

## Dissolution of Marriage and its Causes: A Case Study of Kech-Makran

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### Abstract

*Dissolution of the marriage is considered to end the social contract legally between a man and woman in society. The aim and objective of this article are to explore the factors of divorce in District Kech. The nature of the study was qualitative and the type of the study was exploratory. The researcher systematically analyzed the judgments of the cases filed from 2020 to 2022 in District Kech Makran. The researchers selected 20 cases and analyzed them thematically. The researchers find out that in District Kech marriages are dissolved due to many factors, such as addiction to drugs, non-payment of maintenance, hate, second marriage, domestic violence, interference from family, irresponsibility, ignorance, domestic violence, suspicion, desertion mental illness, physical illness, disappearance, and conviction. Counselling among the couple on the rights and duties and collective effort from the social institutions for the security and protection of the family is strongly recommended.*

**Keywords:** dissolution of marriage, drug abuse, suspension, violence, Kech.

### Introduction

The dissolution of a marriage in today's modern World is an increasing social issue. A marriage is a social contract that not only unites two individuals to make a family. So, an end of a marriage is the end of the relationship between the couple. A contract of marriage has legal recognition and it has also been emphasized by the religion Islam in the Quran in many circumstances, "and among his signs is this, that he created for you males from among yourselves, that you may dwell in peace and tranquility with them, and he has put love and mercy between your hearts (Quran 4:3). A marriage is obligatory according to our religion but its dissolution is a right of the spouse that can be exercised according to the Dissolution of Marriage Act 1939. Under section 2 of the said Act 1939, a decree for the dissolving a marriage may be granted on the following grounds: the exact location or place of the husband is not known for four years, the husband has

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not provided maintenance for 2 years, the husband is imprisoned for 7 years, the husband has not performed his marital obligations, the husband is insane for two years or is suffering from a deadly disease or leprosy, the wife was married when she was minor and repudiated the marriage at the age of 16, she has been treated cruelly by the husband and on any other ground which may be recognized as valid under the Muslim Law.

Dissolution of marriage which makes a marriage void is termed as divorce. Divorce is a manner to dissolve a marriage that allows the partner to marry secondly. A divorce of the married couple shows that the marriage is failed and the partners had no longer interest to maintain their marital status (Arora, 2006). It is believed that divorce is the end of the connection between spouses; however, it is not just an ending but changing the type of relation into a new one. Divorce is only a happening to dissolve a union of spouses in which they no longer have their partners, and their intact families, and they are challenged to make new living and relation (Baum, 2007.) Marriage is a type of association that occurs among the members of society that makes them unified in sexual economic and social aspects and it creates rights and obligations over two persons, so there are a lot of reasons to get married (Schwartz and Scott, 2000.) According to Schaefer (2008), people marry for several causes likewise the end of this social contract occurs due to various reasons and the separation of a married couple has serious impacts on both partners and their children. Mostly, the children after the divorce of parents wander here and there and seem to be beggars on the streets and which is very hard for them (Schaefer 2008). There are various factors that relates with the end of a marital relation which include difficulty to manage family life because of early marriage, poverty and unemployment, and illiteracy (Amato, 2010).

Marriage unites the spouses spiritually, connects them physically and emotionally and fulfills all the needs of an individual, and makes legal rights. The couple married are happier than those who do not marry they enjoy more and therefore are far away from depression and illness and there is a chance of quick recovery from illness (Vandenberg, 2000). A marriage between men and women develops a feeling of togetherness towards each other, belonging to each other, and depending on each other (Olayinka, 1987). A marriage mainly is a source of joy and safety and it develops a feeling of being responsible and mature (Makinde 2004).

In a person's life separation of a married couple is the worst experience as it can be the cause of depression and anxiety (Kurdeck, 1991; Amato, 1994). According to Anne Marie Ambert (2005), in most countries, there are two main effects of divorce poverty and

problems in the development of children. Poverty causes divorce and divorce is a factor to increase poverty for the divorcee and her children (Finnie, 1993; Galarneau and Sturrock, 1997). Divorce is the main reason for the development of stress and painful emotions which is responsible for one's sad mood, affecting psychologically, worrying, and regretting (Emery and Kelly, 2003:359). Dissolution of marriage is not only detrimental for married couples but it brings many social, economic, and psychological changes (Emery, 1999). The divorce rate over the past half century has been increasing which shows that remarriage, step relations, separation, and single parenthood are a part of social family life (Wang and Schofer, 2018).

