

Relationships between Satisfaction of Muslim Women on Financial Supports After Divorce and Ex-Husbands' Compliance to the Supports with Post-Divorce Welfare

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ABSTRACT

The main objective of this study was to assess the welfare of divorced women in relation to financial supports after divorce, i.e. *iddah* maintenance, *mut'ah*, arrears of maintenance, and child maintenance. The specific objectives were to determine the divorced women's satisfaction with the amount of financial supports, the ex-husbands' compliance to court-ordered financial supports, their satisfaction with post-divorce welfare (levels of economic strain and depression), the relationships between satisfaction with the amount of financial supports and post-divorce welfare, as well as the relationships between ex-husbands' compliance to court-ordered financial supports and post-divorce welfare. Data were collected using a questionnaire. The sample comprised of 201 divorced women selected from the cases recorded in the year 2003 till 2005 at the Shariah Subordinate Courts of Hulu Langat and Gombak Timur, Selangor. Pearson correlation showed that two factors were negatively correlated with the economic welfare of the divorced women, i.e. the dissatisfaction with the amount of *iddah* maintenance, *mut'ah*, and child maintenance and the ex-husbands' none or partial compliance to the court-ordered *iddah* maintenance, *mut'ah*, and child maintenance. However, on the contrary to the expectation, the divorced women's satisfaction with the amount of all types of financial supports provided by the ex-husbands and their ex-husbands' none or partial compliance to all types of financial supports was found to have no significant relationships with depression. The findings also indicated that the assessment of a reasonable sum of financial supports and the effective enforcement of court order were significant factors that might augment the welfare of women after divorce.

Keywords: Arrears of maintenance, child maintenance, compliance to court order, depression, economic strain, *iddah* maintenance, *mut'ah*, satisfaction

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INTRODUCTION

The impact of single parenting on women and children has long been a concern. In Malaysia, statistics showed that there were more than 10,000 divorce cases involving Muslims reported each year for the last decade (*Jabatan Kemajuan Islam Malaysia*, 2008). The State of Selangor has the highest reported divorce cases since 2006 with 3,295 cases. Due to the indisputably high divorce rates which result in the increase in the number of mother-only families, numerous researchers found that the end of marriages was correlated with higher poverty rates (e.g. Weiss, 1984; Morgan, 1989; Eshleman, 2000; McKenry and McKelvey, 2003; Gadalla, 2008).

Therefore, the first and foremost challenge which a divorced woman will face after divorce is the economic challenge, for which various studies have revealed that stress would increase, particularly for the custodial mothers (Duncan, 1994; Peterson, 1996; Steiner, 2007). According to the mid-term review of the Eighth Malaysia Plan (2001-2005), the incidence of poverty among female-headed households, including divorced women in 2002 was 12.5% which constituted 33,487 households (*Kementerian Pembangunan Wanita, Keluarga dan Masyarakat*, 2003). Research also found the connection between marital disruption and depression (Pearlin and Johnson, 1977; McKenry and McKelvey, 2003; Peden *et al.*, 2004; Wickrama *et al.*, 2006; Turner, 2006).

Studies have also found various factors that may enhance the well-being of divorced women such as earning capacity, job opportunity, adequate enforcement of child support, higher educational attainment, and social support (e.g. McLanahan and Booth, 1989; Rocha, 1997; Zhan and Pandey, 2004; Nor 'Asyikin, 2006; Turner, 2006).

However, studies in Australia, Malaysia, and India indicated that there were very low levels of payment and receipt of financial supports, inadequate enforcement of the court orders, insufficient amount of financial supports received from the ex-husbands such as the amount of spousal support (for non Muslims)

or *iddah* maintenance (for Muslim divorced women) and child maintenance, as well as non-compliance of the ex-husbands to court-ordered financial supports (Parker, Parkinson and Behrens, 1994; Siddiqi, 1996; Behrens and Smyth, 1999; Maznah, 1999). Therefore, the identified problems might have contributed to the small number of cases on claims for financial supports after divorce, particularly the claims made by the divorced Muslim women, which had been highlighted in the previous studies by Raihanah (2001) and Salleh (2003).

