

## THESIS ABSTRACT

Master of Arts in Missiology

Adventist University of Africa

Theological Seminary

Title: *TALAQ* AND ITS SOCIAL-RELIGIOUS IMPACT AMONG THE SOMALIS  
IN NAIROBI WEST, KENYA: IMPLICATIONS FOR MISSION

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This study examines the administration of *talaq* and its socio-religious impact among the Somali Muslim community in Nairobi West, Kenya, with particular attention to the experiences of divorced women. Using an interpretive phenomenological design, the research explores perceptions of divorce, its socio-economic and religious consequences, and its influence on Christian mission engagement.

Data were collected through in-depth interviews and focus group discussions. Findings reveal that *talaq* contributes to gendered vulnerability, social stigma, and economic instability, while also shaping attitudes toward faith and religious institutions. The study proposes a culturally sensitive mission strategy grounded in critical contextualization and Christ's method of compassionate engagement. These insights offer pathways for holistic ministry among Somali Muslim divorcees.

Keywords: *talaq*, Somali Muslims, divorce, Nairobi West, socio-religious impact, phenomenology, missiology, gender, Shafi'i jurisprudence, mission strategy, Christian-Muslim engagement.

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A thesis

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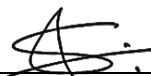
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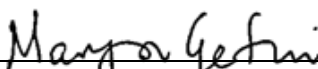
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## LIST OF ABBREVIATIONS

GCAMR: General Conference Adventist Muslim Relations

FDW: Female Divorced Woman

RLI: Religious Leader Imam

MCL: Male Community Leader

FCL: Female Community Leader

AMCDM: Adult Male Child of a Divorced Mother

AFCDM: Adult Female Child of a Divorced Mother

# CHAPTER 1

## INTRODUCTION

### **Background of the Study**

In Islam, marriage is viewed as a sacred institution defined by the teachings of the Qur'an and ahadith which form the basis of Islamic Sharia. This includes *talaq* (divorce) as one of the acceptable practices. This norm is based on the fact that according to Islamic teachings, marriage is a contract (*nikah*) rather than a sacrament, where *talaq* serves as a last resort when reconciliation proves impossible.<sup>1</sup> The practice of *talaq* allows for divorce through a formal pronouncement by the husband, who can initiate the process under specific circumstances and guidelines.<sup>2</sup>

However, the impact of *talaq* has generated discussions, especially concerning gender dynamics, as women often face social stigmas, financial hardships, and limited legal recourse post-divorce.<sup>3</sup> The Muslim community is diverse, and variations in the practice of *talaq* occur according to region, culture, and local interpretations of Sharia.<sup>4</sup> Researchers have raised questions about the fairness and implications of this

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<sup>1</sup> Jamal J. Nasir, *The Islamic Law of Personal Status*, 3rd rev. and updated ed. (Leiden, Netherlands: Brill, 2009), 44-82.

<sup>2</sup> Ibid.

<sup>3</sup> Ziba Mir-Hosseini, *Marriage on Trial: A Study of Islamic Family Law* (London: Bloomsbury Academic, 1997), 115-130.

<sup>4</sup> John L. Esposito, *Women in Muslim Family Law* (Syracuse, NY: Syracuse University Press, 1982), 1-3.

practice on women and children, making it a pertinent issue in religious, and social discourses globally.<sup>5</sup>

The Qur'an provides detailed guidelines on divorce, emphasizing fairness, waiting periods, and the importance of seeking reconciliation. In Surah Al-Baqarah 2:226-232, the Qur'an addresses the required waiting period (*idda*) after the pronouncement of divorce, a time intended to facilitate reconciliation and verify whether the wife is pregnant.

