

SOCIOLOGICAL APPROACH TO THE STUDY DIVORCE AS A SOCIAL PROBLEM AND NIGERIAN SITUATION: IMPERATIVES FOR SUSTAINABLE SOLUTIONS.

ANICHE, A. Ph.D
Department of Sociology / Anthropology
Faculty of Social Sciences.
Enugu State University of Science and Technology.
Phone no. +2348038355967
e-Mail: anichealexander@yahoo.com

ABSTRACT

Ideally, marriage ought to be a happy institution every intending couple look up to but marriage cannot always be rosy (Ifelumi and Asogua: 1995). Available literatures and experiences point to various cases of divorce. From sociological point of view, divorce refers to the legal termination of a marriage. Divorce is a final termination of a marital union, cancelling the legal duties and responsibilities of marriage and dissolving the bonds of matrimony. Historical evidences have shown that divorce rates are on increase today more than in the past, especially in developing countries like Nigeria. In Nigeria, there is increase in the divorce rate over the years and its effects in the families and society cannot be over emphasized. Thus, the need for solutions to divorce in Nigeria. Divorce is serious social problem in Nigeria. Marriage is increasingly viewed as a relationship rather than a contract. By getting married, people do not see themselves as entering a binding life long contract rather they are hoping to establish a personally satisfying relationship. As divorce rate rises, divorce is normalized in the society which should not be the case in our contemporary society. Thus, this work aims at providing adequate solutions to the problem of divorce in Nigeria. The work among other things covers introduction, theoretical framework, causes of divorce, consequences and solutions to divorce and ends in conclusive remarks.

Key Words: Marriage, Divorce, Causes, Consequences and solutions.

INTRODUCTION

According to Iffih and Ezeah (2004) divorce is a legal dissolution of a marriage. There is an indication that cultural differences affect the divorce rate. Available statistics show that the United States and other western cultures have highest rate of divorce. The chances of divorce are certainly lower in authoritarian societies than in more democratic societies. In the democratic culture, individuals tend to know and claim their individual rights and it is assumed that both parties in a marriage relationship have equal rights.

In a typical Africa setting, it is not exactly so. The authority rests with the man and the woman is expected to be submissive to the man. The right to seek divorce rest solely with the man. Haralambos and Holborn(2004) have shown that divorce existed in many preliterate societies but by no means as high in rate as in the modern time as is the case with Nigeria.

Divorce is caused by marital conflict. It is both an index of interpersonal stain and strain in the social structure in that there are many moral prescriptions against it. But in spite of the prescriptions, divorce rate has continued to rise in a world wide scale. Some countries have exhibited high rate of divorce than others but it was on the increase in every country like Nigeria.

Statistics are lacking for a comprehensive illustration of this on- going rise in divorce rate. In some developed countries figures are available while in such a developing countries in the continent of Africa, there is little or nothing to work on as exemplified in Nigerian situation. According to Onwaka (2009) in Japan under the old family system there were approximately 367divorce cases per one thousand marriages. Russia, Palestine and Egypt have high rate than American. In Lagos, Nigeria there were eleven (11) divorce cases in 1961, forty one (41) in 1967, sixty six (66) in 1973 and one hundred and twenty seven (127) in 2010. Thus, there is steady increase in divorce in this modern time.

All countries grant divorce when it is believed that such is best way to end marriage than continue with it. But ground for divorce differs from society to society. In most cases like in Nigeria, a common

ground for divorce is adultery. Other common grounds applicable to most societies according to Davis (2006) are beating up a wife, desertion, alcoholism, impotency, lack of maintenance, insanity and imprisonment e.tc.

The rate of divorce has been of great concern in every society. The attitude of people towards divorce has change drastically in this modern time. Divorce is no longer regard as a disgrace as it was in the past. A divorce person is no longer doomed to a single life. In fact, majority of the divorcees remarry. Thus, a divorce is no more perceived in modern times as a deviant. Poor moral attitude towards divorce can be attributed to the fact that modern people are entitle to happy marriage. The brief is prevalent and seems to be growing that marriage is a civil contract only. Like other contracts, it is entered into for the pleasure and convenience of the parties. Hence, like other contracts, it may be terminated when the pleasure and convenience are no longer served. This clearly accounts for the wide spread acceptability of divorce in the present era in Nigeria and this in turn is among other factors which accelerate the incident of divorce and its effects in Nigeria.

THEORETICAL FRAMEWORK.

