

**WOMEN SEEKING DIVORCE DUE TO MARITAL  
VIOLENCE: A CASE STUDY OF MALAKAND DISTRICT,  
KHYBER PAKHTUNKHWA (KP) PROVINCE,  
PAKISTAN.**

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**Abstract**

Family is a group of people who are related by birth or by marriage. In most of the societies, marriage is considered compulsory for pursuing sexual relationship and there are defined procedures to dissolve a marriage like divorce. The study aimed to find reasons why the married women seek divorce (*Khula*) from their husbands. The geographical universe of the study was Malakand District of Khyber Pakhtunkhwa Province of Pakistan. A quantitative survey implying random sampling was used to select the respondents. Semi structured interview schedule containing both open and closed ended questions, was used as a tool for data collection. The findings suggest that there was abuse, interference, and power imbalance that made women decide to separate or take divorce. The suggestions include giving the partners opportunity to get to know each other before marrying; commitment, tolerance and patience between couples after marriage; and case management services for couples to deal with tensions of their personal lives.

**Key Terms:** Women, marriage, marital violence, separation and divorce (*Khula*).

**Introduction**

In sociological perspectives, family refers to a group of people who are either related by birth or by marriage and sharing a same house or simply said married couple with their children are called a family. Mostly the family is responsible for educational, economic, sexual, reproductive, and socialization processes of its members. Marriage is a communal

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contract between a man and a woman to reproduce and legalize children (Giddens; et al, 2014). Marriages are not always between perfect couples but they generally involve couples enjoying differences between each others. In most of the societies, marriage is considered compulsory to pursue sexual relationships. In marriage, couple acknowledge inter personal relationships. But in every society, there is also a well defined procedure to dissolve a marriage generally called as divorce, where both men and women have almost equal rights to terminate an unpleasant marriage (Wallat, 2002).

Every individual starts his married life with love and romance but soon it transforms into a monotonous affairs of responsibilities and difficulties, which results into dejection, separation and loss of interest between married couple who eventually fail to cope with the demands of a normal social life. Sometimes this all can take a shape of domestic violence against the married women who could face psychological, physical, and verbal abuse of her in laws and even her husband. Marital conflicts and marital violence are not just differences of opinions and nature; they are actually a chain of events which are handled poorly by the married couples and their families that permanently damage the marital relationship of a couple. Marriages break down when feelings of couples are hurt, when their emotions are high, and they could not find solutions of their problems (Chambers, 2012).

In Pakistani society, marriages do not take place between two persons but with whole family. The reasons of failure of a marriage depends mostly on forced marriages where willingness of persons marrying was not considered, lust for dowry, joint family systems where the in laws interfere with the personal matters of a married couple, misunderstandings, lack of trust and infidelity between married couples, unemployment and financial pressures to meet the needs of the whole family (Sarhandi, 2010).

A verse from Surah Al Baqarah of the Holy Quran says that “and if you fear that the two i.e. husband and wife may not be able to keep the limits ordered by Allah, there is no blame on either of them if she redeems herself from marriage tie.” [Quran 2: 229]. Although it is also mentioned in Holy Quran that Allah does not like divorce but He allows it where

there is no other option. ([Quran 2: 224-237]provides general guidelines regarding divorce).

Every divorcing couple has its own distinct reasons for separation and divorce but break up of a couple or a family is most unfortunate outcome of our orthodox and conservative social values and traditions. Our society is male dominated, where man wants his wife to stay at home, do all chores for him and his family, do not have a social life of her own, and all sacrifices and compromises are asked from women and do not expect anything in return, all these customs are now not acceptable to the woman of the house who is well aware of her rights and more enlightened than the women of the past, might be because of advancement of media. Thus it is hard for women also to tolerate and compromise on issues that are not acceptable to her (Latif, 2014).