The offspring of a divorced couple has a huge chance of suffering from physical and mental problems and educational regress (Aghajanian, 1986). Variation in culture, doubts about one partner or another, marrying a second time, marriage with no love and emotions, sexual diseases, and less sexual desires lead to divorce (Aghajanian, 1986). In Islam, the spouses are not restricted to dissolve a marriage but the act is disliked and discouraged (Hourriez, 2005). Divorce is not considered a legal act in some communities and domestic violence is considered a main cause of it (Dehaghani and Nazari, 2010). There are some other reasons for the separation of women and men such as unemployment, expectations, and difference in level of class. (Pervin et al 2010). Marital dissolution is considered the complete end of the union of spouses, terminating their responsibilities and dissolving their bonds (Mattoo and Ashai 2012:113). Dissolving a marriage is a social issue and there are a lot of problems that arise when a marriage is dissolved such as its effects on the divorcee, its impacts on the children of the divorced couple, and its effects on the society itself. In District Kech, the failure of marriage to proceed is one of the common problems whose reasons need to be found out, studied, and discussed so that such an issue may not arise and the steps that may help to avoid such an issue may be considered and known. Marriages and their dissolution are social as well as private matters and they have social economic and psychological impacts on the community at large. It is an issue as it restricts the establishment of a family. The end of a marital relationship ends the bond between two families and has serious impacts on children.

#### *Objectives of this Study*

- To know the laws relating to the dissolution of marriage.
- To know the causes of termination of a marital relationship in Kech.
- To determine such factors which would help to decrease the termination of marital relationships.

### **Literature Review**

In our religion Islam divorce is not a like act as Bani & Pate (2015) conducted a study on the dissolution of marriage in the light of Islamic laws whose main objective was to discuss the Islamic laws related to divorce and the modes of divorce according to Islam. The study concluded with the point that the dissolution of a marriage is the most hated act before Islam; however, it is permitted in certain particular situations when the dissolution becomes necessary for the partners and they should stay apart from each other and those are, it is not possible to live together for both spouses because of hatred and dissatisfaction. The divorce may be caused either by an act of a husband or of a wife. Islam teaches to live happily in a manner that divorce is not promoted Perveen (2010) argues that Islam prefers to initiate family lives and avoids the breakage of such relationship, the relationship between a husband and a wife ends because the spouses are negligent and are not aware of their responsibilities and a family to be well established needs extreme care and capacity to be responsible of both partners it has been decreed in the Quran that “and live with them in a proper manner” (Al- Nisa, 4:19) and it also guides to remove conflicts between husbands and wives, “and if you fear a breach between them, appoint an arbitrator from his folk and an arbitrator from her folk. (Al Nisa 4:34) The Holy Prophet addressed in Hujjatul wida that “you should treat your women nicely and you are not authorized to mistreat her even if they misbehave” (Muslim Hadith NO. 1218). All these verses and quotations indicate that Islam supports a reduction in the rate of divorce.

Several causes exist in Pakistan which increase the rate of divorce such as religious conflicts, doubts and suspicions of unemployment, and poverty misunderstandings. Ramzan et.al (2018) in their study about the divorce ratio and its major reasons in Pakistan. In the study, the benefits of marriage and the effects of a divorce were discussed. The main purpose of the study was to discuss the major causes which dissolve a relationship of a married couple in Pakistan. A simple random sampling technique was used and interviews were conducted for gathering data it was argued by the researchers that, in Pakistan religious conflict, lack of trust, financial problems, unemployment, and misunderstandings were the main reasons which cause an increase in the rate of divorce. Apart from these causes, violence by a partner, interference from laws, and sexual disorders are the major causes in Pakistan as narrated by Khan et.al (2019) in their study which was conducted through structured interviews of participants divorced. The factors which raise the divorce rate are a character and status of a person, expectations, education financial

issues, forced marriages, and disloyalty. Certain customary practices also increase the rate of divorce in Pakistan like Watta Satta the marriage of a pair of brothers and sisters to another pair of brothers and sisters the end of relation between one couple already ends up the bond between the other as the separation has hard effects on every family members and it becomes difficult for the rest couple to continue their marriage, payment of dowry is also a practice if one fails to pay the dowry it causes violence and divorce argued by Gul et al. (2018). Mahmood et.al (2016) argued that the wish of the husband to have sons, addiction to drugs, age, and income of the husband are the important factors that lead to divorce.

