

**A KANTIAN PERSPECTIVE OF THE MORAL IMPLICATION OF DIVORCE
IN CONTEMPORARY NIGERIA**

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DEPARTMENT OF PHILOSOPHY

UNIVERSITY OF BENIN

BENIN CITY

SEPTEMBER, 2023

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**AN ORIGINAL ESSAY SUBMITTED TO THE DEPARTMENT OF
PHILOSOPHY, FACULTY OF ARTS, UNIVERSITY OF BENIN, BENIN CITY.
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE AWARD
OF BACHELOR OF ARTS (B.A.) DEGREE IN PHILOSOPHY**

SEPTEMBER, 2023

CERTIFICATION

We the undersigned hereby certify that this project work was carried out by **OTAHEN DESTINY EGHE** with matriculation number **ART1801988** in the Department of Philosophy, University of Benin, Benin city and that it is sufficient in both scope and content in the partial fulfillment of the requirement for the award of Bachelor of Art (B.A) Degree in Philosophy.

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DEDICATION

This project is dedicated to Almighty God for his faithfulness, love, mercies and grace towards me for safety throughout my stay in university of Benin.

ACKNOWLEDGEMENTS

That I have completed this project work is worthy of note. But more worthy of note is the fact that I could not have achieved this feat without the overall help of the **SUPREME RULER** of the universe. He has been the brain behind my academic achievements in particular and to my every life's achievements in general.

This work has been a great learning experience for me and I would like to express my gratitude towards all the people who have guided me throughout and without whose guidance and support this thesis would not have been completed successfully (by God's grace):

I would like to thank my project (supervisor) Dr. Christopher Osawaru for his expert guidance and uplifting inspiration, continuous support and cooperation throughout my work without which this work would not have been possible (by God's grace). In spite of his busy schedule, he always extended full attention, patient hearing and complete support to me without which the present work would not have come to light. For his keen

interest, valuable discussion, constructive criticism, timely advice/scolding and able guidance, it has been possible on my part to plan, review and give shape to my work.

I am immensely grateful to my lecturers in the Department of Philosophy, Faculty of Arts, University of Benin, Benin City for their roles towards my academic success, among whom are: The Head of Department, Dr Wesley Taiwo Osemwegie, Mr. Joseph Odigie, Prof. P. F. Omonzejele, Prof. G.U. Ukagba, Prof. A.A. Asekhauno, Dr. Emmanuel Asia, Dr. Sylvester Apologun, Mr. Paul Michael and Dr. Ogheneochuko Jeko. Thanks so far. And thank you for your invaluable suggestions, constructive criticism and advice during the period of this work.

Special thanks to my parents, Mr. and Mrs. Collins Otaren for their unending love and support, thank you for teaching me that it only gets better and the sky is my starting point.

To my relatives, Osadolor Jennifer, Omozuwa Uyiosa, Omozuwa God'stime, Osadolor Friday, Osadolor Nomamien Ajugba Patience, Hannah Ajugba, Idohosa Daniel, Ehiwe Elvis, Faith Ajugba I love you all so much and thank you for the support and love all through this journey.

And to my friends, Ekhaton Leonard, Ewean Destiny, Igbinedion Stanley and Mordi Valentine and others too numerous to mention. I love you all big time.

OTAHEN Destiny Eghe

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ABSTRACT

This research project explores the moral implications of divorce in contemporary Nigerian society from a Kantian ethical framework. Divorce is a complex and contentious issue in Nigeria, where traditional values often clash with the evolving dynamics of modern life. Immanuel Kant's deontological ethics provide a valuable lens through which to analyze the moral dimensions of divorce, focusing on the principles of duty, autonomy, and universalizability. The study begins by providing a comprehensive overview of the historical, cultural, and legal context of divorce in Nigeria, shedding light on the traditional values that have influenced societal perceptions of divorce. It then delves into Kantian ethics, emphasizing the categorical imperative and the concept of treating individuals as ends in themselves rather than as means to an end. These philosophical foundations are used to critically assess the moral aspects of divorce, including the responsibilities of individuals, the impact on families and communities, and the ethical considerations of divorce.

CHAPTER ONE

1.0 GENERNINTRODUCTION

1.1 BACKGROUND TO THE STUDY

The family occupies a pivotal place in every society. It is indeed the bedrock of the society. Healthy families produce a healthy nation and healthy continent, while weak families breed weak, corrupt and a disarray nation. Divorce in Nigeria, is a re-occurring event, which results into immediate and future results. Divorce is the permissible dissolution of a marriage. “A divorced male is called a divorce while a divorced female is called a divorcee; also, marriage is the formal union of a man and woman that is regulated by laws, rules, customs, beliefs and attitude that prescribe the rights and duties of the partners.”¹ Divorce is also defined as the total separation between a man and a woman. Immanuel Kant is famous for his contribution to the subject matter called divorce, which will be inferred as a guide through-out the course of this work.

Marriage is one of the most important issues in life, yet in our modern world, we seem to be perplexed on this important issue of life. Many marriages have been messed up; families are breaking up at alarming rate. Children are growing up emotionally disturbed and the society is disintegrating at a faster due to the absence of the pivotal role, the family plays in the socialization of the child. The institution of marriage and family is

nearly collapsing. The rate at which divorce is increasing among married couples is alarming.

Recent statistics put the rate at approximately five out of ten newly married couples. Surprisingly too, divorcee is also rampant in the marriages of older couples. What are the factors that make marriages of older couples. What are the factors that make marriages which couples here committed much time and effort and in divorce? Could it be that there was no proper preparation for the challenges that comes with marriage?

According to Ngozi Ojidoh, Coordinator of Women Magazine (WIN) argued that, "in Nigeria, divorced women are considered an abandoned property, children of divorce parents lack or suffer from the absence of love, care and training of either father or mother, and most delinquent children came from broken homes. Broken down marriages, which ends in divorce has its consequences, in terms of pains, suffering and problems of many kinds. In Contemporary Nigeria, Divorce is now one of the most common cases in local courts in Nigeria."³ The incidence of divorce has gone up exponentially and not even the tedious process and expensive cost of filing divorce; which depends on factors like a court, location, lawyer charges, none of this has been able to stop the high rate of Divorce. "Immanuel Kant's life was, indeed, unique being expressed in four great interests, namely, those of a university teacher, an author, a philosopher, and a man with a character."⁴

The purpose of marriage is to have children and establish a family, when these children eventually arrive, they are regarded as blessing from God and are social and economic assets to the parents.”⁵ The family, this needs a home to live and feel secured.

Divorce therefore, can be defined to be a personal misfortune for either of the spouse in any society, but is a universal escape for the inevitable tension of marriage, divorce as a matter of fact is a strong bond that breach two united individual or family. "Marriage is a big step in life in which a person plans as a career or business, certainly you either fail or succeed. This bond dissolution is as a result of extra-marital practiced by the partners in early marriage, a situation where either the spouse is not ripe enough for marriage before getting married. The proper upbringing of children is a very important task for the family than the happiness of the parents, this is because the early life of the child are the formation of personality and these are the years that are spent mainly in association with parents and siblings in the family. The home forms the basis of personality development which accompanies the individual throughout his/her life. As a result of broken home or divorce children fails to develop ties to one or few important persons in the family and when these ties are disrupted, the children are taught imparted in developing classes relationship in adulthood, they feel better and caring as a happy person and at the same cannot concentrate on anything taught at school.