Surah At-Talaq 65:1-7 further instructs Muslims to treat women fairly during the divorce process, mandating that financial support and provisions be made for them during and after *iddah*.<sup>6</sup> The Qur'an also encourages mediation, as seen in Surah An-Nisa 4:35, where family members are advised to help reconcile spouses before proceeding with divorce.<sup>7</sup>

Hadith literature supports these guidelines, stressing that divorce should not be undertaken lightly. The Prophet Muhammad stated, "Of all the lawful acts, the most detestable to Allah is divorce," indicating that while talaq is permissible, it is discouraged and should only be a last resort.<sup>8</sup> Additional ahadith discuss conditions under which talaq can be pronounced, emphasizing intentionality and forbidding hasty decisions made in anger.<sup>9</sup> These teachings highlight that talaq must be

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<sup>5</sup> Nasir, *The Islamic Law of Personal Status*, 106-136.

<sup>6</sup> Abdullah Yusuf Ali, trans., *The Qur'an: Text, Translation and Commentary* (Brentwood, MD: Amana Publications, 2004), 65:1-7. (Unless otherwise noted, all Qur'anic quotations are taken from Ali).

<sup>7</sup> Qur'an 4:35.

<sup>8</sup> Abū Dāwūd Sulaymān ibn al-Ash'ath al-Azdi al-Sijistani, *Sunan Abī Dāwūd*, trans. Ahmad Hasan (Lahore, Pakistan: Sh. Muhammad Ashraf, 1990), 2:608, ḥadīth no. 2178.

<sup>9</sup> Sunna.com, "The Book of Divorce," book 18, Hadith 45, *Ṣaḥīḥ Muslim* 1480a, accessed November 27, 2024, <https://sunnah.com/muslim:1480a>.

approached with justice and compassion, especially given its potential impact on families and communities.

In countries like Kenya, Uganda, and Tanzania, the practice of *talaq* among Muslims is legally recognized to some extent but often exists alongside secular legal frameworks, creating complex situations where religious laws intersect with national family laws.<sup>10</sup> The East African Muslim community is predominantly Sunni, and there is a cultural intertwining of religion and traditional customs.<sup>11</sup>

Islamic teachings provide ways for married people to exercise divorce. In Kenya, where the Constitution recognizes the application of the *Muamalat* sharia (Muslim law for personal matters and social interaction), *talaq* practices are generally left to the discretion of the Kenyan *Kadhi's* court, even when they may conflict with national legal standards on divorce and women's rights.<sup>12</sup>

Issues such as the rights of divorced women, custody of children, and societal treatment of divorced individuals vary, with women typically experiencing significant challenges post-divorce. Accad has critiqued these practices for inherent gender biases, noting that women may find themselves at a socio-economic disadvantage following divorce.<sup>13</sup> In addition, social norms within these communities strongly

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<sup>10</sup> Jamil Ddamulira Mujuzi, "The Islamic Law of Marriage and Inheritance in Kenya," *Journal of African Law* 65, no. 3 (October 2021): 377-401.

<sup>11</sup> John R. Bowen, *Islam, Law, and Equality in Indonesia: An Anthropology of Public Reasoning* (Cambridge: Cambridge University Press, 2003), 3-21.

<sup>12</sup> National Council for Law Reporting (Kenya Law), "Republic v Kadhis Court Nairobi & 2 Others Ex Parte T L [2018] KEHC 9004 (KLR)," accessed November 27, 2024, <https://new.kenyalaw.org/akn/ke/judgment/kehc/2018/9004/eng@2018-01-25>.

<sup>13</sup> Evelyne Accad, "Sexuality and Sexual Politics: Conflicts and Contradictions for Contemporary Women in the Middle East," in *Third World Women and the Politics of Feminism*, ed. Chandra Talpade Mohanty, Ann Russo, and Lourdes Torres (Bloomington, IN: Indiana University Press, 1991), 237-250.

influence adherence to religious practices, making this a highly relevant issue for missiologists and religious scholars engaging with these communities.<sup>14</sup>

The Somali community in Nairobi West, a suburb of Nairobi, is predominantly Muslim, adhering to Islamic laws and traditions. As a close-knit community, the Somali population places a high cultural and religious value on family and marriage. However, the practice of *talaq* among Somalis in Nairobi West mirrors the broader issues faced by East African Muslim communities, where social-religious implications of divorce are prevalent.<sup>15</sup>