The separation of a married couple occurs due to a lot of various complex reasons and those are adultery, lack of communication, drug addiction, religious difference, no commitment, family interference, and health problems this was concluded by Damota et.al (2020) who studied the rate and causes of divorce in a town of Ethiopia called Bale Robe through a qualitative study by interviewing 12 divorced women and he collected data through purposive and snowball sampling. The causes and issues of divorce are classified into three categories which are psychological, social, and economic to avoid such problems training should be conducted for marriage counselling for child care and conflict management narrated by Mekonnen et.al (2019) who studied the prevalence causes and effects of divorce in Bihar, Ethiopia by using a qualitative and Quantitative method. Intervention from parents, issues related to communications, disagreement and offences like theft and other immoral acts are some of the factors which increase the rate of dissolution of the relation of a married couple concluded by Adamu & Temesgen (2014) in a mixed method of study in east Gojjam Zone, Ethiopia on the causes consequences and rates of divorce.

Various studies have been conducted on divorce its effects and causes. Janmardy (2011) analyzed and discussed the effects of war on the rate of divorce, therefore the role of Iran Iraq war was emphasized and the divorce rate was studied from 1977 to 1998 in Iran. War has always had serious effects on society likewise the rate of divorce increased after the war increased due to the economic effects of war and other harmful effects on family structure and the destruction of society. (Janmardy, 2011). Social factors causing divorces like communications and family interference have an important relation to mental health and the economic factors related to divorce have no effects on mental health narrated by Jalili et.al (2017) in a study about the relationship between the factors that cause divorce and mental health of divorced women in Ahvez, Iran in which questionnaires were distributed among 434 divorcees and Data was collected through

questionnaires and were analyzed using SPSS. The causes of divorce have been determined by Barikani et.al (2012) on the causes of divorce rate in Qazvin, Iran in a mixed method of research as it was conducted through questionnaires and interviews and the subjects were men and women who demanded a divorce from August to November 2009 and they were 572 including 400 women and 172 men from whom the data were collected. It was argued that the result of the study was the selection of the mate wrongly, intervention from relatives and families was the main reason for detachment of spouses.

To determine the factors affecting the divorce rate various studies have been conducted in Indonesia which resulted that divorce at a young age takes place due to various economic factors, lack of understanding, and differences in the lifestyles of both partners Hasanah and Latifani (2020) in a study “the factors causing early divorce in early marriage (case study in Kisaran religious court) which was qualitative research and Primary data was collected by interviews and observations. Handalusia et.al (2018) explored the causes of divorce in Indonesia by utilizing data from family life surveys in 2007 and 2014 on married and divorced couples. The researchers took samples from 13 provinces of Indonesia from which the researcher argued that family clashes when the wife is a working woman are a cause of dissolution. Apart from it, age and second marriage also serve to be the causes of divorce. Social Media also has its effects on the rate of divorce through its use a doubt of betrayal and infidelity is created by the spouses towards each other which consequently results in conflicts between them. However, it’s not social media that causes divorce it depends on the people and how negatively they use it narrated by Nursyifa (2020).

Blbas (2019) aimed to determine the factors which cause the divorce rate to increase in Iraq. Data were collected through questionnaires and the study concluded with the result that second marriage, interference from parents and family members, unemployment, adultery, and modern technology were the reasons for divorce in Iraq.

Okolie, et al (2020) conducted analytical research on the causes and effects of divorce in Nigeria. The objectives of the study were to discuss the causes and effects of divorce in Nigeria and to know the perception of students regarding divorce and its causes and effects. Data was collected through a survey of 600 structured questionnaires the researchers found out that the major causes that lead to divorce are infertility, infidelity, cultural differences, poverty, domestic violence, loss of sexual desires, and intervention of families. Umoh & Adeyemi (2005) conducted a study regarding the causes of divorce. The objectives of this study were to find out what the students

of universities believe are the factors that cause divorce. The researchers selected 300 female students and 300 male students randomly and distributed questionnaires related to the causes of divorce among them. The result showed that the students considered infertility and impotence as the first and foremost causes of divorce, secondly, they perceived continuous sickness of one spouse as a factor resulting in divorce, thirdly, the religious differences were considered as a cause of divorce and lastly, they believed that differences in culture of the married couple and a huge difference of age causes divorce (Umoh & Adeyemi, 2005).