"When a mother is out of a home, leaving the children under charity and mercy of step mothers, these children are prone to many problems such as poor feeding, negligence not

inspired to study or learn, diseases, sickness and emotional disturbances (fear of insecurity) such marriage tend not to be successful. There is the need for the couples to be in harmony mentally, and spiritually in other works of life, the husband and the wife must have a common goal and each has to contribute his or her quota towards its fulfillment and the key ward should be own."⁷

In summary, "Divorce (also known as dissolution of marriage) is the process of terminating a marriage or marital union."⁸ Divorce usually entails the canceling or reorganizing of the legal duties and responsibilities of marriage, thus dissolving the bonds of matrimony between a married couple under the rule of law of the particular country or state. "Divorce laws vary considerably around the world, but in most countries, divorce requires the sanction of a court or other authority in a legal process, which may involve issues of distribution of property, child custody, alimony (spousal support), child visitation/access, parenting time, child support, and division of debt. In most countries, monogamy is required by law, so divorce allows each former partner to marry another person."⁹

1.2 STATEMENT OF THE PROBLEM

The moral implications of Divorce are psychological issues which increased stress, lower life satisfaction, depression, in some cases suicide. In spite of the divine origin of marriage and its protection by religious bodies, there has been an increasing rate of divorce among couples in contemporary Nigeria. This work addresses the following

research questions: are there really cases of divorce amongst couples in contemporary Nigeria? What are the causes of Divorce? What are the harmful effects of Divorce? Is there any positive aspect of Divorce?

1.3 PURPOSE OF THE STUDY

The purpose of this project work is given below:

1. To investigate the causes of divorce among couples in contemporary Nigeria.
2. To unravel the effects of divorce in many homes in Nigeria.
3. To proffer possible solutions to the causes of divorce so as to reduce the rate of divorce in contemporary Nigeria, and even beyond.
4. To apply the Kantian perspective on divorce which focuses primarily on Kant's ethics.

1.4 THE SIGNIFICANCE OF THE STUDY

The significance of this project work includes, but not limited to the following:

1. It will expose us to the causes and effects of divorce in Nigeria
2. It will suggest how divorce can be avoided using Kantian duty ethics as the basis for decision making.
3. It will proffer measures in place so as to reduce the high rate of divorce in Nigeria.
4. It will serve as a useful material to couples, children, families and even the society at large in dealing with marital problems effectively.

1.5 METHODOLOGY OF THE STUDY

This project work shall adopt the critical analysis method. This is because it will break down or analyze the concepts into their constituent parts for better understanding of the topic. It will be critical in the sense that it will expose the ills of divorced and by extension, implicating to the society at large.

1.6 SCOPE OF THE STUDY

The scope of this research work shall be limited to the Kant's moral imperatives, his idea of the goodwill and duty, his hypothetical and categorical imperatives. This project work shall also expose us to Kant's view on morality and monogamous marriage, the implication on marriage, Kant's on duty as a guide to marriage as well as Kant's ethics on the solution to divorce.

1.7 DEFINITION OF TERMS

Divorce: “A divorce is a legal action between married people to terminate their marriage relationship. It can be referred to as dissolution of marriage and is basically the legal action that ends the marriage before the death of their spouse.”⁸

Ethics: “Ethics is concerned with the question of right and wrong in human behaviour” It deals with how men ought to behave and why it is wrong to behave in certain ways and right to behave in certain other ways.”⁹

Morality: “The Principles concerning the distinction between right and wrong or good and bad behaviour”

1.8 LITERATURE REVIEW

In the course of writing this project work, several books were reviewed, and among them include the following:

J. I. Omoregbe in his book, *Ethics: A Systematic and Historical Study*, maintained that in a corrupt society such as ours where every aspect of our national life stinks with corruption, it goes a long way in reviving the moral decadence seen and experienced in the society, indicating that as bad as the moral situation is, all hope is not completely lost as there is always light at the end of the tunnel.¹⁰

In “Divorce and its Implications”, by R. C. Reginald, he maintained that marriage is the legal union between a husband and a wife which manifests two most excellent properties of unity and perpetuity while divorce is a legal complete break up or end of the marriage. He further stated that as marriage fosters mutual love between spouses, confirms families with divine strength, fosters education and protection of offspring, restores the dignity of the woman and establishes the honour and prosperity of families and civil associations in

a most excellent and beneficial way, divorce begets almost the exact opposite of the above marriage functions. Anderson further maintained that divorce is the only ceremony that marks the official end of a marriage, just like a wedding ceremony marks the official beginning of the same marriage. He further noted that it takes place in the court presided over by a judge. For Anderson, divorce is the judicial separation of the spouses and completely disruption of their marital relations. He further noted that it is the dissolution of marital relations, in this process marriage is completely broken down either in social or legal context; it is to end one's marriage to somebody by legal means. That is, it is the complete break up or dissolution of marriage through legal means.¹¹

E. A. Goldsteia, in his work *The Four Perspective of Moral* explained that divorce is the legal separation of husband and wife effected by the judgement of a court and either totally dissolving the married relations or suspending its effect so far as concern the combination of the practices. He noted that divorce may create some vital problems in the family, like adjusting to new life because divorce is dissolution in whole or in part of the marriage. Even though divorce is a dissolution in whole or in part of the marriage, it is noteworthy of fact that divorce grants to its beneficiaries the authority to re-marry, and map out the way their property will be distributed were they to die without a will.

As noted by Goldsteia, divorce is not a new social phenomenon. It has always constituted the major source of family disintegration and thus has attracted much attention. He also asserts that, "a broken home hangs a burden onto the children, while the breakers go

about with a noose round their necks”. He further noted that he who contemplates divorce should realize that he is holding a sword over the home and the children. He finally noted that, “children are the greatest victims of a battered marital relationship”, and that divorce is fraternity of those who have gone through emotionally ravaging phenomena that are equal to starvation. According to him, a sweet home is the paradise of life, the first pleasant taste of heaven and it is the handwork of peace, love, understanding, endurance and tolerance and in such a home the pot of love is hung conspicuously for all to draw from and refill. He stated that a divorced home is the opposite of the above.¹²

C. Pateman in the book *The Sexual Contract* opined that in nearly every society (Africa), there are rules by which an unfortunate or unstable marriage may be dissolved. Among the Igbo, Ibibio and Yoruba, divorce is commonly a simple matter. Apart from the fact that the bride payment must be refunded by the woman’s kinsmen, the dissolution of a family is ordinarily an easy and economical task. If the children are still young, they go with the mother, who usually encounters little difficulty in contrasting another marriage.

He further pointed out that in a typical African Community, divorce maybe due to the woman becoming rather insubordinate to her husband; moral depravity on the part of women... prolonged illness on the part of woman such as mental disorder; barrenness on the part of the woman or impotence on the man’s part; Much influence from the relations of the woman; disagreement over religion; stealing or tale bearing on the part of the woman; harshness or ill treatment such as incessant beating by the man; prolonged lack

of support by the man to his wife; disagreement over conjugal right; and failure to complete the bride payment by the man or his kinsmen. The author noted the following factors as the causes of divorce: economy; wrong use of tongues; bad company; mother-in-law; infidelity; impatience; lack of dialogue; alcohol and fighting; gossips and rumour mongry; and power tussle. When marriage is dissolved as a result of divorce, both parties shall be free from the obligations and bond of marriage. They could remarry elsewhere or live any type of life they may choose.¹³

E. Shybunko in the book titled, *Effects of Post-Divorce Relationships on Child Adjustment* is of the opinion that divorce is the process of setting both parties free from the bond of marriage which give them opportunity of new life, that is, divorce can conclusively be seen as a separation of the ties of marriage or a process of putting an end to the ties of marriage. According to them, divorce is defined as one of the safety values for inevitable tensions of married life thereby ending the relationship or connection which existed between two parties. Divorce from their point of view is seen as a kind of device for dealing with the pressure and problems inevitably experienced in marriage.