Divorce was considered a taboo in Pakistani society but now it is an accepted norm of our society where people do not feel ashamed of taking divorce even couple having children or being married for many years, do not hesitate to take divorce these days. Even most of the love marriages end up at separation or divorce between the couple. Women are now more educated and independent, who take their decisions themselves as they no longer are a burden on their families and not a dependent member of a family so they can decide for themselves and do not feel the need to compromise as they can support themselves after the divorce. It can also be said that lack of tolerance and lack of flexibility to compromise is leading towards high rate of divorce in the country (Hussnain, 2014).

According to the Report of 2013 of Aurat Foundation (an NGO working on women's rights issues in Pakistan), the violence against women incidents increased up to 4.47 percent in Pakistan than the previous year of 2012. It further says that the number of cases of VAW in Pakistan in 2013 included; total kidnapping and abduction cases were total two thousand and twenty six, murder cases were one thousand four hundred and twenty five, domestic violence cases were four hundred and ninety eight, suicide cases were six hundred and sixty eight, honour killing cases were four hundred and eight seven, rape and gang rape cases were nine hundred and fifty six, sexual assault cases were thirty eight, acid

throwing cases were forty three, burning cases were forty two, and other miscellaneous cases reported were one thousand six hundred and sixty nine (AF, 2013).

**Khyber Pakhtunkhwa(KP)**

According to the Human Rights Commission of Pakistan (HRCP)'s Report of 2013, the health sector of Khyber Pakhtunkhwa (KP) employs almost twenty two million people out of which women are only forty thousand, whereas the male labour force in this sector comprised of seven hundred thousand. The province of KP has only six hundred female doctors while the number of male doctors is six thousand. The total number of teachers in KP is almost one hundred and nineteen thousand while the female teachers are only forty one thousand one hundred and two. In industrial units the employed women are only three percent of the total work force (HRCP, 2013).

According to the Report (2013) of Aurat Foundation, the major offences reported in Khyber Pakhtunkhwa against women included; kidnapping and abduction were fifty one, murder were two hundred and sixty eight, domestic violence were one hundred and five, suicide cases were sixty nine, honour killing cases were seventeen, rape or gang rape were nine, acid throwing were four, burning were two, and miscellaneous were seventy two (AF, 2013).

According to Bureau of Statistics (BoS), Government of Khyber Pakhtunkhwa (KP)Pakistan, there were two hundred and seventy one police stations in Khyber Pakhtunkhwa in 2012 and there was no police station in Malakand District in 2012 (according to the same report). The number of criminal cases reported in 2012, for abduction were six hundred and ninety three, attempted murder case kidnapping and abs were total two thousand and sixty eight and murdered persons were two thousand nine hundred and eight two, burglary cases were total five hundred and two, kidnapping (ransom and others) were total three hundred and fifty four, *Zina* (adultery)cases were one hundred and twenty eight, while sodemycases were total one hundred and twenty seven (BoS, 2012).

According to 1998 Census, Malakand District area is 952 square kilometres. The population of Malakand District (both sexes) is 452291, while total males are 233556, and female are 218735. The urban population (both sexes) is 43179 while of males in urban areas are 22800 while females in urban areas are total 20379. The rural population (both sexes) is 409112, while males in rural areas are total 210756, while number of females in rural areas are 198356. Its population density per square kilometre in 1998 was 475. The sex ratio of Malakand District (males per 100 females) in 1998 was 107. The adult literacy (15 years and older) of Malakand is 52%, of males is 73% and of females if 30%. While in urban areas, the adult literacy (15 years and older) is total 54%, of males is 69%, and of females is 39%. In rural areas, the adult literacy (15 years and above) is total 52%, of males is 74%, and of females is 29% (BoS, 2012).

#### **Objectives of the Study**

The objectives of this research study were to find out the reasons of married women's seeking divorce (*Khula*) from their husbands and to suggest measures for improving the lives of married women and of reducing violence against women from the society.

#### **Methodology**

The geographical universe of the study was Malakand District of Khyber Pakhtunkhwa Province of Pakistan. A quantitative survey implying random sampling was used to select the respondents. A list of female married respondents seeking divorce (*Khula*) or already divorced (took *Khula*) was taken from district civil courts of Malakand which deals with family laws or have jurisdiction of family courts as well. Twenty five women were selected through lottery method. Interview schedule was used as a tool for data collection. Informed consent was taken from the respondents before conducting the interviews.