In addition, the statistics of the Selangor Shariah Courts conducted in 2003 (*Jabatan Kehakiman Shariah Selangor*, 2003) revealed that out of 3,005 divorce cases registered with the court, only 108 cases were on *mut'ah*, 72 cases on *iddah* maintenance, 30 cases on arrears of maintenance, and 180 cases on child maintenance. Evidently, the records also showed that though thousands of women were being divorced every year, they were not getting their due share of maintenance, *mut'ah*, and also child maintenance, although these rights are granted to them under the Islamic family law.

Islamic law protects the rights of women and their children in the event of divorce, whereby the ex-husbands are obliged to provide *iddah* maintenance, arrears of maintenance, *mut'ah*, and child maintenance as a form of financial protection for the ex-wives and children after divorce (Qur'an, al-Baqarah: 233, 236-237, 241-242; Al-Shaukani, 1938; Al-Jaziri, 1950; Abu Zahra, 1955; Al-Marghinani, 1975; Al-Shirazi, 1976; Al-Qurtubi, 2002; Al-Sharbini, 2003; Kharofa, 2004). *Iddah* maintenance refers to the maintenance payable by the ex-husbands to the divorced wives during the waiting period following a divorce which is either three monthly menstruations or three months (Qur'an, al-Baqarah: 228; At-Talaq: 4). Meanwhile, *mut'ah* is a compensation payable to the divorced women to remove any cause of accusation or shame due to divorce and to lessen the financial burden caused by the separation from the husband whom she might have been depending on for maintenance (Al-Zuhayli, 1998).

In addition, arrears of maintenance refer to the women's right to claim maintenance for the period which is already expired, in which it is considered as a debt due from the ex-husbands (Al-Jaziri, 1950). Child maintenance refers to the fathers' responsibility in maintaining their children during the subsistence of the marriage and it continues after its dissolution regardless of whom the custody of the child is given to (Al-Zuhayli, 1998). As such, all the financial rights after divorce may be seen as characterizing the Islamic law approach to protect the welfare of every individual in a broken family in terms of minimizing the effects of economic strain and psychological distress. In Malaysia, the Islamic law principles regarding the financial supports after divorce have been codified into the Islamic Family Law Act/Enactments. For example, the Islamic Family Law (State of Selangor) Enactment No. 2 of 2003 provides several provisions on financial rights such as Section 60 (*iddah* maintenance), Section 58 (*mut'ah*), Section 70 (arrears of maintenance), and Section 73 (child maintenance).

From the literature reviewed, it was found that the Islamic law has theoretically provided protection to the women and children in the event of divorce, but in practical, a different situation may occur in the society. The literature on the welfare of women during their post-divorce and the sufficiency of financial supports after divorce is scarce, particularly on the divorced Muslim women. Some previous research highlights the problems faced by divorced women in claiming their rights to financial supports after divorce. The current study extended this by examining the divorced Muslim women's satisfaction in terms of the amount of financial supports specifically on the *iddah* maintenance, arrears of maintenance, *mut'ah* and child maintenance, as well as assessing the level of the ex-husbands' compliance to the court-ordered financial supports.

Furthermore, it is also unknown whether the satisfaction with amount of financial supports received and the compliance of the ex-husbands with the court order correlates with the welfare

of the divorced Muslim women in terms of minimizing the economic strains and depression. Hence, the current study attempted to explore the key variables which could be useful to be used in improving the policies of the Islamic family law and increasing the literature on the socio-legal subject in the Malaysian context as socio-legal enterprise is still new in this country.

OBJECTIVES OF THE STUDY

The objectives of the study were: (i) to describe the respondents' satisfaction with the amount of financial support after divorce; (ii) to describe the ex-husbands' compliance to the court-ordered financial support after divorce; (iii) to determine the respondents' post-divorce welfare (economic strains and depression); (iv) to determine the relationship between the respondents' satisfaction with the amount of financial supports and post-divorce welfare; and (v) to determine the relationship between the ex-husbands' compliance to the court-ordered financial supports and post-divorce welfare.