Accordingly, marital dysfunction is said to be a situation where all or parts of marriage function (Procreation, sex gratification, security, love, recognition, parental roles etc) and the basic elements of marriage (mutual love, fidelity, unity etc) are lacking. The usual pattern in this case is for bickering to become barbed with comments that are intended to diminish the other spouse's image, with the major motivation to reduce the spouse's

capacity to hurt. While in a situation for instance, the man may start to become very critical of the wife's cooking or house-keeping qualities or her appearance or ability to care for the children and friends. The wife on the other hand may do the same by criticizing the husband regarding his inability to perform as a father, provider or breadwinner, companion, sexual partner, mate or indeed as a person. With such exchange of disparaging- criticisms one from the other, one can quickly interpret the state of the union as marital dysfunction.¹⁴

In *Handbook of Divorce and Relationship Dissolution*, Fromme noted that a perfect home does not exist anywhere; what you find is a home where the couple has learnt to cover their human frailties. Among others, he noted that what cause marital dysfunction include power tussle between couple, financial misunderstanding, infidelity, impatience, bad advisers or bad company, alcoholic influence, wrong use of tongues and learning and working with heard rumours.¹⁵

In *Divorce: A Moral Evaluation* Herber asserted that divorce is a moral failure, and that divorce brings unhealthy post-marital relationship as it creates enmity between individuals and groups and strain existing relationship” It creates untold hardship, at times death, to the divorcees especially the woman. People that suffer more in separation according to Cohen, are those that are less provided for in these resources. Sex intercourse deprivation or over indulgence by a couple against the wish of the other may lead to separation or divorce.¹⁶

In *Father Absence and Children's Cognitive Development*, Shinn stresses on the reinforcing factors within the environment, which can cause divorce or maladjustment. In the same vein, the environment can be manipulated to bring about a desired change in behaviour. According to him, as the Iroko tree resists and withstands the violent storms of the forest, so will a sweet home resist and withstand the pressures and attacks of outside invaders. He further noted that those who are quick in believing and acting on all they hear about their marriage partners are quick in chasing away the peace and tranquility of their home as gossips and tale bearers are dangerous war mongers who often direct the nozzle of their guns against family peace and stability. That a marriage is sure to come to brinks of disaster, if a woman fails to be careful of what she hears from other women about their own marriage and homes, and that a man that wants to keep his home intact must beware of other women.

Supporting that outside environmental factors contribute to marriage breakdown, He further posits that when a home (marriage) goes in shambles there is usually the finger of another man or woman in it and that no home (marriage) should consider itself so stable that it cannot be pulled down by determined gossips and intriguers. A home that is teleguided from outside dances the music of the enemy and he or she who wants to keep his or her home or marriage must beware of bad advisers and bad company. For him, marriage cannot be the same again when family secrets become public property through the flippant use of his tongue the husband or the wife because where either of the couple

starts telling tales about his or her marriage and family life, he or she is indirectly opening the floodgate that will eventually rock the foundation of his or her marriage. Social learning theory stresses on environmental correlates of maladjustment and on the reinforcing factors within and outside the environment which can cause divorce or maladjustment.¹⁷

E. L. Anowai, in his book *Marriage, Divorce and the Society*, said that Kant has famously argued that monogamous marriage is the only relationship where sexual use can take place without degrading humanity and breaking the moral laws. Kantian idea of marriage, however, has been the target of fierce criticisms by contemporary thinkers: it has been regarded as flawed and paradoxical, as being deeply at odds with feminism, and, at best, as plainly uninteresting. Anowai further stated that Kant's view can indeed survive these criticisms. Finally, the author advances the discussion beyond marriage. Drawing on Kant's conception of friendship, he suggests that he might have overlooked the possibility of sex being morally permissible in yet another context.¹⁸

ENDNOTES

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CHAPTER TWO

2.0 DIVORCE: CAUSES AND PROBLEM

2.1 CONCEPTUALIZING DIVORCE

Conceptualizing divorce involves understanding and analyzing the various aspects and implications of this legal process. Divorce is more than just the end of a marriage or relationship; it is a complex and multifaceted event that can have far-reaching effects on individuals and families.

One important aspect of conceptualizing divorce is recognizing that it is a legal process. It involves filing for divorce through the appropriate court system and following the legal procedures and requirements dictated by the jurisdiction in which the divorce is taking place. This can include submitting paperwork, attending court hearings, and working with legal professionals such as divorce lawyers or mediators.

Another crucial element of conceptualizing divorce is understanding the reasons underlying the decision to end the marriage. Divorce can stem from a variety of factors, including but not limited to communication issues, compatibility problems, financial troubles, infidelity, or abuse. Recognizing and acknowledging the reasons for divorce can help individuals make informed decisions and navigate the process more effectively.

Also, “divorce involves the division of assets and liabilities accumulated during the marriage. This can include property, finances, investments, and debts. Deciding how to fairly and equitably divide these resources can be a complex and contentious process, especially if there are significant assets or a lack of agreement between the divorcing parties.”¹ The legal system typically provides guidelines or principles for considering factors such as the length of the marriage, individual contributions, and the well-being of any children involved.

Another critical aspect of conceptualizing divorce is considering the emotional and psychological impact on individuals and families. “Divorce can be a traumatic and challenging experience, often accompanied by feelings of sadness, grief, anger, and loss. It can disrupt established routines, relationships, and support systems, causing emotional distress and uncertainty about the future.”²

Children are often deeply affected by divorce, and their well-being should be a primary consideration throughout the process. Child custody and visitation arrangements need to be established, taking into account the best interests of the children involved. This can

involve negotiation, mediation, or, in more contentious cases, litigation. Maintaining open and honest communication with children and providing them with appropriate support is crucial for minimizing the negative impact of divorce on their lives.

Conceptualizing divorce also involves recognizing the potential financial implications. Transitioning from a joint household to individual financial responsibility can be challenging and may require adjustments to lifestyle, budgets, and financial plans. Determining spousal support or alimony may be necessary in cases where one spouse has become financially dependent on the other during the marriage. It is essential to approach divorce with empathy, understanding, and a focus on finding amicable solutions whenever possible. “Alternative dispute resolution methods, such as mediation or collaborative divorce, can help reduce conflict and foster effective communication and cooperation between divorcing parties.”³ These processes can help individuals maintain control over the outcome and actively participate in finding solutions that work for everyone involved.

In summary, conceptualizing divorce requires understanding and considering the legal, emotional, psychological, and financial aspects of the process. It involves recognizing the reasons for divorce, navigating the legal procedures, considering the impact on children, and understanding the potential financial implications. By approaching divorce with empathy and a focus on finding amicable solutions, individuals can strive to minimize conflict and prioritize the well-being of all parties involved.

2.2 CAUSES OF DIVORCE

There are numerous causes of divorce, and they can vary greatly from one couple to another. Some of the most common causes include:

2.2.1 Communication Issues

Poor communication or a breakdown in communication can lead to misunderstandings, resentment, and an inability to resolve conflicts effectively. Over time, these problems can erode the foundation of a marriage and contribute to its eventual dissolution. “Communication is crucial in marriage and not being able to communicate effectively can lead to resentment and frustration for both parties, impacting all aspects of the marriage.”⁴ On the other hand good communication is the foundation of a strong marriage. When two people are sharing a life together, they must be able to talk about what they need and be able to understand and meet the needs of their partner. But when there is a break in communication or communication gap, then divorce is not far-fetched. Like the example of a Reverend in a church in Warri, Delta State who at a time don’t talk to his wife except through text message and the wife in turn does so to him. So, when he wants to eat, he tells the wife through a text message and the wife drops the food on the dinning and also use the same medium to tell him that his food is ready.