#### **Findings**

Table 1 shows that 48% of the respondents were of the age group 20-30, 20% of the respondents were of the age group of 10-20, 20% of the respondents were of the age group 30-40, and 8% of the respondents were of the age group of 40-50 and 4% of the respondents were of the age group 50 and above. Table further shows that 32% husband's of the

respondents were at the age group of 20-30, 28% of the husbands of the respondents were of the age group of 50 and above, 24% husband's of the respondents were of the age group of 30-40, 12% of the husbands of the respondents were of the group of 40-50, and 4% of the husbands of the respondents were of the age group of 10-20.

Table 2 shows that 52% of the respondents were educated above matriculation, while 24% of the respondents were educated up till matriculation, 16% of the respondents were educated up to primary, and 8% of the respondents were educated up till middle. Table further shows that 68% of the husband's education was above matriculations, while 16% of the husbands were educated up till matriculations, and 8% of the husbands were educated up to primary and middle respectively.

Table 3 shows that 52% of the respondents were housewife, 24% of the respondent were self employed like did embroidery, stitching etc at home, while 20% of the respondents were government employees and 4% of the respondents worked with Non Governmental Organizations (NGOs).

Table 4 shows that 40% of the respondents were of the age group 20-25 years at the time of their marriage, while 36% of the respondents were between the age group 15-20 years at the time of their marriage, and 20% of the respondents were between the age group 25-30 years at the time of their marriage and 4% of the respondents were between the age group 30-40 years at the time of their marriage.

The table further shows that 36% of the respondent's marriage was arranged by their parents, while 28% of the respondent's marriage was decided by the elders of their family, 24% of the respondent's marriages were love marriages, and 12% of the respondent's marriage were forced which took place without their consent and willingness. The table also shows that 40% of the respondents were married within their families with their first cousins, and 28% of the respondents were married within family with their second cousins, while 20% of the respondents were married with the friends of their family, and only 12% of the respondents were married outside their families.

Table 5 shows that 36% of the respondents said that their husbands demanded complete obedience from the respondents, 24% of the respondents said that their husbands demanded obedience of their family from the respondents, 8% of the respondents said their husbands demanded sacrifice always from the respondents and 32% of the respondents said that their husbands expected all of these demands from the respondents. Table further shows that 56% of the respondent's husbands never consulted or considered the respondents opinions on family issues, while 36% of the husbands consulted and considered the respondents opinions sometimes regarding family issues, and only 8% of the husbands mostly consulted and considered respondents opinions regarding family issues.

Table 6 shows that 84% of the husbands of the respondents restrict them to meet their female friends after marriage, while only 16% of the husbands allow the respondents to meet with their female friends after marriage. The table further shows that 76% of the husbands of the respondents do not allow them to continue their studies after marriage, while only 24% of the husbands allow the respondents to continue their studies after marriage. Table also shows that 84% of the husbands of the respondents do not give them permission to do any job after marriage while only 16% of the husbands allow their wives to do a job after marriage.

Table 7 shows that 68% of the respondents said that they mostly had quarrels and differences with their husbands, while 32% of the respondents sometimes had quarrels and differences with their husbands. The reasons of these quarrels and differences for 40% of the respondents were financial as their husbands had less income to meet their family's needs, while 32% of the respondents had differences because of domestic issues like in laws interferences in their personal matters of planning about their families, and 28% of the respondents had quarrels and differences with their husbands regarding their sex life. Table further shows that the behavior of husbands after these quarrels was for 64% of the husbands try to avoid the respondents, while 36% of the husbands try to irritate more after these differences, and only 20% of the husbands try to patch up after a quarrel or differences.