METHODOLOGY

Population and Sample

The population of the study consisted of 983 divorced Muslim women who had claimed for financial supports after divorce. They were selected from the cases recorded from 2003 to 2005 at two Shariah Subordinate Courts in Selangor. In more specific, there were 421 divorced women enlisted from the Shariah Subordinate Court of Hulu Langat while the rest (562 divorced women) were enlisted from the Shariah Subordinate Court of Gombak Timur. For the purpose of this study, 20% of the respondents were randomly selected from the list of names with complete addresses and 201 of them were accessible and agreed to be recruited for the study. The sample is considered to be within the upper and lower limits of the practical sample size suggested by Alreck and Settle (2004).

Instrumentation

All the measurements used in this study were either translated into or designed in the native language, i.e. *Bahasa Malaysia*.

Demographic Characteristics

Demographic characteristics were obtained by asking the respondents to report on their age, level of education, employment status, monthly income, and the number of dependent children.

Divorce Context

Divorce context was obtained by asking the respondents to report on the types of financial supports claimed after divorce (e.g. *iddah* maintenance, arrears of maintenance, *mut'ah*, and child maintenance), as well as the amount they received on each type of the financial supports stated/claimed.

Satisfaction with the Amount of Financial Supports Received after Divorce

The satisfaction with the amount of financial supports in terms of *iddah* maintenance, *mut'ah*, arrears of maintenance, and child maintenance (four items) was measured by asking the respondents to respond to a four-point scale (1 = Not very satisfied; 2 = Not satisfied; 3 = Satisfied; 4= Very satisfied), in relation to the extent of the respondents' satisfaction with the amount of financial supports received from the ex-husbands. Each item was measured separately. In this study, the Cronbach's alpha was found to be 0.67.

Compliance of the Ex-Husband to Court-ordered Financial Supports after Divorce

Compliance of the ex-husbands to court-ordered financial supports in terms of *iddah* maintenance, *mut'ah*, arrears of maintenance, and child maintenance (four items) were measured on a four-point scale (1 = Never comply; 2 = Comply but sometimes default; 3 = Comply but with a reduced amount; 4 = Always comply). Each item

was measured separately. The Cronbach's alpha for the scale in this study was 0.91.

Post-divorce Welfare

The welfare of the divorced women was measured in terms of the levels of economic strains and depression.

Economic Strain

Economic strain was assessed using a translated version of the economic strain scale (Mills *et al.*, 1992). The level of economic strain was used to measure the respondents' perceptions of financial inadequacy, as well as financial concerns and worries, based on the four-point scale (1= Strongly disagree; 2= Disagree somewhat; 3= Agree somewhat; 4= Strongly Agree). The higher the total score, the higher the economic strain faced by the respondents would be. The possible cumulative minimum and maximum scores were 4 and 16, respectively. Based on the calculated median, those who scored from 4 to 10 were considered as having low economic strains and those who scored from 11 to 16 were facing higher economic strains. The Cronbach's alpha for the economic strain scale in this study was 0.86.

Depression

Depression was assessed using the Centre for Epidemiologic Studies Depression Scale (CES-D) (Radloff, 1997; Peden *et al.*, 2004). The CES-D contains 20-item measures based on a four-point scale (0= Rarely or none of the time; 1= Some or a little of the time; 2= Occasionally or a moderate amount of the time; 3=Most or all of the time). The CES-D was chosen over other depression inventories in this study because it was developed to be used in community rather than in a psychiatric population (Clark *et al.*, 2002). In this study, the respondents were asked to indicate the frequency of depressive symptoms experienced by them during the period of divorce. The scores for items 4, 8, 12, and 16 were reversed before summing up

all the items to yield a total score. The total score ranged from 0 to 60, with higher scores indicating greater symptoms of depression. A score below 16 indicated that the respondent was not depressed. Meanwhile, the score of 16 to 21 means that the respondent was less depressed. The respondent was regarded as depressed if the score was 22 or higher. The Cronbach's alpha for the CES-D in this study was 0.80.