2.2.2 Infidelity

Extramarital affairs can profoundly impact a relationship, causing significant emotional pain and trust issues. “Infidelity can be a symptom of underlying problems in a marriage or a result of dissatisfaction or unmet needs.”⁵ Nowadays, it is not an easy task to create a good marriage and keep it for a long period of time. Men, as well as women, get an access to a number of temptations. Sometimes, people are just not able to resist the possibilities they have and become the main begetters of their own mistakes and frustrations. Among the existing variety of mistakes and wrong decisions, infidelity is the main cause of a family disruption, divorce, and stress disorders. Infidelity is a serious issue for consideration due to the myths existing around and the inabilities to comprehend how to cope with the cases of infidelity and overcome possible stress disorders. Divorces, as well as stress disorders, may be caused by different reasons, still, the idea of infidelity is rather provocative as people themselves have a right to choose whether to cheat and break the vow like “till death do us part” or not.

One of the strangest things about infidelity is that people may understand its essence in many different ways because of their own attitudes to infidelity or because of the myths people create from time to time to try to justify their actions. For example, the Oxford Dictionary explain infidelity as “an action of being unfaithful to a spouse.”⁶ In fact, this explanation seems to be too general as it provides a person with a chance to interpret the idea of faith in a family differently.

Many researchers and philosophers have made the attempt to introduce their own identification of infidelity and offer their explanations. Brown indicates that “infidelity is the act in which more than 55% of men and about 45% of women are involved.”⁷ Stosny introduces infidelity as “the act that presupposes lies, manipulations, stealing, or cheating separately or together and leads to divorce. In fact, the act of infidelity is everything that contradicts the principles of a successful marriage.”⁸

Two people make a decision to spend the rest of their lives together, create their own vows, and swear to support each other under different circumstances. However, there are not many people, who can truly predict their future and be sure of the loyalty of the chosen spouse. This is why, unfortunately, the cases of infidelity are usual and understandable. Anyway, infidelity should be defined as an act of betrayal, either emotional or sexual, by one or both spouses that can or cannot be forgiven. People, who make a decision to break the vows given at the beginning of their marriages, should realize that their infidelities usually touch upon several people (parents, fellows, and even the lives and families of those, whom they betray with).

2.2.3 Financial Problems

Financial strain or disagreements about money can put immense pressure on a marriage. Differences in spending habits, financial irresponsibility, excessive debt, or a lack of financial compatibility can lead to conflicts and deteriorate the relationship. Fights over

money are often referred to as “financial incompatibility”, because they usually stem from differences in priorities and values around financial decisions. “Signs of financial incompatibility among spouse includes: when one partner keeps secret outright lies about purchases or other financial decisions (like making investments or withdrawing money from savings) without informing the other partner, when spouse do not talk calmly and regularly about their financial issues, when both partners cannot set joint financial goals (like budgeting and saving to buy or build a house or car), or even when both partners set financial goals together one keeps subverting them.”⁹ If a couple is not on the same page on how finances in the family are going to be handled, it can lead to terrible problems.

Why is divorce so common due to financial incompatibility? According to statistics, “a final straw” reason for divorce is a lack of compatibility in the financial arena and causes almost 41% of divorce in contemporary Nigeria.”¹⁰ Everything from different spending habits and financial goals to one spouse making considerably more money than the other, causing a power struggle and strain a marriage to the breaking point. Social media has given the “woman” more power, now she knows and sees her worth. Making more than her partner causes serious power struggle which leads to them parting ways because one doesn’t want to bow down to the other, which should not be so. The man in turn, sometimes feels threatened by the woman’s success thereby asking her to quit that which makes her successful, so he can still be in charge, sometimes this doesn’t go well with the

woman. Also differences in how much money each partner brings into the marriage can also lead to power plays between a couple.

“Money really touches everything. It impacts people’s lives,”¹¹ said Emmet Burns, brand marketing director for SunTrust. Clearly, money and stress do seem to go hand in hand for many couples. Financial troubles can be categorized as one of the biggest causes of divorce. Not surprisingly it has been shown that couples with lower incomes are more likely to cite financial incompatibility as a major reason for getting divorced when they is less to go around and higher stress about being able to pay bills here is likely to be more fighting over money issues. And of course, no matter a couple’s income level, fights about money and property continue during the divorce itself.

2.2.4 Lack of Intimacy

A lack of physical or emotional intimacy can lead to feelings of neglect, dissatisfaction, or unfulfillment. Over time, this can create a rift between partners and contribute to the breakdown of the relationship. Lack of intimacy can indeed be a contributing factor in some divorces, although it's important to note that divorce is a complex and multifaceted issue with many potential causes. Intimacy is a broad concept that encompasses emotional, physical, and sexual closeness in a marriage. When intimacy deteriorates or is absent in a marriage, it can create a variety of problems that may lead to divorce.

A strong and fulfilling relationship requires more than just shared interests and compatibility. Physical intimacy is an essential aspect of human connection, one that goes beyond mere sexual activity. It encompasses a range of non-sexual acts, such as holding hands, hugging, cuddling, and intimate conversations. How can a relationship survive when there is a lack of intimacy?

Healthy relationships express physical reassurance of emotional closeness, trust, and vulnerability between partners. When physical intimacy diminishes or disappears in a relationship, it can lead to many intimacy problems that gradually contribute to emotional detachment and negative feelings.

In today's fast-paced world, couples often juggle demanding careers, familial responsibilities, and various obligations that leave little time for nurturing their intimate connection. The consequences of this neglect can be far-reaching, affecting both the mental and physical well-being of individuals and the relationship's overall health. Studies have shown that a lack of physical intimacy can give rise to feelings of neglect, loneliness, and emotional disconnection. The effects of lack of physical intimacy in a relationship can lead to a breakdown in communication and create an emotional distance between partners. Over time, this void becomes increasingly difficult to bridge, leaving individuals feeling disconnected and unfulfilled in the relationship.

2.2.5 Physical and Emotional Abuse

Not feeling connected to your partner can quickly ruin a marriage because it leaves couples feeling as though they are living with a stranger or more like roommates than spouses. This can be from a lack of physical or emotional intimacy and is not always about sex. If you are constantly giving your spouse the cold shoulder, know that it can become the ground for divorce overtime. Often, couple struggle with different sex drives and different sexual appetites. This can really plague a couple as they try to get their needs met. In addition, at different stages of life, our sexual needs can change, which can lead to feelings of confusion and rejection. It has been known by various sources that men are prone to be physically violent to their spouse. on social media, we have had cases of men battering their wives, which often time leads to death. A famous influencer on facebook by name “Adujalingwa” has taken it upon herself to educate women against any form of violence from their partner, she says “it is better to leave and train your kids, than to die while trying to salvage a marriage that is already on its way to ruins.”¹² Many women now have taken her advice, and they file for divorce when physical and emotional battering/abuse gets too much to bear. It takes a special kind of grace for a woman to still remain in a marriage where her life is not safe.

2.2.6 Substance Abuse

Substance abuse, such as alcohol or drug addiction, can strain a marriage and impede effective communication and emotional connection. The destructive behaviors associated with substance abuse can lead to a breakdown in trust and contribute to the dissolution of

a relationship. “In various studies, between 10% and 35% of people said they divorced because of their spouse’s drinking or drug problems.”¹³ They are many signs that your spouse could have a substance use disorder, including

- i. Changes in sleep, appetite and hygiene
- ii. Sudden behavior
- iii. Sudden mood swings
- iv. Paranoia or other personality changes
- v. Neglecting work or family responsibilities
- vi. Abandoning old friends or activities
- vii. An unexplained need for extra money
- viii. Difficulties with attention or memory

2.2.7 Incompatibility

Incompatibility in terms of values, goals, interests, religious beliefs, cultural beliefs, or lifestyle can make it difficult for a couple to maintain a fulfilling and sustainable relationship. When fundamental differences cannot be resolved or compromised, divorce may be the outcome. Most times, intending couples do not take the time to study themselves if they are compatible in various ways as listed above. All they think is love, not knowing that love is not in a vacuum; love is acted upon something. Love thrives more in an environment of compatibility.