Separation of a couple occurs due to non-compromise of the partners, ego, interference by a third party, and financial problems Marry & Shivappa (2012) research had the purpose to highlight how much divorce is common in today's modern world and discussing the judicial dissolution of marriage, its causes and reasons, and its psychological impacts. McNulty (2015) argued on the causes and consequences of expatriate divorce in a qualitative study and the data were collected through interviews and surveys. Expatriate divorce occurs due to factors that exist before going to a foreign country such as alcohol addiction and mental illness and factors after going abroad such as being influenced by expatriate culture (McNulty, 2015). Religious factors, economic reasons, age, domestic violence, extramarital affairs, health, and addiction to drugs are some causes of dissolution and the divorce of parents affects the children of the couple who as a result of the separation of parents are disturbed emotionally, economically, and psychologically. Poverty, unemployment, mental health issues, being addicted to drugs, interference from family and relatives, forced marriages, cultural issues, and domestic violence are the factors that cause the divorce of a married couple. Various causes of divorce have been determined in various studies in different regions and countries; however, this issue has not been concerned and discussed in our research area therefore to fill up this gap, this research work is initiated by us. To study the causes of dissolving a marriage identified by the different researchers in their studies and to check whether similar factors exist in Kech Makran or not. This study is to find out the reasons for divorce in Kech District and to recommend the steps which would eradicate such factors.

### **Research Methodology**

In this study qualitative method was used to know what reasons lead to divorce. The researcher studied 20 judgments of those cases filed from 2020 to 2022 from different areas of district Kech. These cases were thematically analyzed.

### **Findings of the Study**

#### *Hatred and Misbehaving*

The researcher, while studying the cases found out that hatred of wives caused by the misbehaving of husband causes the female to initiate a legal process of divorce against her husband which would result in their judicial separation. This was examined in a family suit No.37/2020 instituted on 16-10-2020 in the court of Family Judge by a resident of Aapsar Turbat against her husband residing in Zamuran region of District Kech. The plaintiff was asked for compromise and the court put its best attempts to effect conciliation between the parties but failed to do so, Khula was granted as the wife had developed hatred and disliked the defendant and she made it clear from her statement that she can't continue her relationship with her husband due to his bad behavior towards her. The court dissolved the marriage through Khula as prescribed under section 10 (4) of the Family Courts Act, 1964, and the decree was pronounced on 26<sup>th</sup> March 2021.

#### *The intervention of family members, aversion, non-payment of maintenance aggressive behavior, and disappearance of husband:*

It was determined from family suit No 27/2020 filed by a resident of Singanisar Kech against her husband. The plaintiff claimed khula from the defendant on the grounds of strong dislike due to the ill-treatment of the husband followed by the interference of in-laws who also maltreated the plaintiff and supported the defendant the plaintiff also claimed that she has always been facing abusive language from the husband. The plaintiff and her three children had been deprived of maintenance she was compelled from her miserable conditions to sell out her 20 misqal gold. Lastly, the researcher found another ground that the defendant left for Panjgoor without acknowledging the plaintiff and abandoned her for 5 years. Even though the plaintiff had performed her obligations but the behaviour of the defendant did not change towards her as he was a hot-tempered and ill-mannered person by nature. the suit was decreed in favour of the plaintiff as the defendant had been summoned but did not appear, the ex parte judgment and decree were passed against him and khula was granted to the plaintiff.

#### *Dislike developed due to desertion on the part of the defendant*

Studying family suit No. 39/2020, the researcher finds out that the strong dislike of a wife towards the husband is the root cause of their separation. In this suit, filed before the Family Judge Turbat, the plaintiff from Kalatuk District Kech claimed judicial separation from the defendant who was the resident of Dasht, Kech. The plaintiff and defendant were called to discuss the root causes of their will of



partition, the views of both were contradicting and there was no chance for reconciliation. It was claimed by the plaintiff that she had been married to the defendant seven years ago but she could only live happily with him for three months and after that, she was asked to leave and live with her parents on the other hand the defendant claimed that he was disliked by the plaintiff from the very first day of their wedding and the plaintiff had always failed to perform her marital obligations. The family judge was satisfied that the plaintiff no longer wants to continue her marital union and the case was decided according to subsection 4 of section 10 of the West Pakistan Family Court Act, 1964, and the marriage was dissolved on the bases of the point if reconciliation and compromise between both fail.