Data Collection

The data were collected using the self-administered questionnaire. The questionnaires were distributed personally to the respondents based on their residences' addresses.

Data Analysis

In this study, two statistical procedures were used to analyze the data and these include descriptive statistics and inferential statistics. The descriptive statistics computed were the frequency, percentage, mean, and standard deviation of the variables, while the inferential statistical analysis conducted was the Pearson Product Moment Correlation analysis.

RESULTS

Respondents' Demographic Characteristics

Age

The age of the respondents was found to range from 23 to 70 years old (Mean=36.68, SD=8.75), as shown in Table 1. More than two-third of the respondents (68%) completed their secondary school, i.e. either at *Sijil Rendah Pelajaran* (SRP) or *Sijil Pelajaran Malaysia* (SPM) level. Although the majority (80%) of the respondents were employed, their monthly incomes were slightly low (Mean=RM1707.21, SD=1797.21). In addition, they seemed to have an average family size (Mean=2.72, SD=1.46).

Divorce context

Majority of the respondents (89%) had claimed for *iddah* maintenance from their ex-husbands

(Table 2). Unfortunately, 44% of them did not receive anything from their ex-husbands (Mean=RM823.10, SD=690.26). More than half of the respondents (55%) claimed for *mut'ah*. However, more than two-third (67%) did not receive anything from their ex-husbands (Mean=RM2279.17, SD=2794.93). Only 20% of the respondents claimed for arrears of maintenance and more than half (58%) received nothing from their ex-husbands (Mean=RM1811.76, SD=RM1288.35). Almost three quarter of the respondents (74%) claimed for the child maintenance and 10% of the number did not receive anything from their ex-husbands (Mean=RM271.75, SD=230.48).

Satisfaction with the Amount of Financial Supports

The results revealed that the respondents were obviously dissatisfied with the financial supports received from their ex-husbands in varying amount (Table 3). More than two-third of the respondents (69%) were very dissatisfied or dissatisfied with the amount of *iddah* maintenance that they received from their ex-husbands, while the majority of them (81%) were very dissatisfied or dissatisfied with the amount of *mut'ah* they received. Meanwhile, more than three quarter of the respondents (78%) were very dissatisfied or dissatisfied with the amount of arrears of maintenance. Less than two-third of the respondents (64%) were very dissatisfied or dissatisfied with the amount of child maintenance they received from the children's fathers.

Ex-husbands' compliance to court-ordered financial supports

More than two-fifth of the respondents (44%) claimed that their ex-husbands had never complied to the order for *iddah* maintenance, while two-third (67%) stated that their ex-husbands had never complied to the *mut'ah* order (Table 4). More than half of the respondents (58%) claimed that their ex-husbands had never complied with order for arrears of maintenance. On the contrary, only 10% of the

TABLE 1
Demographic characteristics of the respondents

Demographic Characteristics	Frequency	Percentage
Age (years):		
<30	41	20.4
31 - 40	80	39.8
41 - 50	61	30.3
>51	19	9.5
Total	201	100.0
Mean = 38.68, SD = 8.75		
Level of education:		
No formal education	1	0.5
Primary education	13	6.5
SRP	29	14.4
SPM	107	53.2
STPM	11	5.5
Diploma	27	13.4
Bachelor's degree	11	5.5
Master's degree	2	1.0
Total	201	100.0
Employment status:		
Working	160	79.6
Not working	41	20.4
Total	201	100.0
Monthly income:		
RM0	37	18.4
RM1 – RM1,000	57	28.4
RM1,001 – RM3,000	93	46.2
RM3,001 – RM5,000	12	6.0
RM5,001 – RM7,000	1	0.5
>RM7,001	1	0.5
Total	164	81.6
Mean = 1707.21, SD = 1797.21		
Dependant (Children):		
0	33	16.4
1 – 2	115	57.2
3 – 4	44	21.9
5	9	4.5
Total	186	83.6
Mean = 2.72, SD = 1.46		

