternatively, they can worry that it will bring tragedy to friends or drive them out of their trust. According to the previously mentioned study, people may experience a decline in religious participation following a divorce, especially if they are middle-aged.

However, many feel that this need not control how people examine their own marital difficulties. In contrast to religion, which can be a very personal decision, separate can be a topic that interests everyone and has no universally applicable solution. Not everyone in the same group holds the same beliefs, and opinions within a religious community may differ amongst members. Furthermore, insights into faiths and the community at large can progress.

THE SOCIETAL AFTERMATH OF CHILD DIVORCE

The social fallout from divorce frequently affects children the most, making them the most vulnerable. Their future relationships, scholastic achievement, and emotional health may all be significantly impacted by their parents' divorce. It is essential to comprehend and deal with the social ramifications' effects of divorce on kids in order to ensure their long-term growth and welfare. Studies repeatedly demonstrate that children of separated parents have a higher likelihood of face a variety of unfavourable consequences. These can include behavioural issues, emotional anguish, difficulty in school, and a higher propensity to participate in dangerous behaviour. Children of divorce may experience societal repercussions that follow them into adulthood, which may hinder their capacity to build wholesome connections and realise their entire capacity. It's necessary for the welfare of society to acknowledge the special needs of kids going through a divorce and give them the tools and resources they need to get through this trying period. This assistance might take the kind of community projects that encourage emotional health and resilience, educational courses, and counselling services.

DIVORCE'S EFFECTS ON MENTAL HEALTH AND WELLBEING

People's general well-being and mental health can be significantly impacted by divorce. In addition to the changes in social and economic conditions, the emotional toll of the process can exacerbate stress, anxiety, and depression. Knowing how divorce affects mental health is essential to helping people get the help they need to get through this difficult stage of life. Extensive research has demonstrated that those who experience a divorce are more susceptible to mental health problems. Feelings of loss, loneliness, and identity loss can result from the breakdown of a family unit and the loss of a meaningful connection. It is crucial that society offer easily available mental health services for divorcing individuals, making sure they have the resources and assistance needed to handle these difficulties.

THE FINANCIAL TOLL THAT DIVORCE TAKES ON BOTH PEOPLE AND SOCIETY

Both individuals and society at large may experience serious financial effects from divorce. The financial security of each divorced party may be impacted by the distribution of property,

child support orders, and spousal support. Furthermore, divorce can have an impact on the social welfare systems and the larger economy in addition to the direct parties involved. Divorce frequently results in lower household income and more expenses for the divorcing person. For single parents who are also in charge of providing for and caring for their children, the financial burden can be very difficult. Divorce's financial fallout can result in poverty, less access to healthcare, and less chances for advancement in one's career and personal life. Divorce strains public resources and social welfare institutions from a societal standpoint. For divorced people and their kids, the need for public benefits like food stamps and housing subsidies frequently increases. It is imperative that legislators acknowledge the financial ramifications of divorce and devise tactics to assist both people and families in reestablishing their financial security.

PERSONAL NETWORKS THAT OFFER ASSISTANCE TO THOSE GOING THROUGH DIVORCE

Given the difficulties associated with divorce, strong social support networks should be established for those undergoing this trying time in their lives. There are many different ways to receive social support, such as emotional support from friends and family, availability of therapy services, and nearby resources that offer helpful advice. When it comes to giving those going through a divorce emotional support, friends and family are essential. They can provide company, support, and a listening ear during this trying time. Furthermore, having access to professional counselling services can give people the resources and encouragement they need to deal with the practical and emotional difficulties that come with divorce.

Community resources are also very helpful to people going through a divorce, such as support groups and educational initiatives. These resources can give people knowledge, direction, and a feeling of community. By creating extensive social support networks, society can assist people in starting over and minimise the negative repercussions of divorce on society.

TECHNIQUES TO LESSEN THE DETRIMENTAL EFFECTS OF DIVORCE ON SOCIETY

In order to effectively address the detrimental social effects of divorce, a thorough and multidimensional strategy is needed. It is possible for society to lessen the negative effects of divorce on people, families, and communities by putting evidence-based strategies into practice. These tactics can centre on a number of topics, such as community support efforts, educational campaigns, and legislative changes. In order to ensure just and equitable outcomes in divorce procedures, legal reforms may be quite important. Family law can assist in reducing

some of the detrimental social effects of divorce by putting the children's best interests first, encouraging the use of alternative dispute resolution techniques, and granting access to legal representation. The societal ramifications of divorce must also be addressed, and this requires education and understanding. By educating people about the procedure, the effects on children, and the resources that are available, society can enable people to make educated decisions and seek the assistance they require. To guarantee that there is a general awareness and comprehension, educational programmes might be directed towards schools, places of worship, and community organisations.

Community support programmes can also give people the emotional and practical assistance they must cope with the challenges posed by divorce. Financial aid, job training, support groups, and counselling are a few examples of these programmes. Society can lessen the detrimental social effects of divorce and foster resilience and well-being by attending to the different needs of those going through a divorce.