Knox (1999) stated that in divorce theories, no one theoretical approach has been proven to be superior to the other in therapy. Thus, in this work, there will be combination of two of the theories in other to throw more light to the problem of divorce in Nigeria. This work will anchor its theoretical framework on the Marxian conflict theory and perceptual phenomenological theory.

According to Marx on conflict theory, conflict is seen as “an unstable system of opposing groups.” To them society is in a continuous state of conflict between groups and classes. The exponents of this theory see society as bound together through the power of the dominant groups. To them there is nothing like value consensus, the stable harmonious equilibrium of the society is not a fact of nature rather it is a mere illusion internalized by those who are unable to see how the dominant classes have silenced those whom they exploit to submission

The conflict theorists emphasize that social conflict is inevitable. They also emphasize that where there are two or more individuals, the tendency that there will be conflict is obvious. The reason being that no two human beings think the same way. Each individual has his or her own reasoning pattern, approach to issues, visualization etc. Because of this, conflict to them is part and parcel of human activity.

Therefore taking cue from the theory propounded by Karl Marx et al, conflict abounds in every human endeavor. Their theory therefore applies to the topic of this work. Since conflict must arise between two persons if They stayed together because no two person think or behave alike the theoretical framework applied here is akin to that of Karl Marx et al.

Also this work adopts perceptual phenomenological theory as a theoretical framework because each divorce sees his/her world differently in his/her own way. According to Aguene (2004: 147) phenomenology examines phenomena as they are apprehended in their immediacy by the social actors. Phenomenological sociologists simply study how people defined their social situations once they have suspended or bracketed their learned cultural notions.

According to Okeibunor and Aungwom (2002: 93) the central task therefore is to understand the medium so as to understand how much of the thing out there that is taken. So the study of consciousness is the central task of the phenomenologist. This theory is also adopted for this work.

CAUSES OF DIVORCE

Several researchers such as Thoman (2008), and Dike (1996) and many others have attributed the causes of this divorce to various factors. Sexual incompatibility among couple, insubordination due to equal social or economic status, age of spouses, polygamous marriages, tradition and culture, cruelty on the part of the man among other factors.

People believe that they are entitled to happy marriage and are unwilling to stick to an unhappy one. Hoolis (2006) writing on this, said that “the last fifty years have apparently changed the marriage relationships from a permanent and life long state to a union existing during the pleasure of the partners. The change thus swiftly wrought is so evolutionally involving the very foundation of human society that must believe it to be the result not of any temporary conditions but of causes which have been long and silent at work.

In his own view on causes of divorce, Glick (2009) stated that the couple’s age at marriage is an important factor when considering divorce. He believes that people who marry people who are older in age have less cases of divorce. He said that people who get married in early age are emotionally immature and not in

position to assume the responsibility of marriage. He advocated for people to marry when they are at least twenty five years and above.

Ajayi (2012) recommends the age of about 30 for a woman since he discovered from his research that women marrying for the first time at 30 and above had very low rate of marital instability. Similarly, Leslie (1014) in discussing early and forced marriage as chief causes of marital instability said that “couples who marry at very early age are more vulnerable to divorce. Then out of 3,000 men and women who are between the age range of 16 and 57 in India had experienced an episode of separation of which between 5% to 7% had terminated in divorce. 2% to 4% have contemplated separation, which finally led to divorce itself”. Also writing on the causes of divorce, Iffih and Ezeah (2004) said that when marriage is contracted between a man and a woman of different social classes, the seed of instability is already sown. He based his argument on the fact that they fail to take into account the disapproval of their parent society. However, they noted that only men of higher occupational status or those with higher educational status tend to marry women who are either educationally lowers in status.

In his study of marriage and divorce among the Fulani of northern Nigeria, Onwuejeoguu (1979) said that “it was revealed that if a husband marries another wife, that a ceremonial expression of conflict is held in which the first wife whips the new wife. The state of affairs between the two wives and their children is that of constant jealousy and tension which may end up in divorce.

The idea of the aforementioned research is worthy of sharing. As a matter of fact most marriages crumble due to jealousy on the part of the female, especially in a polygamous family.

It is also evident that when no child comes from marriage that is in the case of childlessness or barrenness instability could result which may lead to divorce. The culture is typical of the African society where children are most valued and so much desired in every in family. The absent of a child could lead to constant causes of friction between the couples involved. More so where there is no male child there is fear of loss of very important inheritance and this may lead to divorce. Grooves and Ogburu (2006) recognized childlessness as one of the major causes of divorce. Cavan (2009) regards children as “a strong factor which binds marriage and they act as a guarantee against divorce. According to Cohen (1982) the “possibility of divorce is very high among childless couples”.