respondents indicated that their ex-husbands never complied with the child maintenance order. The results also revealed that there were a few respondents who claimed that their ex-husbands had always complied with the court-ordered *iddah* maintenance (21%), *mut'ah* (5%), arrears

of maintenance (10%), and child maintenance (25%). In relation to child maintenance order, it was found that a small percentage of the fathers had never complied with the court order, while some had partially complied with the order.

TABLE 2
Divorce context of the respondents

Divorce Context	Frequency	Percentage
Claims for <i>Iddah</i> maintenance:		
Yes	179	89.1
No	22	10.9
Total	201	100.0
Amount of <i>Iddah</i> maintenance:		
RM0	79	44.1
RM1 – RM1,000	82	45.8
RM1,001 – RM2,000	13	7.3
RM2,001 – RM3,000	4	2.2
>RM3,001	1	0.6
Total	100	55.9
Mean = 832.10, SD = 690.26		
Claims for <i>Mut'ah</i> :		
Yes	110	54.7
No	91	45.3
Total	201	100.0
Amount of <i>Mut'ah</i> :		
RM0	74	67.3
RM1 – RM1,000	15	13.6
RM1,001 – RM2,000	10	9.1
RM2,001 – RM3,000	6	5.5
>RM3,001	5	4.5
Total	36	32.7
Mean = 2279.17, SD = 2794.92		
Claims for arrears of maintenance:		
Yes	40	19.9
No	161	80.1
Total	201	100.0
Amount of arrears of maintenance:		
RM0	23	57.5
RM1 – RM1,000	7	17.5
RM1,001 – RM2000	5	12.5
RM2,001 – RM3,000	3	7.5
>RM3,001	2	5
Total	17	42.5
Mean = 1811.76, SD = 1288.35		
Claims for child maintenance:		
Yes	148	73.6
No	53	26.4
Total	201	100.0
Amount of child maintenance:		
RM0	14	9.5
RM1 – RM500	122	82.4
RM501 – RM1,000	10	6.7
>RM1001	2	1.4
Total	134	90.5
Mean = 271.75, SD = 230.48		

TABLE 3
Respondents' satisfaction with the amount of financial supports

Financial Supports	Satisfaction with the Amount of Financial Supports (%)				Total
	1	2	3	4	
<i>Iddah</i> maintenance	(93) 52.0	(30) 16.7	(53) 29.6	(3) 1.7	179
<i>Mut'ah</i>	(85) 77.3	(4) 3.6	(19) 17.3	(2) 1.8	110
Arrears of maintenance	(24) 60.0	(7) 17.5	(5) 12.5	(4) 10.0	40
Child maintenance	(51) 34.2	(44) 29.6	(52) 34.9	(2) 1.3	148

Note: 1- Not very satisfied, 2- Not satisfied, 3- Satisfied, 4- Very satisfied

TABLE 4
Ex-husbands' compliance to court-ordered financial supports

Financial Supports	Ex-husbands' Compliance to Court Order (%)				Total
	1	2	3	4	
<i>Iddah</i> maintenance	(79) 44.1	(8) 4.5	(55) 30.7	(37) 20.7	179
<i>Mut'ah</i>	(74) 67.3	(9) 8.2	(22) 20.0	(5) 4.5	110
Arrears of maintenance	(23) 57.5	(5) 12.5	(8) 20.0	(4) 10.0	40
Child maintenance	(14) 9.5	(52) 35.1	(45) 30.4	(37) 25.0	148

Note: 1- Never comply, 2- Comply (sometimes default), 3- Comply (reduced amount), 4- Always comply

Post-Divorce Welfare

The level of economic strain

72% of the respondents agreed or strongly agreed that they did experience financial problems after divorce (Table 5). In more specific, more than two-third (71%) of the respondents agreed or strongly agreed that they were worried about financial matters. Based on the cumulative score of the respondents' level of economic strain

given in Table 6, the result indicated that about two-fifth of the respondents (41%) were facing with a slightly high level of economic strain (Mean=10.06, SD=2.90).

