

## **THE CUSTODY OF CHILDREN AFTER DIVORCE**

1. In the event of divorce, children often bear the most painful consequences. Islamic law takes their needs into account and makes sure that they are cared for.
2. The financial support of any [children](#) both during a marriage and after divorce rests solely with the father. This is the children's right upon their father, and courts have the power to enforce child support payments, if necessary. The amount is open for negotiation and should be in proportion with the husband's financial means.
3. The Quran advises the husband and wife to consult each other in a fair manner regarding their children's future after divorce.
4. According to **Q (2:233)**, infants who are still nursing may continue to breastfed until both parents agree on the period of weaning through "mutual consent and counsel." This spirit should define any co-parenting relationship.
5. Islamic law stipulates that physical custody of the children must go to a Muslim who is in good physical and mental health and is in the best position to meet the children's needs.
6. Different Muslim jurists have established various opinions of how this might best be done. Some have ruled that custody is awarded to the mother if the child is under a certain age, and to the father if the child is older.
7. Others would allow older children to express a preference. Generally, it is recognized that young children and girls are best cared for by their mother.
8. Since there are differences of opinion among Islamic scholars about child custody, one might find variations in local law. In all cases, however, the main concern is that the children are cared for by a fit parent who can meet their emotional and physical needs.

## **DISADVANTAGES OF DIVORCE**

### **(Reasons why divorce is hated in Islam)**

1. It leads to disintegration of the family which is a very important institution of the Islamic social order.
2. People who divorce lose respect in society.
3. It denies children parental love.
4. Child grow up poorly disciplined due to lack of parental love.
5. The woman loses her protector and may not get another comforter.
6. The virtues that are derived from marriage are lost.
7. It leads to misunderstandings between the man and his in-laws.
8. It leads to spread of venereal diseases if the divorced couple resort to adultery.
9. It may lead to shirk by a partner who want to bring back his/her love.
10. It leads to loneliness which is not easy to cope up with.
11. It leads to street children which is a social problem in the world today.
12. Marriage secrets are exposed especially by the woman.