The Somali community is relatively insular, and divorced women often experience social marginalization and economic instability due to limited support systems and cultural dynamics. In many cases, *talaq* is pronounced unilaterally by husbands, with women having limited avenues for recourse, affecting their personal autonomy and social standing. This localized issue also has broader missiological implications for Christian outreach in such communities, as understanding the social challenges faced by Somali women can provide valuable insights into the community's spiritual and practical needs.<sup>16</sup>

In conclusion, on one hand, the administration of *talaq* within communities such as the Somali population in Nairobi West has profound implications for interfaith engagement, particularly in the context of Christian mission work and dialogue. On the other hand, challenges faced by Somali women and families affected by divorce create opportunities for missiological engagement.

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<sup>14</sup> Jesse N. K. Mugambi, *Christianity and African Culture* (Nairobi, Kenya: Acton Publishers, 2002), 136-138.

<sup>15</sup> Farhan Samanani, *Belonging on the Move: The Question of Clan amongst Somali Migrants*, IMI Working Paper 86 (Oxford: International Migration Institute, University of Oxford, 2014), 12.

<sup>16</sup> Fulera Issaka-Toure and Ousseina D. Alidou, "Introduction: Current Perspectives on Islamic Family Law in Africa," *Islamic Africa* 11, no. 2 (2021): 153-62.

An understanding of *talaq* allows for culturally sensitive approaches to witness, aligning Christian teachings on issues related to gender equity, family stability, and community welfare. This study seeks to establish the socio-religious implications cause by *talaq* and its effect in sharing the gospel among the community member, especially among the Somali women in Nairobi West. This helps the researcher to identify practical ways of doing a mission among the divorcees.

### **Statement of the Problem**

The administration of *talaq* within the Somali Muslim community in Nairobi West, Kenya, presents significant socio-religious challenges, especially for women who often face marginalization, economic hardship, and limited social support following divorce. Although *talaq* is sanctioned by Islamic law as a means to resolve marital conflicts, its practice raises issues related to gender equity, family stability, and community welfare.

This study investigates the socio-religious consequences of *talaq*, particularly as experienced by Somali women, and evaluates its missiological implications for gospel outreach within the community. The findings helped the researcher to identify practical strategy for mission engagement among divorced women.

### **Purpose of the Study**

Focusing on the Somali community in Nairobi West, Kenya, this study formulates a missiological strategy that responds to the socio-religious consequences of *talaq*. It begins by examining the practice and impact of *talaq* as a foundational step in shaping this mission approach.

### **Significance of the Study**

This research is significant in the following ways, first, the researcher gains a deeper understanding of the phenomenon. Second, the research it is a contribution to the body of knowledge and can be used by future researchers as a reference point, particularly those who may be carrying out research among the Somali people group on *Talaq*.

Third, the findings provide valuable knowledge to both missionaries, local pastors, and churches working among the Somali community. This research enables the development of a missiological strategy that can serve as a blueprint for reaching this community with the gospel, particularly addressing the needs of women.

### **Limitation**

This study faced certain limitations that influenced its scope and outcomes. First, as a Christian (Adventist) female researcher studying a predominantly Muslim population, cultural and religious differences affected participants' willingness to engage openly. Second, the limited time frame for conducting this research restricted the depth of data collection and analysis, making it challenging to capture a comprehensive understanding of *talaq* practices.

Finally, the sensitive nature of the topic posed challenges in accessing key participants, such as divorced women and religious leaders, who were reluctant to discuss personal or contentious issues. Nonetheless, the researcher identified and recruited Muslim research assistants (a male and a female) to help in data collection process.