Level of depression

Less than one quarter of the respondents experienced the twenty-symptoms of depression for most or all of the time after the divorce,

TABLE 5
Respondents' level of economic strain (N=201)

Economic Strain Items	Economic Strain (%)			
	1	2	3	4
I experience money problems	(7) 3.5	(49) 24.4	(100) 49.7	(45) 22.4
Financial problems interfere my work and daily routines	(43) 21.4	(70) 34.8	(66) 32.9	(22) 10.9
I worry about financial matters	(7) 3.5	(51) 25.4	(84) 41.7	(59) 29.4
Financial problems interfere my relationships with others	(92) 45.8	(57) 28.4	(43) 21.4	(9) 4.5

Note: 1- Strongly disagree, 2- Disagree, 3- Agree, 4- Strongly agree

TABLE 6
Categories of the respondents' economic strain

Economic Strain	Frequency	Percentage
High economic strain (11 – 16)	83	41.3
Low economic strain (4 – 10)	118	58.7
Total	201	100.0
Mean = 10.06 , SD = 2.90		

whereby the percentages were found to range from 3% to 25% (Table 7). Based on the cumulative score of the respondents' depressive symptoms (Table 8), the results also showed that the majority of the respondents (83%) experienced depression after their divorce (Mean=28.94, SD=7.59).

The Relationships between Satisfaction with the Amount of Financial Supports and Post-divorce Welfare

Relationship between respondents' satisfaction with the amount of financial supports and economic strain

Generally, it was found that there were weak negative significant correlations between the respondents' satisfaction with the amount of financial supports after divorce and their level of economic strain, particularly for the *iddah* maintenance ($r=-0.211$, $p=0.005$), *mut'ah* ($r=-0.210$, $p=0.028$), and child maintenance ($r=-0.278$, $p=0.001$) (Table 9). However, no significant correlation was found between the respondents' satisfaction with the amount of arrears of maintenance and economic strain ($r=-0.293$, $p=0.067$).

The relationship between the respondents' satisfaction with the amount of financial supports and depression

The results showed that there were no significant relationships between the respondents' satisfaction with the amounts of all types of financial support after divorce and their level of depression (Table 9).

The Relationships between the Ex-Husbands' Compliance to Court-Ordered Financial Supports and Post-divorce Welfare

The relationship between the ex-husbands' compliance to court-ordered financial supports and economic strain

The results (Table 10) showed that there were weak negative significant relationships between the ex-husbands' compliance to court-ordered financial supports after divorce and the respondents' level of economic strain, particularly for the *iddah* maintenance ($r=-0.249$, $p=0.001$), *mut'ah* ($r=-0.273$, $p=0.004$), and child maintenance ($r=-0.249$, $p=0.0001$). However, no significant correlation was found between the ex-husbands' compliance to court-ordered arrears of maintenance and the respondents' level of depression ($r=-0.310$, $p=0.052$).

The relationship between the ex-husbands' compliance to court-ordered financial supports and depression

The results (Table 10) showed that there were no significant relationships between the ex-husbands' compliance to all court-ordered financial supports after divorce and the respondents' level of depression.