2.2.8 Unrealistic Expectations

Unrealistic expectations about marriage, such as the belief that a partner will fulfill all needs and desires, can lead to disappointment and resentment. When couples are unable to meet each other's unrealistic expectations, it can lead to dissatisfaction and marital discord. This in turn can lead to divorce.

2.2.9 Conflicts over Family Responsibilities

Some reasons for divorce can also be traced to sharing of responsibilities among couples which ranges from the following below:

- i. How to raise their kids
- ii. Child care responsibilities and
- iii. Other family and household obligations

2.2.10 Lack of Conflict Resolution Skills

Inability or unwillingness to resolve conflicts in a healthy and constructive manner can contribute to ongoing tension and resentment within a marriage. If conflicts repeatedly escalate into arguments or are left unresolved, it can lead to the deterioration of the relationship.

It is important to note that these causes are not exhaustive, and every divorce is unique to the individuals involved. Additionally, it is common for multiple factors to contribute to

the decision to divorce. Understanding the causes of divorce can help individuals identify and address potential issues in their own relationships and seek the necessary support and resources to work through challenges.

Having looked at some of the causes of divorce above, I have this to say; every marriage is unique and the vast majority of couples face at least one of the problems on this list at some point in their relationship. But while some issues are more harmful than others (like domestic abuse and serious substance abuse disorders), most do not necessarily have to lead to divorce as long as both spouses are willing to work together to save their marriage.

2.3 PROBLEMS OF DIVORCE

Divorce can bring about a myriad of problems and challenges for individuals and families. Some of the common problems associated with divorce include:

2.3.1 Emotional Distress:

Divorce is often accompanied by a range of intense emotions, including sadness, anger, grief, and fear. “The process of ending a marriage and dealing with the loss of a significant relationship can be emotionally challenging and can result in mental health issues such as depression and anxiety.”¹⁴

2.3.2 Financial Instability:

Transitioning from a joint household to individual financial responsibility can be difficult. Divorce can lead to a significant change in financial circumstances for both parties, potentially causing financial instability, increased debt, and the need to adjust to a different standard of living. Financial instability is a common and often significant outcome of divorce. When a marriage ends, the financial assets and obligations that were once shared by a couple must be divided, which can lead to a range of financial challenges for both spouses. One of the most immediate financial consequences of divorce is the division of assets and liabilities. This includes the splitting of savings, investments, real estate, and debts. The process can be complicated, and disagreements over property division can lead to legal battles, adding to the overall financial burden. Divorce often results in changes in employment or career trajectories. One spouse may have to reduce their working hours or take on additional responsibilities to manage childcare, while the other may face a loss of household income, particularly if they were financially dependent on their partner. Many couples sell the family home as part of the divorce settlement, leading to increased housing costs for both parties. Renting or buying a new home, along with related expenses, can strain finances.

2.3.3 Co-Parenting Challenges

For couples with children, divorce introduces a host of co-parenting challenges. Establishing child custody and visitation arrangements, making decisions about parenting

responsibilities, and maintaining effective communication and cooperation can be complex and emotionally charged.

2.3.4 Impact on Children

Divorce can have a profound impact on children, leading to emotional distress, confusion, and behavioral changes. Children may experience feelings of guilt, blame themselves for their parents' divorce, or struggle with divided loyalties between their parents. It is crucial to support children during this process and provide them with the necessary resources to navigate the changes.

2.3.5 Loss of Social Support

Divorce often results in a loss of social support networks, particularly if friends and family members take sides or distance themselves. Individuals may feel isolated or struggle to find a new support system, adding to the emotional challenges of divorce.

2.3.6 Legal Complexities

Navigating the legal aspects of divorce can be overwhelming and complex. Understanding and fulfilling requirements, such as filing paperwork, attending court hearings, and negotiating financial settlements, can be stressful and time-consuming, particularly if there are disagreements or conflicts.

2.3.7 Impact on Health and Well-being

Divorce can have adverse effects on physical health, as stress and emotional turmoil can weaken the immune system and lead to a range of health issues. Additionally, individuals may neglect self-care during the divorce process, compromising their overall well-being.

2.3.8 Disruption of Daily Life

Divorce often disrupts established routines and can require significant adjustments in terms of living arrangements, childcare, and financial management. These disruptions can be stressful and may require individuals to navigate unfamiliar territory.

2.3.9 Negative Social Stigma

Divorce can still carry a social stigma in some communities or cultures. Individuals may face judgment, criticism, or ostracism from friends, family, or society for the decision to end their marriage, adding to the emotional and social challenges they already face.

2.3.10 Negative Impact on Future Relationships: Divorce can make it difficult for individuals to trust and enter into new relationships. The emotional scars and fear of repeating past experiences can hinder individuals from forming healthy and fulfilling relationships in the future.

It is important to note that while divorce presents numerous challenges, it can also be an opportunity for personal growth, healing, and the pursuit of a more fulfilling life. Seeking professional support, practicing self-care, and maintaining open communication can help individuals navigate the problems associated with divorce and emerge stronger on the other side.

2.4 EFFECTS OF DIVORCE ON FAMILY VALUE AND THE SOCIETY

The effects of divorce on family values and society can be far-reaching and complex. Divorce is a stressful and traumatic event for all parties involved, including the couple, children, extended family members, and friends. It disrupts the stability and unity of the family unit and can lead to a variety of negative outcomes.

One of the primary effects of divorce on family values is the breakdown of the traditional family structure. “Divorce challenges the idea of lifelong commitment and can create a sense of instability and uncertainty among individuals and within the society as a whole. This can lead to a decline in the importance and significance of marriage as an institution, as well as the devaluation of commitment and loyalty.”¹⁵

Divorce also has a significant impact on children. Numerous studies have found that children from divorced families experience a wide range of negative effects. These may include emotional and behavioral problems, decreased academic performance, lower life satisfaction, higher rates of substance abuse, and difficulties forming and maintaining

healthy relationships. The absence of one parent often leads to a lack of support and guidance, which can contribute to these negative outcomes.

Furthermore, divorce can have economic consequences for families. The division of assets, potential alimony payments, and child support obligations can place a financial burden on both parties involved. This financial strain can lead to added stress and conflict, further exacerbating the negative impacts on family dynamics.

Divorce also has implications for the wider society. It can contribute to the breakdown of social networks and community ties. Divorces often result in the separation of extended family members and friends, leading to a sense of isolation and fragmentation. Additionally, divorce increases the likelihood of individuals relying on government assistance programs, which can strain public resources and impact societal well-being.

2.5 WAY OUT OF DIVORCE

Divorce is a significant life event that can be emotionally and financially challenging. However, there are ways to navigate the process and find a positive way forward. Here are some steps to consider when seeking a way out of divorce:

2.5.1 Go for counseling

Out of all of the ways in how to avoid divorce that will be shared in this article, this may be the most effective one. Unfortunately, there are a lot of couples who will wait until they feel totally hopeless within their relationship before even considering seeing a

professional marriage counselor, but the reality is that it's healthy for all couples to go at least a couple of times per year. That way, they can get tips and tools to either get viable remedies for the problems they are having or to make their marriage even stronger. Marriage counseling is proven to improve physical and emotional intimacy, increase communication and establish an overall better connection between spouses which enables you to find solutions to divorce.