*Solemnizing second marriage and non-payment of maintenance and Violence*

Most of the cases are filed due to the growth of hatred that develops due to ill-treatment and irresponsibility of husbands. In a suit, filed before the honorable Family Judge Turbat comprising family suit No.12/2020, the plaintiff from Meeri claimed judicial divorce from the defendant who was a resident of the same area. Deeply overviewing the causes for the filing of this suit the researcher determined that the plaintiff has developed hatred towards the defendant due to his maltreatment. The plaintiff has been unaware of the second marriage of the defendant and the defendant has neglected to provide her maintenance and bear her expenses. Furthermore, the defendant has been duly served the summons but he did not appear before the honorable court, the ex-parte proceeding was initiated and the plaintiff produced her evidence and witnesses from which it was ascertained that with the passage of time, the defendant began to use abusive languages with fighting which consequently resulted in the hatred of plaintiff. Khula was granted and it was clarified by the honorable judge that both partners couldn't live together marriage is a way to get peace and satisfaction with love, respect, and care and it is considered as half of one's faith, if the married couple fails to find these in their union it's better for them to separate their ways.

Family Suit No. 22/ 2021 was filed before the honorable family judge in which Khula was claimed by the plaintiff on the grounds that she at the time of the wedding was a minor aged 12, but she performed all of the obligations which arises in a contract of marriage; however, she had been the victim of the defendant's cruelty and ill treatment, non-payment of maintenance, and ignorance. She also claimed that the defendant has solemnized second marriage therefore the plaintiff hates the defendant and does not want to live with him anymore. The plaintiff was not ready for the marriage but she was forced to do so

and after considering the statements of witnesses Khula was granted to the plaintiff.

*Drug addiction, non-payment of maintenance, and lack of interest:*

It was examined in Family Suit No.15/2020 that the plaintiff, a resident of Fish Colony Turbat has claimed dissolution of marriage on the grounds of the base that the defendant is a drug-addicted person. The plaintiff claimed that she has always performed her marital obligations and she had three children, the defendant showed a lack of interest and did not take care of the plaintiff and the three children. He used to treat the plaintiff in an ill-mannered behavior which resultantly developed a feeling of dislike towards the defendant in the heart of the plaintiff. It was established on the records that Khula is an equivalent right to divorce which is also recognized by Islam, as Islam does not allow any forceful relation which is against one's will so the honorable Judge dissolved the marriage.

*Domestic Violence and Suspicion:*

A resident of Dasht filed Family Suit No 11/2021 on the 16<sup>th</sup> of July 2021 against the defendant who was from Ginnah. The plaintiff claimed for Khula on the grounds of violence caused by the defendant. She stated that at the start of the marital relationship, the behavior of the defendant was good enough but it changed all of a sudden and he started to tease the plaintiff. The defendant created such situations which compelled the plaintiff to take action for untying the knot between them. He had very cruel behaviour with distrust and suspicion due to which the plaintiff escaped from the house and demanded divorce many times but the defendant refused hence the suit for dissolution was filed and the marriage was dissolved through Khula on 13<sup>th</sup> November 2021.

*Domestic violence, irresponsibility, and non-payment of maintenance:*

Studying the facts of Family Suit No. 12/2021, the researcher found out that the suit filed by the plaintiff resident of Nasirabad, Kech against the defendant from Aapsar, Turbat was solely filed to dissolve the marriage on the bases of Khula. The Plaintiff claimed that she has been brought to miserable conditions by the defendant as he was very irresponsible and brutal towards the plaintiff. It was not only his cruelty but also his negligence to pay the expenses which compelled the plaintiff to file the suit of dissolution of marriage against the defendant. It was asserted from the facts that the plaintiff was deserted from the house of her husband by him as a result of which she became the victim of restlessness and tension. The plaintiff also declared that the defendant was not a good spouse. On the other hand, the defendant

in his written statement rejected the facts that she was deserted, according to him she left the house of her own will, and he has always duly paid her maintenance. The court tried to reconcile and reunite them but it was cleared that the plaintiff does not want to continue her marital relationship so the case was decided in accordance with the Judgment PLJ 2010, Peshawar High Court, 33 which laid down the principle that if a woman decides to get separated from her husband due to any reason and there is no chance to reconcile, so the court on its discretion may dissolve the marriage. The marriage was dissolved on the ground of Khula under section 10(4) of the West Pakistan Family Courts Act, 1964.