## **Delimitation**

Even though population of Somalis has a global footprint and in particular across Kenya and Somalia, this study was delimited to the Somali Muslim community in Nairobi West, Kenya. Somalis largely belong to the Sunni sect. Even though the Sunni sect has four main schools, that is, Hanbali, Hanafi, Maliki, and Shafi'i, the researcher focused on the Shafi'i school of jurisprudence, the predominant legal framework among Somalis.<sup>17</sup>

Therefore, the study did not explore divorce practices among other Muslim or non-Muslim populations, nor did it address variations in *talaq* across other Islamic sects or schools of thought. The implications of *talaq*, particularly among the Muslim female are vast, however, the research focused more on the socio-religious implications to the victims.

## **Research Questions**

The study was guided by the following research questions:

1. What are the prevailing perceptions of divorce among Somali Muslims in Nairobi West?
  - a. How do Somali cultural norms influence these perceptions?
  - b. How does Islamic teaching shape their understanding of *talaq*?
2. What is the biblical-theological understanding of marriage?
3. What are the socio-economic and religious impacts of *talaq* on affected individuals, particularly women and children?
4. In what ways has the practice of *talaq* influenced Christian mission efforts and gospel engagement within the Somali community?

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<sup>17</sup> Gofran Abdulrahman Al-Absi, *Comparative Review of Muslim Family Laws in the Greater Horn of Africa Region* (Kuala Lumpur, Malaysia: Musawah, 2024), 7.

5. What culturally sensitive mission strategy can be developed to engage and support individuals affected by *talaq*?

### **Expectations**

The study was expected to provide a comprehensive understanding of *talaq* within the context of the Somali community, revealing the complexities surrounding its practice and its impact on the social and religious life of believers. It also aimed to contribute to the development of a culturally relevant missiological strategy that addressed the social challenges associated with *talaq*.

### **Research Methodology**

The study adopted a qualitative research method to explore the administration of *talaq* and its socio-religious impact among the Somali Muslim community in Nairobi West, Kenya. The qualitative research method was particularly suited for this study because it allowed for an in-depth understanding of participants' lived experiences, cultural practices, and social dynamics.<sup>18</sup>

### **Research Design**

This study employed an interpretive phenomenological research design to explore the lived experiences of individuals affected by *talaq* within the Somali Muslim community. By focusing on personal narratives and meanings attributed to divorce, this approach provided deep insights into the socio-religious impact of *talaq*

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<sup>18</sup> John W. Creswell and J. David Creswell, *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*, 6th ed. (Los Angeles, CA: SAGE Publications, 2022), 45-68.

and contributed to the development of contextually informed missiological strategies.<sup>19</sup>

## **Population of Study**

The target population for this study comprises divorced Somali Muslim adult's women residing in Nairobi West, Nairobi, Kenya. Although there is no official breakdown in the Kenya National Bureau of Statistics data specific to divorced Somali Muslims in Nairobi West, broader demographic data help contextualize the population base.

According to the 2019 Kenya Population and Housing Census, Nairobi's total population was estimated at 4,397,073 people.<sup>20</sup> Among Kenyan residents, ethnic Somalis account for approximately 2,780,502 persons nationwide, making them the sixth-largest ethnic group in Kenya.<sup>21</sup> In the urban areas of Nairobi, Somali communities are concentrated in neighborhoods such as Eastleigh and other high-density residential zones, with many engaged in trade and business.<sup>22</sup>

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<sup>19</sup> John W. Creswell and Cheryl N. Poth, *Qualitative Inquiry and Research Design: Choosing among Five Approaches*, 4th ed. (Thousand Oaks, CA: SAGE Publications, 2018), 75-83.

<sup>20</sup> Kenya National Bureau of Statistics, *2019 Kenya Population and Housing Census*, vol. 1, *Population by County and Sub-County* (Nairobi, Kenya: Kenya National Bureau of Statistics, 2019), 28, accessed March 2, 2026, <https://www.knbs.or.ke/wp-content/uploads/2023/09/2019-Kenya-population-and-Housing-Census-Volume-1-Population-By-County-And-Sub-County.pdf>.