2.5.2 Talk About Your Needs

If one or both of you have problems communicating with one another, that's just one more reason why it's such a good idea to see a marriage counselor. But if you do feel like both of you are able to talk and listen pretty well, don't hesitate to share your needs. Sometimes couples end up resenting each other simply because they feel like their needs are being ignored or they are going unmet. Just because you and your spouse share the same house, that does not mean that you can read one another's minds. Whatever you're expecting from the relationship, it is important that you share it. Only through sharing can you ultimately find appropriate solution to divorce.

2.5.3 Spend More Quality Time Together

There are a lot of couples who are not happy in their marriage simply because they don't feel like they relate to one another anymore. This can happen when things like financial

pressures, hectic schedules and their children's needs take precedence over spending time with one another. Even though this might be true, going on dates, taking vacations, making sex a priority in your marriage are not "luxuries". In order for a marriage to be healthy so that it can last, these are *necessities*. It's absolutely imperative that you and your spouse spend quality time with one another and if need be, seek out solutions to divorce.

3.5.4 Get Some Accountability

Although your spouse should be your main accountability partner, also look for some other married couples who can help to hold you accountable as well. Accountable to what? Accountable to the vows that you took on your wedding day. Everyone needs friends and mentors who can serve as a support system and this is especially the case when it comes to married people. Sometimes couples see divorce as their only solution because they do not have others around them to remind them that there are other solutions to divorce; ones that usually prove to be far better.

2.5.5. Accept that Your Spouse is Human—Just Like You

Yes, on the surface, you know that your husband or wife is human. But here is the thing: When you think about all of the things that frustrate you, there's a pretty good chance

that it is about them not being who you want and/or expect them to be. Humans are flawed and they make mistakes. But the more than you accept that as a reality, the more open you will be to not being upset with your spouse when they disappoint you; the more willing you will be to give them what you want in return when you fall short: patience, forgiveness, understanding, encouragement and love. Yes, the more willing you are to give what you want in your marriage, the more of a chance it has not only to find solutions to divorce but also avoid divorce.

2.5.6 Understand what are the Biggest Issues in your Marriage

Understand what causes divorce in a marriage. Name that specific problem(s) that is causing your marriage to crumble down. What is it about your spouse that is driving you nuts? Is it a specific habit in them or are there issues that you acknowledge you need to work on? Whatever it is, be specific in stating the marital problem before you can find a solution to it. You would be amazed how solution for divorce outweighs the reasons to get divorced.

2.5.7 Start Over from Scratch

Sometimes, this is the best way to move forward. Forget about the fights, the negativity, the constant problems. Start from all over again. Remember why you both fell in love and

build your marriage all over again from there. Do you remember the last time you talked for hours with your spouse, the long drives or anything special you did together? Get silly about one another and infuse your relationship with love, once again.

2.5.8. Change the Negative Patterns

Do you always fight over the silliest things? Do either of you lose your temper at the drop of a hat? Do you nag each other even when you can make your point in a loving manner? Break these negative patterns and embrace healthier habits in your marriage. Be respectful towards each other, kiss in the mornings and greet your spouse in the evenings. Remember, it is these small habits that can actually make or break a marriage. Hence, couples should be mindful about these always.

2.5.9 Leave No Stone Unturned

Make every effort to improve your marriage. Understand that this will take time and effort from both partners. Prioritize your marriage and spouse and express gratitude to one another. Accept each other's differences and make decisions together as a team. If you both struggle to achieve attend seminars on how to effectively overcome problems. Do everything you can to make your marriage work.

2.5.10 Take the Word 'Divorce' off

Simply put, remove divorce as an option from your marriage. If you feel you can get out of that tough situation by divorcing your spouse, then clearly you need a mind makeover.

Negative thinking in this manner points out to the fact that you are not 100% committed to resolving the conflict. Make a pact with your spouse and forbid divorce from ever creeping into your vocabulary. Many successful couple stick together out of sheer determination and love. Know that you married your spouse for a reason. Remember those reasons and it will be easier to try again. And in this way, divorce will soon be out of the window, and your marriage.

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CHAPTER THREE

3.0 A KANTIAN PERSPECTIVE ON THE MORAL IMPLICATION OF DIVORCE

3.1 IMMANUEL KANT: LIFE, WORKS AND INFLUENCE

“Immanuel Kant, born on April 22, 1724, in Königsberg, Prussia (now Kaliningrad, Russia), was a renowned German philosopher of the Enlightenment era. He is widely considered one of the most important figures in Western philosophy and his works continue to have a significant influence on various fields, including ethics, epistemology, metaphysics, and political philosophy. Kant's early life was marked by modest beginnings and a strict religious upbringing. He attended the University of Königsberg, where he studied philosophy, mathematics, and physics. After completing his studies, he worked as a tutor and lecturer, eventually becoming a professor of logic and metaphysics at the University of Königsberg, where he spent his entire career.”¹

Kant's major philosophical works include *Critique of Pure Reason*, *Groundwork of the Metaphysics of Morals*, and *Critique of Practical Reason*. In these works, Kant sought to reconcile the rationalist and empiricist traditions of philosophy by developing a systematic framework for understanding knowledge and morality. One of Kant's most influential ideas is his concept of transcendental idealism. According to Kant, “the mind actively constructs our experience of reality by organizing sensory perceptions into meaningful concepts and categories. He argued that while we cannot know things as they are in themselves, we can gain knowledge of the way they appear to us.”²

Kant also proposed a deontological ethical theory known as the categorical imperative. He believed that moral actions are not determined by consequences or personal inclinations but by a sense of duty grounded in reason. The categorical imperative states

that “one should act only according to the maxim that they can will to become a universal law.”³

Kant's philosophy had a profound impact on subsequent thought, and his ideas continue to be studied and debated today. His emphasis on reason and the autonomy of the individual helped shape the development of modern liberal democracy and human rights. His moral philosophy also influenced later thinkers, such as John Stuart Mill and John Rawls. In addition to his philosophical contributions, Kant also wrote on a wide range of other topics, including anthropology, cosmology, religion, and aesthetics. He explored questions about the nature of beauty, the role of religion in society, and the possibility of metaphysical knowledge. Immanuel Kant's life and work continue to be studied and celebrated for their lasting impact on philosophy and society. His emphasis on reason, morality, and the dignity of the individual make him one of the most significant figures in Western intellectual history.

3.2 KANTIAN DUTY ETHICS

Kantian Duty ethics, also known as deontological ethics, is a moral theory developed by philosopher Immanuel Kant. According to Kant, “morality is grounded in reason and the concept of duty.”⁴ Unlike consequentialist or teleological ethical theories that focus on

the outcomes or consequences of actions, Kantian Duty ethics emphasizes the intrinsic value of moral actions themselves. Central to Kantian Duty ethics is the concept of the categorical imperative, which serves as a principle for determining moral obligations. The categorical imperative is a universal moral law that applies to all rational beings. It requires individuals to act according to the maxim, or principle, that they can will to become a universal law.

Kant identified three formulations of the categorical imperative:

- **The Formula of Universal Law:** This formulation states that “individuals should act only according to the maxim that they can rationally will to become a universal law.”⁵ This means that moral actions must be guided by principles that could be universally adopted without contradiction. For example, lying would be morally wrong because if everyone were to lie, trust and communication would break down.
- **The Formula of Humanity:** According to this formulation, “individuals should always treat humanity (themselves and others) as an end in itself, never merely as a means to an end.”⁶ In essence, Human beings possess inherent worth and should not be used as a means for one's own purposes. This requires respecting others' autonomy, dignity, and rights.
- **The Kingdom of Ends:** This formulation posits that individuals should act as if they are a legislator in a kingdom of ends, where rational beings are treated as

both sovereigns and subjects. In this kingdom, moral laws are determined by the free and rational consent of all. This formulation emphasizes the importance of moral autonomy and the equal treatment of all individuals.