EFFECTS OF DIVORCE ON THE LAW

Some people's legal status as companions ends when they get separated. The following are some acceptable effects of separation:

1) Marriage disintegration

The parties are no longer bound by the terms of the marriage contract, which has ended.

2) Property Division

The assets and property acquired by the parties during their marriage may be divided by the court.

3) Spousal Bolster or Divorce Settlement

Depending on the ward, one party might have to give the other spouse spousal bolster or a divorce settlement.

➤ Case of Anil Kumar Jain (2017)

This case dealt with the matter of male provision. The Supreme Court decided that, in situations where they were unable to support themselves financially, males could also be entitled to provision from their spouses. This decision changed the situation by providing more notable communication regarding sexual orientation in some situations.

4) Child Support and Care

The court can choose how to care for any children born out of the marriage and order one party to make child support payments.

➤ **The State v. ABC (2015)**

In this instance, the inter-country selection issue of child care was handled. The Preeminent Court ruled that in certain situations, the child's welfare should be given the utmost priority, with the child's best interests at the forefront.

THE SIGNIFICANCE OF DIVORCE EDUCATION AND AWARENESS, AS WELL AS ITS SOCIAL EFFECTS

It is imperative that people, families, and communities get education and understanding on divorce and its social ramifications. Society may foster a supportive environment for persons going through a separation or divorce and lessen the detrimental societal repercussions by encouraging empathy and understanding. Early divorce education should teach young people about good relationships, how to resolve conflicts, and how important it is to communicate openly. By providing people with these abilities, society can encourage the growth of wholesome partnerships and lower the rate of divorce. Furthermore, by dispelling myths and misconceptions regarding divorce, awareness efforts can lessen the stigma and judgement associated with the process. Divorced people can benefit from creating a supportive and understanding culture.

ANALYSIS OF CASE

➤ **Khairunnessa v. Abdulrahman**

How is the phrase "does not treat her equitably following the injunctions of the Quran" in Section the Dissolution of Muslim Marriages Act, 1939, Section 2(viii)(f). should be understood in law is the question posed in this case.

Case specifics:

In this instance, the principal spouse filed for divorce with little regret because the other spouse did not treat her fairly while adhering to the Quran's teachings, and they did not provide substantial evidence to support their claims.

Judgement:

The court ruled in favour of the spouse, stating that a life partner is not required by Islamic law to live with another person without that person's full consent. According to the court, "it is for her to choose whether she is fulfilled that her spouse is treating her equally and following the Quran's instructions."

The court further declared that the spouse has the right to withhold information about the intricacies of her spouse's lack of interest in her. This is because the spouse has an equivalent the authority to unilaterally divorce the spouse.

➤ **Sarla Mudgal v. UOI (1995)**

This lawsuit dealt with India's polygamy problem. The Supreme Court ruled that a Hindu man who converted to Islam may not remarry without first obtaining a divorce from his first wife. This decision had an impact on the protection of women's rights in interfaith relationships.

CONCLUSION

In summary, divorce has important social ramifications that should be recognised and dealt with. Divorce has far-reaching consequences for individuals, families, and communities, ranging from the effects on children to the economic and mental health implications. Through acknowledging the significance of family law, comprehending religious viewpoints, and putting mechanisms in place to lessen the negative effects, society may offer people the assistance and tools they need to get through this difficult stage of life. Fostering empathy and understanding in society also requires education and awareness about divorce and its effects on society. We can reduce the negative societal effects of divorce and increase the resilience and well-being of all parties involved by adopting a comprehensive strategy.

Prior to independence, the UK was compelled to step in and change customary marriage laws after 11-year-old Pulmoni Dashi died as a result of a violent rape at the hands of her 35-year-old husband, Hari Mohan Maity. Though many conservatives and orthodox view divorce as a cruel procedure, it is a necessary step towards emancipating women and shielding them from abusive husbands who subject them to sexual slavery and harassment.

Certain legal experts claim that Articles 14, 15, 21, and 25—which prohibit discrimination on the basis of race, religion, caste, sex, or national origin—control the right to divorce. It's said to be a component of the proscription, the preservation of life, etc., as well as of individual liberty, freedom of conscience, freedom of the workplace, freedom of practice, and freedom of religion distribution. Women who seek a divorce are able to end unhappy and unpleasant relationships, live lives of independence and dignity, enjoy higher living standards, and have the same opportunities to start over as men.

"The constitutional claim of equality for women" The technical and textual interpretations of the Indian constitution do not encompass liberty and freedom. Important tenets of constitutionalism include the judiciary's role in balancing the goals of the constitution with the realities faced by women and the authority of judicial review within constitutional frameworks.

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According to women rights activist and lawyer Flavia Agnes, "it is in this context that some historic rulings served to break traditional barriers and secure the rights of women beyond the assurance of formal equality and protected women's right to life, liberty, and dignity."

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