DISCUSSION

The results showed that the respondents were generally dissatisfied with the amounts of all types of financial support they received from the ex-husbands. Since the Selangor Islamic Family Law Enactment provides only general guidelines

TABLE 7
Respondents' level of depression (N=201)

Depression Items	Depression Symptoms (%)			
	0	1	2	3
Negative Effects				
I felt hopeless about future*	(12)6.0	(88)43.8	(50)24.8	(51)25.4
I thought my life had been a failure	(53)26.4	(61)30.3	(77)38.3	(10)5.0
I felt that everything that I did was an effort	(35)17.4	(78)38.8	(72)35.8	(16)8.0
I felt that I could not shake off the blues	(34)16.9	(87)43.3	(69)34.3	(11)5.5
I had trouble keeping my mind on what I was doing	(27)13.4	(66)32.8	(97)48.3	(11)5.5
I could not get "going"	(34)16.9	(89)44.3	(68)33.8	(10)5.0
I felt fearful	(37)18.4	(69)34.3	(84)41.8	(11)5.5
I felt that I was not as good as other people*	(17)8.5	(113)56.2	(47)23.4	(24)11.9
Depressed Effects				
I was bothered by things that usually don't bother me	(14)7.0	(60)29.9	(105)52.2	(22)10.9
I had crying spells	(19)9.5	(61)30.3	(97)48.3	(24)11.9
I felt sad	(18)9.0	(57)28.4	(103)51.2	(23)11.4
I felt depressed	(16)8.0	(51)25.4	(105)52.2	(29)14.4
I felt lonely	(16)8.0	(36)17.9	(124)61.7	(25)12.4
Interpersonal				
People were unfriendly	(63)31.3	(72)35.8	(58)28.9	(8)4.0
I felt that people disliked me	(66)32.8	(78)38.8	(52)25.9	(5)2.5
I did not enjoy life*	(10)5.0	(84)41.8	(60)29.9	(47)23.4
Somatic				
I did not feel like eating	(28)13.9	(50)24.9	(110)54.7	(13)6.5
I talked less than usual	(44)21.9	(77)38.3	(72)35.8	(8)4.0
My sleep was restless	(27)13.4	(56)27.9	(97)48.3	(21)10.4
I was unhappy*	(19)9.5	(106)52.7	(52)25.9	(24)11.9

Note: 0- Rarely/None, 1- Some/Little, 2- Occasionally, 3- Most/All time

* - Reversed items

TABLE 8
Categories of the respondents' depression

Depression	Frequency	Percentage
Depressed (22 – 60)	167	83.1
Less depressed (16 – 21)	21	10.4
Not depressed (0 – 15)	13	6.5
Total	201	100.0
Mean = 28.94, SD = 7.59		

TABLE 9
Correlations between respondents' satisfaction with the amount of financial supports and post-divorce welfare

Variables	N	Post-divorce Welfare			
		Economic Strain (r)	(p)	Depression (r)	(p)
<i>Iddah</i> maintenance	179	-0.211**	0.005	-0.011	0.886
<i>Mut'ah</i>	110	-0.210*	0.028	0.068	0.678
Arrears of maintenance	40	-0.293	0.067	-0.091	0.342
Child maintenance	149	-0.278**	0.001	-0.048	0.560

Note: *p<.05, **p<.01

TABLE 10
Correlations between the ex-husbands' compliance to court-ordered financial supports and post-divorce welfare

Variables	N	Post-divorce Welfare			
		Economic Strain (r)	(p)	Depression (r)	(p)
<i>Iddah</i> maintenance	179	-0.249**	0.001	-0.038	0.614
<i>Mut'ah</i>	110	-0.273**	0.004	-0.034	0.722
Arrears of maintenance	40	-0.310	0.052	0.060	0.712
Child maintenance	149	-0.294***	0.0001	-0.089	0.281

Note: **p<.01, *** p<.001

in assessing the quantum of *iddah* maintenance, arrears of maintenance, *mut'ah*, and child maintenance, they are often left to the discretion of the learned judge to decide the amount based on the means and needs of the parties involved, for which in many cases the amount awarded by the Shariah courts though not substantial, deemed fair and reasonable (cited in Ahmad, 1997; as cited in Zaleha, 2005).

The results also revealed that a substantial percentage of the ex-husbands did not comply or they partially complied with the court-ordered financial supports. Past research indicated that the inadequate enforcement of child maintenance was one of the reasons for the low economic well-being of divorced women (McLanahan and Booth, 1989; Maznah, 1999; Zhan and Pandey, 2004). This implies that the non payment of financial supports or the smaller amount provided by the ex-husbands may intensify the financial problems of divorced women, particularly for those who are not in the labour

force. This may contribute to the high incidences of poverty among the female-headed households (*Kementerian Pembangunan Wanita, Keluarga dan Masyarakat*, 2003).