Kantian Duty ethics also places a strong emphasis on moral worth or moral duty rather than the consequences of actions. Actions are considered morally right or wrong based on whether they conform to the moral law, not based on their outcomes. This means that even if an action produces good consequences, if it violates moral principles, it is still considered morally wrong.

While Kantian Duty ethics provides a clear framework for moral decision-making and emphasizes the importance of rationality and universality, it has been subject to criticism. Some argue that the rigid adherence to moral rules may not always lead to the most beneficial outcomes or take particular circumstances into account. Others contend that Kantian ethics does not provide guidance on prioritizing conflicting moral duties.

Despite these criticisms, Kantian Duty ethics continues to be influential in moral philosophy and has shaped the development of modern ethical theories. Its emphasis on rationality, universal principles, and respect for the intrinsic value of individuals has had a significant impact on moral reasoning and the concept of moral duty.

3.3 TYPES OF IMPERATIVE

According to Immanuel Kant, imperatives can be classified into two main types: hypothetical imperatives and categorical imperatives.

3.3.1 Hypothetical Imperatives

Hypothetical imperatives are conditional in nature, meaning they depend on certain desires or goals. They are practical principles that guide actions towards achieving a desired end. Kant argued that hypothetical imperatives are subjective, as they are based on individual desires or personal inclinations. They can be formulated as "if-then" statements, where the desired end is stated as a condition for the action. For example:

- "If you want to lose weight, then you should exercise regularly."

- "If you want to succeed in your career, then you should work hard."

Hypothetical imperatives are based on prudence or self-interest and are contingent upon individual goals or desires.

3.3.2 Categorical Imperatives

Categorical imperatives, on the other hand, are universal and unconditional moral principles that apply to all rational beings, regardless of their desires or inclinations. They are objective and do not depend on individual goals or personal preferences. Categorical imperatives are based on reason and the idea of moral duty. They are absolute and binding, guiding actions based on their inherent moral worth, rather than the desired end.

Kant believed that categorical imperatives provide guidelines for actions that are morally right and universally applicable.

3.4 KANT ON MONOGAMOUS MARRIAGE

According to Kant, monogamy is the only form of marriage that is in line with moral duty and respect for human dignity. He believed that monogamy provides the most stable and morally appropriate framework for romantic relationships and the raising of children. Kant argued that a monogamous marriage is based on mutual respect, trust, and a commitment to each other's well-being, which he saw as essential for the development of moral character and a flourishing society.

For Kant, monogamous marriage is rooted in his moral theory of the categorical imperative. “The categorical imperative is a universal moral principle that determines the ethical value of an action based on its inherent moral worth rather than its consequences.”⁷ Kant believed that sexual relationships outside of monogamous marriage cannot be universalized without contradiction, and therefore, they are morally wrong. He saw any form of infidelity or promiscuity as a violation of the principles of respect, honesty, and trust that are necessary for a morally upright society. Kant argued that sexual relationships should be based on mutual consent, equal dignity, and the pursuit of moral duty, all of which he believed were best fulfilled within the context of monogamous marriage.

Kant's views on monogamous marriage are grounded in his broader ethical framework. He believed that moral duty is an objective and universal principle that applies to all rational beings. According to Kant, pursuing moral duty and acting in accordance with rational principles is the highest form of moral behavior. Kant's argument for monogamous marriage also reflects his understanding of the social order. He saw monogamy as essential for the stability of families, the upbringing of children, and the preservation of social harmony. According to Kant, a society that upholds monogamy is more likely to promote virtues such as fidelity, commitment, and responsibility, which are crucial for the well-being of individuals and the functioning of society as a whole.

It is important to note that Kant's views on monogamous marriage were rooted in the context of his time, which was influenced by societal norms and cultural values. His understanding of marriage and relationships may not align with contemporary understandings of diverse forms of partnerships and family structures.

Immanuel Kant argued that monogamous marriage is the only morally acceptable form of marriage based on his ethical theories and the principle of moral duty. He saw monogamy as essential for the development of moral character, the well-being of individuals, and the stability of society. Kant's views on monogamous marriage reflect his broader ethical framework and his belief in the objective and universal nature of moral duty. In the context of Kantian ethics, divorce can be seen as a morally complex issue. Kant believed

in the importance of moral duty and the pursuit of moral virtue, and he viewed marriage as a lifelong commitment based on mutual respect, trust, and the pursuit of moral duty.

3.5 DIVORCE AND ITS MORAL IMPLICATION IN THE LIGHT OF KANTIAN ETHICS

In the context of Kantian ethics, divorce can be seen as a morally complex issue. Kant believed in the importance of moral duty and the pursuit of moral virtue, and he viewed marriage as a lifelong commitment based on mutual respect, trust, and the pursuit of moral duty.

According to Kant, marriage is a moral duty that individuals undertake willingly and with full autonomy. He believed that marriage is based on the principles of respect, honesty, and loyalty, and it provides the foundation for the development of moral character. Kant emphasized that individuals have a moral duty to uphold their commitments and fulfill their obligations in marriage, as breaking those commitments would be a violation of the principles of honesty and respect. In this light, divorce can be seen as morally problematic from a Kantian perspective. Kant would argue that divorce is a violation of the moral duty to uphold one's commitments and fulfill one's responsibilities in marriage. It goes against the principles of respect, loyalty, and honesty that Kant saw as essential for a morally upright society.

However, it is important to note that Kant also recognized that there may be situations where divorce becomes necessary. Kant believed in the importance of individual autonomy and the pursuit of one's own happiness within the framework of moral duty. He acknowledged that there may be circumstances where a marriage becomes detrimental to the well-being and happiness of the individuals involved, and in such cases, divorce could be seen as a necessary means to preserve individual autonomy and well-being. Hence, Kant argued that divorce should only be considered as a last resort and should only be pursued after all possible avenues for reconciliation and improvement have been exhausted. He emphasized the importance of rational reflection and moral deliberation before making such a decision, ensuring that divorce is not taken lightly and is based on careful consideration of the moral implications involved.

From a Kantian perspective, divorce can be seen as a morally difficult decision, as it involves balancing the principles of individual autonomy and happiness with the moral duty to uphold commitments and fulfill responsibilities. While divorce may be seen as a morally necessary choice in some circumstances, it should be approached with a strong sense of moral duty and careful consideration of the implications it may have on individuals and society.

It is important to note that Kant's views on divorce were shaped by the societal norms and cultural values of his time. Contemporary understandings of divorce and its moral

implications may differ, taking into account the complexities of modern relationships, individual autonomy, and changing societal norms.

In conclusion, divorce has complex moral implications in the context of Kantian ethics. While Kant emphasized the importance of moral duty and commitment in marriage, he also recognized the need for individual autonomy and well-being. Divorce should be approached with careful consideration, taking into account the principles of moral duty and the pursuit of happiness.

ENDNOTES

1. P. Simons, (1980). "The Invisible Scars of Divorce: A Portrait of their Plan." *American Journal of Public Policy*, Vol. 21, No. 4
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3. T. Herber, *Divorce: A Moral Evaluation*, (Lexington: University of Lexington), p. 77
4. E. L. Anowai, *Marriage, Divorce and the Society*, (London: Hodder and Strenhton, 2011), p. 103
5. M. Htun, *Sex and the State: Abortion, Divorce, and the Family*, (Oxford: Oxford University Press, 1991), p. 68
6. G. S. Shoshana, 1993. *On the Economics of Marriage – A Theory of Marriage, Labor and Divorce*. (Boulder, CO: Westview Press., 1992), p. 123
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CHAPTER FOUR

EVALUATION, CONCLUSION AND RECOMMENDATIONS

4.1 EVALUATION

There have been various arguments for and against divorce; while some scholars have justified divorce, others see it as morally wrong. Let us consider the justification of divorce by some of these scholars:

Scholars in support of divorce maintained that while the statistics provoke alarm in the minds of many—from academics to politicians to religious leaders—they actually find that the concept of divorce can be quite liberating, especially if it can be done amicably. They maintained that “divorce as a first option is bad, that is a fact. But which would you rather have: parents who are divorced, but happier, or parents who are married, but constantly scream at each other?”¹ they argued that growing up in a household with two parents who don’t love each other, or downright hate each other, can’t be good for anyone. The way children are raised could affect how they behave in future, especially

towards their spouses. The way parents act when they are at bad terms is not healthy in any way for children.