<sup>21</sup> Kenya National Bureau of Statistics, *2019 Kenya Population and Housing Census*, vol. 4, *Distribution of Population by Socio-Economic Characteristics* (Nairobi, Kenya: Kenya National Bureau of Statistics, 2019), accessed March 2, 2026, <https://www.knbs.or.ke/wp-content/uploads/2023/09/2019-Kenya-population-and-Housing-Census-Volume-4-Distribution-of-Population-by-Socio-Economic-Characteristics.pdf>.

<sup>22</sup> Rift Valley Institute, *Eastleigh and Beyond: The Somali Factor in Urban Kenya*, PDF file, June 2018, <https://riftvalley.net/wp-content/uploads/2018/06/RVI-Nairobi-Forum-Eastleigh-Meeting-Report-September-2014.pdf>.

Within Nairobi West, the population density is high and the area supports a mixed residential profile.<sup>23</sup> Although precise records on divorced Somali Muslims in Nairobi West are lacking, key informants from local mosques, community organizations, and Kadhi's Court estimate that divorce is a non-negligible phenomenon within the community. Based on these estimates and proportional distribution, it is assumed that the pool of divorced Somali Muslims in Nairobi West ranges between approximately 700 and 1,400 individuals.<sup>24</sup> This estimated population frame thus provides the context from which the purposive sample of twelve participants was drawn.

### **Sample Size and Sampling Technique**

This study employed purposive sampling, a strategy well-suited for qualitative research aimed at understanding lived experiences from participants who are particularly knowledgeable or experienced with the phenomenon being studied. Specifically, two types of purposive sampling were used in this study: Homogeneous purposive sampling was applied in selecting participants for the focus group discussion with divorced women. This approach facilitates the exploration of shared experiences among individuals with similar characteristics and is particularly useful for identifying collective meanings and communal patterns of interpretation.

Heterogeneous purposive sampling was used for individual interviews with religious leaders, community elders, and adult children of divorced women. This approach was seeking to include diverse perspectives from participants with varied

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<sup>23</sup> Nairobi City County, *County Integrated Development Plan 2023-2027*, PDF file, March 2023, <https://nairobiassembly.go.ke/ncca/wp-content/uploads/paperlaid/2023/NAIROBI-CITY-COUNTY-INTEGRATED-DEVELOPMENT-PLAN-FOR-2023-2027-1.pdf>.

<sup>24</sup> Kenya National Bureau of Statistics, *2019 Kenya Population and Housing Census*, vol. 4, *Distribution of Population by Socio-Economic Characteristics*, 45-47.

roles and experiences to provide a more comprehensive understanding of *talaq* and its socio-religious implications.

A total of twelve participants were included in the study, selected based on their relevance to the research objectives and their firsthand experience or involvement with *talaq*. The sample included: six divorced women (focus group discussion), two religious leaders (imams), two community elders or opinion leaders (one male and one female), and two adult children of divorced women (one male and one female). This sample size was consistent with qualitative phenomenological studies, which emphasize depth over breadth and rely on data saturation rather than statistical generalization.<sup>25</sup>

### **Participant Selection Criteria**

To ensure the relevance and richness of data, the following inclusion criteria guided participant recruitment: **Divorced Women (Focus Group):** Somali Muslim women residing in Nairobi West, Kenya. Must have experienced *talaq* at least one year before the study. Aged 25 years or older. Willing and able to participate in Kiswahili or Somali. **Religious Leaders (Imams):** Active religious leaders (imam or sheikh) within the Somali Muslim community of Nairobi West. Involved in officiating or advising on Islamic divorce matters. At least five years of leadership experience.