Table 8 shows that 56% of the respondents faced violent behavior of their husbands, while 40% of the respondents sometimes faced violent behavior of their husbands and only 4% of the respondents never faced violent behavior of their husbands. Table further shows that 52% of the respondents faced physical abuse of their husbands, while 28% of the respondents sometimes faced physical abuse of their husbands, and only 20% of the respondents never faced any physical abuse of their husbands. The reaction of respondents family on husbands beating their daughters for 48% families get angry, while 28% of the respondents family do not know about their daughters husbands beating them as the respondents never shared with them, and 24% of the families remain indifferent to the husbands beating their daughters.

Table 9 shows that 68% of the respondents were separated from their husbands and were seeking divorce (*Khula*) from them, while 32% of the respondents had already taken divorce (*Khula*) from their husbands.

The reasons of deciding to separate or take divorce from their husbands for 48% of the respondents said that they could no longer tolerate the violence of their husbands thus they were separated or seeking divorce from them, while 40% of the respondents were separated or seeking divorce from their husbands as there was no understanding between them, and 12% of the respondents said that their husbands were pursuing for another marriage thus they were separated or seeking divorce from them. Table further shows that 40% of the families of the respondents were not supportive towards them in their decision regarding separation or divorce from their husbands, while 36% of the families were compelling and threatening the respondents to compromise and go back to their husbands, and only 24% of the families were supportive towards the respondents in their decision of separation and divorce from their husbands.

### **Discussions**

The findings suggest that participants of the study were mostly young women aged ten to thirty years while their husbands were mostly above thirty. The women and their husbands were mostly educated above matriculation (secondary school). This shows that the young educated couples were seeking divorce (*Khula*) due to unpleasant married life.



The women were mostly house wives and only few were working at home like doing stitching and embroidery. Some were also public servant and few were employed by private sector also, but the ratio of formally employed women was quite less.

Majority of the participants of the study were quite young at the time of their marriage; being twenty or twenty five years of age. While most of the women also reported that their marriages were arranged by their parents or elders of the family, while some also reported that they were forced to marry by elders of the family against their own willingness and consent. There were some women who had married in love but that ratio was quite low, as love marriage is still a taboo and honor issue in the society. Most of the marriages were cousin marriages or marriages within friends of the family or within caste, and the ratio of out of family marriages was quite low.

The women reported that after their marriage, their husbands demanded complete obedience of them and their (husband's) families and even also asked for sacrificing always by the woman after marriage and all other women said that their husbands expected all of this from them after their marriage. There was no woman who reported that her husband asked her to do as her own will, or to consider her own interests after marriage. This revealed that the men tries to exert power and pressure by asking complete obedience and did not bother about woman's choices and willingness in dealing with matters arising after their marriage. This is a manifestation of patriarchal society where men want to subjugate women by having complete control of their lives and not giving them a choice of self determination for matters concerning their personal lives. This is also evident by women participants who said that their husbands never consulted them or asked for their opinion regarding the family issues after their marriage. The restrictions to meet female friends, to continue studies after marriage and to do jobs by husbands were also reported by the participants of the study. This all shows that there were not balanced power relationships between couples after marriage and the women were suppressed and their basic rights were not granted to them after their marriage.

The women said that after their marriage, there were tensions and differences between them and their husbands. The reasons they reported include: low income of their husbands to meet the family needs, in laws interference in private matters of the couple, and also because of sexual relationship between the couple. After each difference of opinion and a clash, the husbands mostly tried to avoid them or to irritate them more but few of the husbands also tried to minimize the tension and made efforts to patch up, but this ratio was quite less.

The majority of the women participants of the study reported that they faced violent behaviors like physical abuse from their husbands after their marriage. The parents of the women when came to know about this violence; could only get angry. Some of these women did not even tell their family of origin meaning their parents about the physical abuse of their husbands towards them. There were few families also who remained indifferent towards their daughter's complaints of their husbands beating them.