Janet (2010) round up that the couples generally mention children as the source of their satisfaction in marital life. So as it stands, when children are not forthcoming, divorce is very likely to occur. In our society, children are so important in marital life that a woman who is barren is divorced without delay.

Incessant infidelity on the part of a wife is a major cause for divorce .in our society, husband infidelity rarely results in divorce except when it leads to a high degree of family neglect. Furthermore, it is generally held that man is by nature polygamous. In Igbo society some women cannot tolerate the situation of sharing their husband with another woman. This could account for increasing incidence of divorce.

Dike (1986) stress on the economic undertone of divorce. According to him “the Nigerian civil war brought some changes to Igbo people orientation to marital expectations. Immediately after civil war when anomie in the Durkheimian concept prevailed, many young wives were enticed away from their husbands by the relatively rich army men. He further stressed that Ibo land, poor maintenance of wife where a man is considered relatively will off, and any neglect by husband constitutes factors in divorce in the community. The neglected wife may decide to quit and marry instead of being subjected to emotional and economic torture. In effect, poor maintenance of the family due to economic reasons makes for divorce.

Cavan (2009) reported that studies of mixed marriages of many sorts show greater incident of conflict due to conflicting cultural values, expectation and behaviors patterns of the partners. Similarly, Peterson (2011) pointed out that differences in character between the couples could lead to divorce. They emphasized that married person engage in conflict because having been in their different conditioned as they were by their cultures they had acquired different personality traits which predispose them to conflict.

In all human societies religion is a vital element in marriage. Even among youths of marriageable age, the issue of religion has never been relegated in mate selection. Studies have shown that differences in religion among couples often result in divorce. Cohen (2003) stated that the chance of marital instability increases significantly if husband and wife hold different religious beliefs. This due to differences in belief and expectations. When this beliefs and expectations conflict in the marriage, serious marital problem could result.

Researchers also attributed marriage under stressful conditions among major causes of divorce. For example stressful condition of unwanted pregnancy has been identified as been able to lead to divorce. This so because hasty and unplanned marriage entered into under such condition cannot withstand the years of economic stresses especially if the two parties lack tolerance.

Educational sophistication has increasingly become a factor in divorce. At times a wife may begin to show off that she has received formal education. Disobedience and disrespect will definitely follow especially if she is on a high educational level than the husband. Divorce is the end of such a situation.

CONSEQUENCES OF DIVORCE

According to Magnus (2001) divorce frees husband and wife from many of their obligations and destroys many of their rights. Social relations, common habitation and mutual care and companionship granted by marriage can no longer be expected or claimed.

According to Onwuka (2009) divorce in our society has caused many of our young people going into prostitution, armed robbery, drug addiction, hired assassins, and human trafficking. According to Uzoka (2011), a divorce woman loses her right over her husband, his property and where there is no sentimental attachment between mother and children; she is cutoff from her children. That is to say, that all her efforts and contributions in building up the home are unrewarded. Both the man and woman experience psychological trauma and misery. Even if short lived, no matter how much each of them may have fantasized the convenience the broken marriage will provide. The degree of this psychological trauma differs from one case to the other.

According to Dike (1996), a woman who voluntarily abandons her husband and remarries immediately feels better than a woman who is rejected by her husband and who does not remarry. This latter situation is sometimes worsened by the thought that her children are being controlled and trained by another woman whom the ex-husband marries. The society stigmatizes the divorced woman and sees her as an intolerant and recalcitrant person who cannot maintain a successful marriage. A woman in such a situation faces economic difficulties, especially since she cannot by traditional norms make any claim of alimony even if she is forced out by the man.

Thus, she loses the status which marriage had given her. The social pressure in rural community forces some of them to rent house in the urban centers in order to maintain anonymity and this exposure in some cases may lead to prostitution. Some of the enterprising ones take to such commercial activities as trading or sewing. Any child that is born by the divorcee before she traditionally marries, that is, before the bride price is refunded, belongs to the separated husband irrespective of who the genitor is. Furthermore, if the husband happens to die within this period, she is expected to participate in all the burial rites and mourn his death for a stipulated period of time according to the custom.