The study also revealed that the ex-husbands' compliance to the child maintenance order constituted the highest percentage compared to the other types of financial supports after divorce (*iddah* maintenance, *mut'ah*, and arrears of maintenance). This is consistent with the findings of other research which indicated that the payment for child maintenance though relatively small, it constituted essential proportions of the divorced families' disposable income (Duncan, 1994). Since the current study was viewed from the perspectives of the divorced women, it could be concluded that without personal biases they also agreed that men still paid heed to their children's financial needs even after the divorce.

It was also found that the more satisfied the divorced women with the amount of *iddah*

maintenance, *mut'ah*, and child maintenance provided by the ex-husbands, the less economic strain they would experience. Similarly, the more the ex-husbands' complied with the court-ordered *iddah* maintenance, *mut'ah*, and child maintenance, the less economic strain they would experience. Thus, the non payment of financial supports or the smaller amount provided, as well as none or partial compliance of the court orders exacerbated the financial problems of the divorced women, particularly those who were without any income and carried the burden of raising the children single-handedly.

However, the divorced women's satisfaction with the amount of all types of financial support provided by the ex-husband and the ex-husbands' none or partial compliance to all types of financial supports did not make them depressed. This could probably be due to the fact that the financial supports after divorce were usually accomplished after a short period of time. For example, *iddah* maintenance is only payable within the three-month period or until the end of pregnancy (i.e. if the divorced wife is pregnant). On the other hand, emotional disturbances may become an on-going source of stressor for the divorced women, as a result of the internal process of regaining identity, becoming independent of one's ex-husband, sole parenting responsibility, loneliness, continuing interaction between the parties in their role as parents and economic hardship (Murray *et al.*, 2001; Gazso-Windle and McMullin, 2003; Cowan *et al.*, 2006).

CONCLUSION

In conclusion, the laws regulating the financial aspects of the divorced family merit great attention as it can affect the overall well-being of the family members, as well as an economic restraint against irresponsible breakdown of a marriage. Therefore, the results of this study suggest that the assessment of reasonable sum of financial supports after divorce, specifically with regards to the *iddah* maintenance, *mut'ah*,

and child maintenance as well as the effective enforcement of court order, are the significant factors which may augment the economic welfare of the divorced Muslim women.

It is therefore recommended that policies, which directly and indirectly affect divorced women, need to be reviewed, improved or amended in order to protect their rights as well as their children's in the event of divorce. For example, remedies should be more comprehensive in terms of providing for a life-long education for Muslim women and men with regards to their rights and responsibilities during marriage and after divorce.

In addition, unruly ex-husbands should be prosecuted under the Shariah criminal law, as this might be a more effective deterrent punishment and the Shariah judges should indicate clear instructions on the modes of payment while delivering the judgment on the financial supports to be given by ex-husbands after divorce. In assessing the amount of reasonable maintenance, the Poverty Line Income (PLI), as determined by the Malaysian Government, may also serve as a guideline whereby the amount may not be less than the PLI for the families earning below the poverty line before their separation. At the same time, the Shariah court should not hesitate to consider the increased cost of living in determining the amount of financial supports and each case should be decided based upon its facts and circumstances which might differ from one case to another.

In assessing the amount of *mut'ah*, apart from the financial position of the ex-husbands as well as the social status and conduct of the ex-wives, other factors such as the length of marriage, salary compensation, and psychological effects of divorce may need to be considered by the Shariah court. Finally, the recent establishment of the *Unit Pantau Perintah Mahkamah* under the *Jabatan Kehakiman Syariah Malaysia* is a commendable step which may assist in supervising the enforcement of the *Shariah* court order, particularly the ones related to the financial supports after divorce.

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