Majority of these women were separated from their husbands and few had also taken divorce. The reasons for this final step according to them included; women could no longer tolerate the violent behavior of their husbands. They also said that they took this decision as there was no understanding between them and their husbands so they could not cope longer. Some also reported that their husbands were pursuing for another marriage so they decided to leave their husbands. But these women were not supported by their families of origin in this decision of separation and divorce as some were facing threats from their parents and brothers to compromise and reconcile with their husbands. There were few women who got support of their parents in their decision of separation and divorce from their husbands. Divorce is considered a stigma in society so most of the parents of the daughters compel them to face all hardships after their marriages and never to return back to them. As they feel that once they return from their husband's home, the society would not accept their daughters and thus they would face the consequences of their daughter's decision regarding taking divorce. Most of the women do not leave the unpleasant and abusive relationship because of the fear that they would not be welcomed back in their parent's home and there would not be any other alternatives available to them once they leave

their husband's home. As in our society it is difficult for a lone woman to find a house and a job to live an independent life. It is also customary that when a woman seeks divorce (*Khula*) herself she cannot claim any monetary benefits from her ex-husband. Most of the women face these hardships when they decide to leave their husbands.

### **Implications for Policy and Practice**

Staying in a bad marriage and deciding to leave or to take divorce both are difficult situations for most of the women, as both have lasting effects on women's psychological, physical health and social life. So care must be taken when deciding to marry two individuals. It is very important that both partners meet and get to know each other before taking a decision to marry. In Pakistan, marriages are decided primarily by the elders of the family and care is not taken to know whether the boy and girl have compatibility to live together for their whole life. Thus mostly, both the partners face consequences just after the marriage when they come to know about each other weaknesses and differences. The parents should first try to get all details checked and then should give chance to their children to get to know each other better, before marrying them. This can avoid them and their children from the negative consequences they would face if things go wrong after marriage. As marriage means commitment for a long period of time and it influences not only the individuals tying the knot but also their families and the future generation. So it is necessary that care should be taken before marriage actually takes place.

At the same time, after marriage both partners should be ready and willing to compromise to make the decision of marriage a success. Tolerance and patience is required to make every relationship last longer. But due to globalization and glamorization, young generation is more impatient and do not know the values of family life that can serve as a support in most difficult times in their lives.

The customary practices like forced and early marriages are still a reality in Pakistan that needs to be discouraged. Marriages should happen when one is mature enough to take and accept the responsibilities of married life. Usually girls are married at a very early and young age when they are unable to understand the complexities of a married life. Thus most of

them face the consequences and some even end up abused, or separated and divorced.

The influence and interference of family in the married couple's personal life is also a reason why marriages end up in separation or divorce. In our country, there is still a joint family system in most of the places, and this cause lack of privacy in married couple's lives. Most of the times, the men are out of the house because of their jobs and the woman has to spend more time with the family of her husband. The husband when returns from job, does not give proper time and attention to his wife's needs and interests and that can bring tensions between the couple. If the woman is not working and earning money of her own, the man feels himself superior to her as the woman is dependent on him for all her needs. This can create power in-balance between them and problems can increase. If the man is not earning enough, he cannot leave his parent's home to live separately with his wife and to avoid family interference. Thus the couple has to live with the parents of the man who can escalate their problems and tensions. The unemployment, low wages and illiteracy are the problems that are not only keeping the country under developed but also creating problems in personal lives of people.

Case management services like family counseling by social workers for married couple to mitigate the tensions in their lives should be available in the country. The general public feels hesitant to seek advice of professionals for their personal problems, so awareness raising is key for success.

#### **Tables**

**Table 1: Age of the respondents and their husbands**

<b>Age</b>	<b>Respondents</b>	<b>Husbands</b>
<b>10 -20</b>	5 (20%)	1 (4%)
<b>20 -30</b>	12 (48%)	8 (32%)
<b>30 -40</b>	5 (20%)	6 (24%)
<b>40 -50</b>	2 (8%)	3 (12%)
<b>50&amp; above</b>	1 (4%)	7 (28%)
<b>Total</b>	25	25

**Table 2: Education of the respondents and their husbands**

Education	Respondents	Husbands
Primary	4 (16%)	2 (8%)
Middle (lower secondary)	2 (8%)	2 (8%)
Matriculations (secondary)	6 (24%)	4 (16%)
Above matriculations	13 (52%)	17 (68%)
<b>Total</b>	<b>25</b>	<b>25</b>