**Community Elders or Opinion Leaders:** Recognized for involvement in family or marital dispute resolution. Must have participated in *talaq*-related cases or advisory roles in the community. **Adult Children of Divorced Women:** Aged 18 years or older. Raised by or closely lived with a divorced mother following *talaq*. Able to reflect

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<sup>25</sup> Creswell and Poth, *Qualitative Inquiry and Research Design*, 155-158.

meaningfully on personal and social experiences related to parental divorce. These criteria helped to ensure that participants are able to provide in-depth, contextually grounded insights into the phenomenon under study.<sup>26</sup>

### **Data Collection Methods**

Data were collected through in-depth interviews and focus group discussions. The researcher used a recorder to capture the data. The interviews and discussions were primarily conducted in Kiswahili, which is commonly used in Nairobi and facilitated clear communication and accurate responses. However, in cases where a participant was not proficient in Kiswahili, the researcher employed a translator or research assistant fluent in both the participant's preferred language (e.g., Somali or Arabic) and Kiswahili/English to ensure effective communication.

To ensure accuracy and semantic equivalence, all interview guides were developed in English, translated into Kiswahili, and then back-translated into English. The same process was applied to other languages used during data collection. This approach ensured that participants could express themselves comfortably and accurately, thereby enhancing the reliability and inclusivity of the data collection process while maintaining consistency in analysis.

Data were collected using the following methods:

**In-depth interviews.** Semi-structured interviews were conducted with divorced women, religious leaders, and community elders.<sup>27</sup> These interviews

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<sup>26</sup> Sharan B. Merriam and Elizabeth J. Tisdell, *Qualitative Research: A Guide to Design and Implementation*, 4th ed. (San Francisco: Jossey-Bass, 2016), 96-99.

<sup>27</sup> Marjorie Silverman, "Filming in the Home: A Reflexive Account of Microethnographic Data Collection with Family Caregivers of Older Adults," *Qualitative Social Work* 15, no. 4 (July 1, 2016), 570-84.

explored participants' understanding of *talaq*, their experiences, and its social and religious implications.

**Focus group discussions.** A focus group was organized specifically for divorced women to capture collective perspectives on *talaq*. This method encouraged interaction among participants and revealed shared beliefs, personal experiences, and prevailing social norms related to divorce within the community.

### **Data Analysis**

The data collected through interviews and focus groups were transcribed and translated into English. The data were then analyzed manually in a thematic manner. This method involved a systematic process of identifying, organizing, and interpreting patterns or themes within the data. The manual approach ensured that the researcher remained deeply engaged with the data, allowing for nuanced insights and interpretations. The analysis proceeded as follows:

**Data familiarization.** The researcher thoroughly read and reviewed all interview transcripts, focus group notes, and observation records to gain a comprehensive understanding of the content. Initial impressions and observations were documented to guide the coding process.

**Coding.** The researcher highlighted key phrases, ideas, or statements in the data that corresponded to specific research questions or objectives. Codes were assigned to these segments, representing recurring themes such as gender dynamics, social stigma, and religious authority.

**Theme development.** Related codes were grouped into broader themes, reflecting underlying patterns or relationships in the data. For example, codes related to economic challenges and limited legal recourse formed the theme post-divorce challenges.

**Categorization and organization.** Themes were organized into categories aligning with the study's focus areas, such as social implications, religious perspectives, and missiological strategies. Data excerpts were grouped under these categories to provide evidence for each theme.

**Interpretation and synthesis.** The researcher interpreted the themes in light of the study's research questions, drawing connections between the cultural, social, and religious dynamics of *talaq*. Key findings were synthesized into a narrative format to provide an in-depth understanding of the socio-religious implications of *talaq* within the Somali community.

The manual analysis allowed for flexibility and a close examination of the data, ensuring that subtle insights and contextual nuances were captured. Triangulation was applied by cross-checking themes across data sources (e.g., interviews and focus group discussions) to enhance the validity and reliability of the findings.<sup>28</sup>

### **Ethical Considerations**

Given the sensitive nature of the topic, strict ethical guidelines were observed to protect participants' rights and ensure the integrity of the research. The study received ethical approval from the Adventist University of Africa (AUA) Research Ethics Committee, and an official Ethical Clearance Certificate was issued to authorize the study. This certificate confirmed that the research complied with the institution's guidelines for ethical conduct, including the following:

**Informed consent.** Participants received clear information about the study's purpose, procedures, and potential risks or benefits in their preferred language—

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<sup>28</sup> Creswell and Poth, *Qualitative Inquiry and Research Design*, 259.