Furthermore, they argued that instead of making children act the way parents did, why not save them the trouble and call it quits legally. Psychological studies show that the more parents fight over anything, the more damaging the whole process is to the children's growth. Proponents of divorce have also argued that sometimes, "despite our best efforts or intentions, things simply do not work out. Making divorce illegal and keeping people stuck in non-functional or dysfunctional relationships won't make the couple work harder. It will just make sure they are trapped in an abusive relationship with no escape."² People get married for many different reasons. Much as it might be sincere for some, it is not exactly the same for others. Someone may not show their true colours until after getting married, many years into a relationship. People get married for money, for prestige, for power and the moment situations change; their true colours are out in the open. Would you want to spend the rest of your life on this earth with such a person? While marriage is often religious, times change and the definition of marriage is evolving with time. There is no reason to treat marriage as it was 100 years ago.

Proponents of divorce also argued that not legalizing divorce would be to discourage couples from getting married in the first place, thereby aggravating the already staggering problem of unwed motherhood, and the resulting social and financial vulnerability of women and children. They further argued that the nation should be concentrating on ways

to reduce the economic stresses that experts say contribute both to the high divorce rate and to the rising number of children born to unmarried couples. Absent fathers should be required to live up to their child support obligations. But making it more difficult for people to escape a broken marriage seems cruel and counter-productive.

On the other hand, opponents of divorce have argued that divorce should never be an option for any married couple because the consequences are usually traumatic, emotionally for the family in general. Divorce should be illegal for marriage to be considered sacred. If people start a marriage with no option for divorce, they will always find a way to solve their differences. It should be noted that the whole essence of marriage is getting to learn your partner's flaws and finding ways to accommodate them. We are not supporting bad marriages but if we took time to analyze the reason for most divorces, we will find that somehow, something could have been done to save the marriage.

In line with the above, the late Dr. Judith S. Wallerstein, renowned divorce researcher, put it right by saying that "Divorce is a life-transforming experience. After divorce, childhood is different. Adolescence is different. Adulthood with the decision to marry or not and have children or not is different. Whether the outcome is good or bad, the whole trajectory of an individual's life is profoundly altered by the divorce experience."³

Furthermore, if not for anything, divorce should be discouraged for the sake of the children. Divorce doesn't only break couples but it entirely fractures the children's

wellbeing and stability for a lifetime. There is nothing as confusing for children as when their parents stay at different places. Children are usually caught up in the drama. At times one partner uses the children as a weapon to get to another.

Going further, divorce also leads to the high rate of single parenting and its related dangers to a child's growth, like lack of family values. I wish divorce was illegal so as to get rid of opportunists (people who marry others for material gains). This world has so many opportunists and they will stop at nothing, even if it means marrying someone, they don't love at all. For instance, someone gets married and after a month they are seeking divorce. When asked the reason, they argue irreconcilable differences. When you critically analyze the situation, you find that the person came into the marriage with nothing to their name but are walking away with someone else's hard-earned money.

Based on Lisa Duffy's publication "Escaping the dangers of the 'divorce culture,'" she stated that: "The culture of divorce poses itself as an oasis in the desert of pain and suffering, but in reality, it is the ultimate mirage... actually, more like a huge pit of quicksand. There are well-meaning people who congratulate you on your divorce, thinking that type of encouragement helps you feel better and the issue of the pain is avoided altogether. That is the first mistake, thinking that avoiding the pain is the way to heal, when addressing the pain is the real place to start."⁴

Finally, divorce should be made illegal so as not to give leeway to anyone who falls out of love with their partner just because they are infatuated with someone else.

4.2 CONCLUSION

First, divorce is a moral evil against one of the most basic foundations of human society created by God in the garden of Eden: marriage. It is contrary to the law of love set down by God.

"Marriage is honourable in all," says the Bible. Our Vedas, epics, and cultural rituals involved in a matrimonial ceremony have all made the "Union of two Souls" sacrosanct, believed to be attended and blessed by legions of our gods. We all know, marriage brings two families together, for a woman, in particular, it is a new life altogether. She has to leave behind her parents, siblings and home, start a new life, with a new man, often with a new name, in a new place, and in a new domestic set-up.

Woman is made to believe that her husband is an embodiment of God, the results of her good deeds and prayers, and a chosen boon from God,"⁵ as lyricist Acharya Attreyas put it in a film song. As time goes by, she has to accept new chores, new challenges as an expectant mother, new responsibilities as a mother, new roles as a mother-in-law, as a granny and nanny. Though some of the things said above are shared by man also, they mean everything and a lot for woman. If everything in their married life goes well, man and woman feel that they are under an ever-green bower, on a rain bow, on cloud nine. But, alas, when the holy knot is torn, when the promises made at the marriage are broken, when the couple come under the evil spell of fairies, man and woman are constrained to part ways, live their lives separately. When the couples are celebrities, they become

willy-nilly the talk of the town, a hot topic of debate, remain in focus, as long as Tom, Dick and Harry have steam to debate their separation or divorce threadbare, and find sadistic pleasure in the topic.

In these days and times of electronic media, the unfortunate couples and their ill-fated marriages have become a commodity for TV channels in particular who make money in the form of debates and discussions with commercial breaks on an hourly and daily basis! The point here is that is it right and proper to debate divorces in a TV channel or on a public platform for commercial purposes? What social and moral purpose does it serve? Do the separated people need it? It goes without saying that in a democracy, the press and the electronic media play a vital role in the interest of people and for the society as a whole.

TV channels have enormous hold on the general public in moulding and influencing their views, opinions, and decisions. That is why most political parties either own them or buy their space and time by hook or crook. Nothing wrong when these channels discuss and debate issues like corruption among politicians and officials, nepotism, casteism, unemployment, and et al. But these media arms have no right or locus standi to debate private and personal issues like a divorce in a family.

We all know that for some people, marriage, like life, is a boon and a blessing, and for some others, it is a bane, or a curse. When a marriage becomes a debacle, many people in our homes suffer silently, but some others pick up guts to face the situation squarely and

to seek ways and means to come out of such a trying and painful "wedlock"! It is purely a personal choice as far as the star-crossed couple is concerned, because such separation often leaves deep wounds and causes unbearable trauma to the couple and to their kith and kin.

Hence in our civilized societies, we have means to handle such divorce issues gingerly and our courts follow all niceties, and social etiquette and settle the matter mostly in camera. When viewed against this backdrop, don't our debates and discussions about divorces on our TV channels look crude, uncivilized, unacceptable? They do not serve any social purposes, let alone patching up the rift between the couples. They of course definitely fill the coffers of some channels and boost their ratings. Therefore, personally I feel that such debates are like adding insult to injury for the unfortunate couples. However, it is left to the sheer discretion of our channels whether or not to indulge in such unnecessary, avoidable, unethical, purposeless debates on divorces.

Finally, much as divorce seems like the best decision to make sometimes, it is not easy; one has to stop obsessing about the bad things that were done to them by their spouse during marriage and focus more on building a better future for the new family or already existing family.

ENDNOTES

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