**Table 3: Employment status of the respondents**

Status	Frequency	Percentage
Housewife	13	52%
Self employ	6	24%
Government employee	5	20%
NGO	1	4%
<b>Total</b>	<b>25</b>	<b>100%</b>

**Table 4: Age of the respondents at the time of their marriage, type of marriage and whether married within family or outside family?**

Age at Marriage	Frequency and Percentages	Type of Marriage	Frequency and Percentages	Marriage within or outside family	Frequency and Percentages
15–20	9 (36%)	Parents Arranged	9 (36%)	First cousin	10 (40%)
20–25	10 (40%)	Forced Marriage	3 (12%)	Second Cousin	07 (28%)
25–30	5 (20%)	Love Marriage	6 (24%)	Family Friends	5 (20%)
30–40	1 (4%)	Elders of the Family Decided	7 (28%)	Out of family	3 (12%)
<b>Total</b>	<b>25 (100%)</b>		<b>25 (100%)</b>		<b>25 (100%)</b>

**Table 5: Husband's expectation from the respondents after marriage and consultation and consideration of respondent's opinion regarding family issues**

Demands of husband	Frequency and Percentages	Consultation and Consideration of Respondent's Opinions	Frequency and Percentages
You will obey him	9 (36%)	Most of the times	2 (8%)

completely			
You will obey his family	6 (24%)	Sometimes	9 (36%)
You will have to sacrifice always	2 (8%)	Never	14 (56%)
All of these	8 (32%)		
Total	25 (100%)	Total	25 (100%)

Table 6: Types of restrictions on the respondents by their husbands

Permission to meet female friends	Frequency and Percentage	Permission to continue studies	Frequency and Percentage	Permission for doing a job	Frequency and Percentage
Yes	4 (16%)	Yes	6 (24%)	Yes	4 (16%)
No	21 (84%)	No	19 (76%)	No	21 (84%)
Total	25 (100%)		25 (100%)		25 (100%)

Table 7: Quarrels and differences with husbands, their reasons and behavior of husbands after quarrels and differences

Quarrel and differences with husband	Frequency and percentage	Issues or reasons of Quarrel and differences	Frequency and percentage	Husbands behavior after quarrels and differences	Frequency and percentage
Most of the time	17 (68%)	Financial	10(40%)	Want to patch up	5 (20%)
Sometimes	8 (32%)	Domestic	8 (32%)	Try to irritate more	9 (36%)
Never	0	Sexual	7 (28%)	Avoids you	16 (64%)
Total	25 (100%)		25 (100%)		25 (100%)

**Table 8: Violence against women by their husbands and the reaction of women's family**

Violent behavior of the husband	Frequency and percentage	Husbands physically torture the respondents	Frequency and percentage	Respondents family reaction on husbands beating their daughters	Frequency and percentage
Most of the time	14 (56%)	Most of the time	13 (52%)	Do not know	7 (28%)
Sometimes	10 (40%)	Sometimes	7 (28%)	Angry	12 (48%)
Never	1 (4%)	Never	5 (20%)	Indifferent	6 (24%)
Total	25 (100%)		25 (100%)		25 (100%)

**Table 9: Respondents seeking separation or divorce, reasons of this decision and reaction of respondent's family on their decision**

Separated or Divorced ( <i>Khula</i> )	Frequency and Percentage	Reasons of separation and divorce	Frequency and Percentage	Respondents family reaction on their decision	Frequency and Percentage
Separated and seeking divorce( <i>Khula</i> )	17 (68%)	Lack of Understanding	10 (40%)	Supportive	6 (24%)
Divorced ( <i>Khula</i> )	8 (32%)	Can't tolerate more violence	12 (48%)	Compel and threat to compromise	9 (36%)
		Husbands pursuing second marriage	3 (12%)	Not supportive	10 (40%)
Total	25 (100%)		25 (100%)		25 (100%)

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