*Maltreatment, non-payment of maintenance, ignorance, and three years long desertion:*

Examining Family Suit No. 43/2020, the researcher concludes that the plaintiff claimed dissolution of her marriage from the defendant on the grounds that she had not paid her maintenance, she has been the victim of the defendant's brutality, she has been deprived of the love, respect, and care which she deserved under the marital obligations and she was deserted from the house of husband by the defendant and was left to live a miserable life with her parents. The plaintiff lived with her parents for three years and lastly, she instituted the suit for dissolution of marriage through Khula. The case has proceeded ex-parte and the marriage was dissolved through the ex-parte proceeding

*Addiction to drugs, domestic violence, and non-payment of maintenance:*

It was determined from Family Suit No. 11/2021 that the plaintiff resident of Shahitump filed this suit of dissolution through Khula on 25 November 2020 against the defendant who was also a resident of the same area. The plaintiff claimed dissolution on the grounds that the defendant was addicted to drugs and he used to habitually beat and took her out of his house as a result of which the plaintiff was compelled to live in a miserable condition for four years and in these four years nothing was paid to her and her son at the house of her parents. She was ill-treated by the defendant therefore, she has developed a feeling of hatred towards the defendant and it is not possible for her to live with the defendant in a matrimonial relationship, it was prayed by the plaintiff that the honorable family judge may kindly be pleased to withdraw the relation of plaintiff and defendant through Khula. The court considered the facts and dissolved the marriage tie between them on 8<sup>th</sup> May 2021.

Family suit No. 5/2021 has been filed before the honorable Family Judge Turbat where the grounds for dissolution were of similar nature as mentioned in family suit No. 11/2021. The plaintiff claimed that the defendant was a drug addict, used to abuse and insult the plaintiff on minor problems, and has failed to provide her and her son with his wedlock maintenance. She has been expelled from the house and the behaviour of the defendant was very aggressive, and he had suspicion and distrusted the plaintiff therefore it was not possible for the plaintiff to live with the defendant and the suit for dissolution was filed and Khula was granted and it was decreed 5 July 2021.

*Cruelty, irresponsibility, and non-performance of marital obligations:*

In the Family Suit No. 21 of 2021, the researcher studied that the plaintiff was married to the defendant 9 years ago with the consideration of prompt dowers 40 misqal, the plaintiff and defendant both were the residents of Buleda District Kech and the marriage occasion occurred at Buleda. The suit was filed by the Plaintiff for the purpose to be granted Khula on the grounds that, the prompt dower 40 misqal and the maintenance to her and her children were not provided for which she had already filed suit No. 36/2020 and the defendant was directed to pay them, but all in vain. She claimed that the behaviour of the defendant has always been brutal towards her and the innocent children and he is not a good partner. On the other hand, the defendant denied the facts and stated that they both were married with their wills and now the plaintiff herself wants to end the relationship and he is ready to continue his marital relationship. The court provided them some time for reconciliation in the presence of both partners their fathers and their councils but they failed to reconcile and it was determined that the plaintiff is in favour of Khula at any cost and the court dissolved the marriage under section 10(4) of Pakistan Family Courts Act 1964 considering the judgment PLJ 2010, Peshawar High Court which laid down the principles of Khula that if a woman wants khula for any reason the court may dissolve the marriage. The suit was decreed in 3<sup>rd</sup> January 2021.

*Maltreatment and drug addiction:*

Family suit No. 18 of 2021 was filed by a resident of satellite Town who was married to the defendant resident of Gomazi, Tump in 2017. The plaintiff claimed for Khula in this suit. The plaintiff stated that she had been always performing her marital obligations but the defendant had been maltreating her because he was addicted to drugs. The marital life of the plaintiff was so restless and the plaintiff had suffered a lot of pain and he has been compelling her to live with her parents. The plaintiff underwent misery with her parents for 5 years.

The defendant did not attend any trial; therefore, the case had an ex-parte proceeding, the ex-parte issues were proved by the plaintiff, and the marriage was dissolved. Khula was decreed on 16<sup>th</sup> November 2021.

The plaintiff in family suit No. 4/2020 claimed that she had been married in 2000 in Dasht and she had suffered from the ill-treatment, hatred, and non-payment of maintenance. The defendant was a drug-addicted person and he used to beat the plaintiff. The plaintiff claimed Khula before the honorable family court and the proceeding was ex-parte, ex-parte witnesses were brought and it was declared that the plaintiff is entitled to dissolve her marriage as she has the right to do so by giving back the amount of dower paid to her.