On the other hand, the effect of divorce on the man is less traumatic compared to that of the woman. If it was the man who initiated it, he may have had a potential source of replacing the woman's domestic service and roles so that the effect of such divorce on him becomes even less. But this is not usually the case, sometime; the men are in pains as much as the women. If it was the woman who initiates the divorce and if public opinion is against the woman. The kin-group and friends usually material, social and sentimentally come to the aid of the man and his children until he secures another wife, if none is already in existence. The male divorcee, accept in few cases where the woman is the bread winner, neither loss any property nor, of course, the children of the marriage. There are still some exceptional cases where a man sends away both the wife and her children due to personal disposition.

Children are in fact the binding force of most marital relationships in the community. Where despite the existence of children, there is divorce, affected children are denied complete parental care and developmentally are psychologically affected. Where there is a substitute; circumstances can prevent her from playing the role successfully and even if she does, her virtues may be rarely appreciated by then affected children. Wholesome development is dependent upon complete parental care and where one of the partners is absent as a result of marital conflict the children are sometimes turn between the divorced parents and the course of such limbo may be exposed to deviant behavior. In polygamous families, the effects of separation on children whose mothers are divorced can be more negative. Where the father has no special concern for the children, there may not be anybody representing their interests in their father's domestic policies, resulting in their limited access to his wealth which is necessary for their immediate needs and progress. Such children are sometimes forced into temporary inferior social, economic and psychology positions compared to their half siblings whose mothers are still in the marriage.

Where there are many divorced women from one family or immediate extended family of orientation, the girls in such a family are affected adversely. People who are afraid that there is a disorganized subculture within the family group will hesitate to marry from them.

Mueller and Pope (2011) in discussing the "transmission hypothesis" maintained that the imitation of divorce parents by their offspring is due to the facilitation of family disorganization in the succeeding

generation by the previous generation. They therefore, postulate that marital dissolution is a curse and hence a consequence of itself.

Divorce is the one aspect of marital disorganization which could among other things; frustrate the life chances of the children of such separation. These children could constitute a nuisance to the society if not properly brought up in a stable family environment. I have observed that in parts of present Igbo communities of Nsukka and Udi, some children of divorced parents have become school drop-outs, prostitutes and deviants of different kinds.

Epstein (2005) stress that the divorcees and their children are fraternity of the emotional ravaged. Even though he recognized that some divorces like marriages are right for all concerned. He stress that to go through a divorce is still to go through “a special private hell”. No matter how much money is available to cushion the fall.

For Agueue (2009), while the frequency of divorce of childless parent has no great consequence to the evolution of secret and family. Divorce involving offspring’s of divorced parents is very core of disintegrative trends in family life. It is equally the harbinger of destroyed emotional development in the offsprings. The distortion may ultimately add to the burden of mental illness to the community.

SOLUTIONS TO DIVORCE

Since marriage is an old social and economic as well as a biological unit, the existence of the human society solely depends on the survival of the family and its ability to discharge its duties. The ability of the family to be alive to its duties on the other hand lies on its ability to remain stable and marriage free from divorce. Thus, solutions to divorce should include counseling services, provision of job opportunities; enlightenment programmes, provision of welfare services by the government, avoidance of extra marital relationship, avoidance of early marriage, tolerance and use of dialogues.

Writing on the important of services to solves the problem of divorce, Ekpe and Mamah (1997), Eze, Ezeah and Aniche (2000) emphasized that for persons, groups, couples and families who are unable to cope with crucial problems such as divorce, marital instability, social work is needed. The child who requires protection, the adult with no work skills or no money, the delinquent who sees crime as the alternative to boredom, the elderly person with little meaning in his /her life, all are the central concern of social work.

Further more, according to Iffih and Ezeah (2004) there should be stringent divorce laws. It can be prohibited for the first 10 years of marriage. Other stringent law can be made to make divorce possible but difficult after the first 10 years. This will necessitate adequate consideration before couples get committed to marriage.

CONCLUSIVE REMARKS.

Divorce consists a threat to the contemporary Nigeria families and Nigeria as a nation. Divorce. Is one of the major social problems in Nigeria. The divorcees and their families need helps in adopting to adjustment problems and these called for the combined efforts of the various professionals such as social workers, doctors, nurse, and lawyers, an efficient social work services and sound legal framework. Social workers have the obligations to protect the well being of the divorcees, their children and the society. Basically the aim of the social workers and other professional teams should be more on preventive rather than curative services. The federal, state and local government should embark on mass enlightenment programmes on divorce through the mass media, newspaper, school, social welfare establishments, police, courts and hospitals to educate the couples, divorcees and public on the danger and implication of divorce in Nigeria.

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