*Addiction to drugs, desertion, and non-payment of maintenance:*

Family suit No. 11 of 2021 was filed by a resident of Zamuran District Kech against the defendant and her husband which proceeded ex-parte. This was the suit filed to dissolve the marital relations of the plaintiff and defendant in which the plaintiff stated that the defendant had an oppressive behaviour towards her, he is a drug addict and has always failed to pay the proper maintenance to her and the defendant have taken out the plaintiff from the house and she had been living with her parents in miserable situations for ten years. the honorable judge decided the suit in favour of the wife and Khula was granted as the defendant failed to appear in court the proceeding was proceeded in his absence and decreed on 27<sup>th</sup> October 2021.

Family suit No. 1 of 2021 was filed by a resident of Dasht District Kech against her husband who was from the same area that she was married to the defendant in 2006 and three children were born from the wedlock. The plaintiff claimed that she and her children have never been paid by the defendant as maintenance, the defendant was a drug addicted and he has also been convicted for murder in Iran spending 7 years in jail and was released on bail. The plaintiff developed hatred and demanded khula from the court. The suit was decreed in 18<sup>th</sup> March 2021 in favour of plaintiff under section 10 (4) of West Pakistan Family Court Act.

The researcher also studied the same causes, addiction to drugs, non-payment of maintenance, and desertion in another judgment. This suit was filed by a resident of Shahitump in which the plaintiff stated that she had been thrown out with her child after being treated badly by the defendant. She was deserted from the house and she had been living with her parents for four years. During these four years, nothing was paid to her and her son as maintenance therefore she requested the court for the dissolution of her marriage. The suit was decreed on 20<sup>th</sup> March 2021 in which the honorable Family Judge

of Turbat pronounced the decree in favour of the plaintiff and Khula was granted.

*Mental Illness:*

In family suit no 20/2021 the researcher determined that the mental illness of the husband is also a cause for dissolution. In the suit, filed before the court of Family Judge Dasht, the plaintiff stated that before the marriage the defendant has been represented by his elder brother as a fit and healthy man before the family members of the plaintiff. The fact that the defendant is a mentally ill person was concealed from them and the defendant due to his illness failed to fulfill his marital obligations and he was sent to Karachi for treatment. The family of the plaintiff and the plaintiff herself were very disappointed by the mental illness of the defendant and its concealment therefore Khula was demanded and granted. The suit was instituted on 9 October 2021 and decreed on 28 October 2021.

**Discussion**

The study's focus was to identify the causes of the dissolution of marriage in District Kech. The researcher finds out that in District Kech marriages are dissolved due to many factors, such as addiction to drugs, non-payment of maintenance, hate, second marriage, domestic violence, interference from family, irresponsibility, ignorance, domestic violence, suspicion, desertion mental illness, physical illness, disappearance, and conviction. The researcher studied the causes of termination marriages in different parts of the word through determined Articles and determined that according to research work in different areas and it was recognized that the relationship between two spouses ends due to many factors which involve unemployment, misunderstandings, doubts, and suspicions, interference from in-laws, negligence, infertility, domestic violence, dissatisfaction, lack of communications, drug addiction, illiteracy, financial issues, many more. The study finds out that the causes of separation at Kech are quite similar as it has been observed through the data that causes observed in the Articles can be observed at Kech are domestic violence, drug addiction, illness, interference from in-laws, nonpayment of maintenance which comes in the ambit of financial problems, doubts and suspicions, and negligence. All of the above-mentioned discussion is a result of the data collected from the cases filed from 2020 to 2022 which were decreed.

**Conclusion**

The purpose of this research study is to the causes of the dissolution of marriage at Kech. The result of this study portrays that

at district Kech dissolution of marriage is caused due to irresponsibility, non-payment of maintenance, addiction to drugs, second marriage, domestic violence, desertion, doubts, and suspicion of illness. These results were derived from the data collected in this research study from the primary and secondary sources.

### **Recommendations**

- The result of this study may help to cause the eradication of such factors from society which consequently ends the relationship of two spouses.
- The government should take action against drug dealers as most of the marital relations are due to addiction to drugs, so for maintaining peaceful relation drug addiction should be avoided.
- The study recommends counselling for conflict management between husband and wife and also the spouses should be guided about their rights and duties towards each other.
- Society should avoid forced marriages and should consider the will of both partners for the marriage to continue peaceful relationships.
- The future researcher should also work on the same topic.

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