Kiswahili, Somali, or Arabic. Translation or interpretation was provided as needed to ensure understanding. Consent, written or verbal, was obtained only after confirming full comprehension and voluntary agreement to participate.<sup>29</sup>

**Confidentiality.** All personal information and data collected were anonymized and securely stored to protect participants' identities.<sup>30</sup>

**Cultural sensitivity.** The research respected Islamic and Somali cultural norms. Gender-sensitive approaches, such as using female researchers for interviews with women, were employed where necessary.<sup>31</sup>

**Voluntary participation.** Participation was entirely voluntary, with participants free to withdraw at any time without consequences.<sup>32</sup>

### **Definition of Terms**

*Hadith:* Refers to the recorded sayings, actions, and approvals of the Prophet Muhammad.<sup>33</sup> (Ahadith, plural)

*Iddah:* Is the waiting period a Muslim woman must observe after divorce or the death of her husband before she can remarry.<sup>34</sup>

*The Shafi'i school:* Is one of the four major Sunni Islamic schools of jurisprudence.<sup>35</sup>

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<sup>29</sup> Adventist University of Africa, *Sample Consent Form for Qualitative Research*, PDF file, September 2023, <https://www.aua.ac.ke/wp-content/uploads/2023/09/Sample-Consent-Form-Qualitative-Research-1.pdf>.

<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

<sup>32</sup> Ibid.

<sup>33</sup> Jonathan A. C. Brown, *Hadith: Muhammad's Legacy in the Medieval and Modern World*, 2nd ed. (London: Oneworld Publications, 2017), 11.

<sup>34</sup> Nasir, *The Islamic Law of Personal Status*, 137.

<sup>35</sup> Ibid., 134.

Socio-religious impact: Refers to the effects of religious practices and beliefs on the social behaviors, norms, and structures within a community.<sup>36</sup>

*Sunni Muslims*: Are the largest group within Islam, making up about 85-90% of the global Muslim population.<sup>37</sup>

*Talaq*: Refers to divorce in Islamic law, defined as a unilateral repudiation of the wife by the husband that does not require the wife's consent.<sup>38</sup>

### Summary

This chapter has discussed the following, the background of the study, the statement of the problem identified the socio-religious challenges *talaq* poses, especially for women. The purpose of the study, significance, limitations, delimitations, research questions, expectations, and research methodology. The chapter provide a roadmap for an in-depth examination of how *talaq* impacts Somali families to aid in understanding how the church can share the gospel of Christ among the people.

### Chapter Outline

Chapter 1 gives the introduction of the study as begun above. Chapter 2 examines the biblical and theological perspectives on marriage and divorce, considering Christian teachings. Chapter 3 consecutively, provides a comprehensive exploration of *talaq* (Islamic divorce) through a review of literature, focusing on Islamic perspectives and Chapter 4 delves into the Methodology of this study. Chapter

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<sup>36</sup> Bryan S. Turner, *Religion and Social Theory*, 2nd ed. (London: Sage Publications, 1991), 121-126.

<sup>37</sup> Ira M. Lapidus, *A History of Islamic Societies*, 3rd ed. (Cambridge: Cambridge University Press, 2014), 82.

<sup>38</sup> Nasir, *The Islamic Law of Personal Status*, 59-60.

5 analyses the data and develop a strategy to reach Somali Muslim women affected by *Talaq* with the gospel in Nairobi West, Kenya. Finally, chapter 6 gives the summary, conclusion and recommendations.

## CHAPTER 2

### BIBLICAL-THEOLOGICAL FOUNDATION OF MARRIAGE: IMPLICATIONS ON DIVORCE

This chapter examines the biblical and theological perspectives on marriage and divorce, considering Christian teachings. The chapter, further discusses both the Old and New Testament perspectives on Divorce. Ellen G. White’s writings also are examined. The chapter also discusses works of contemporary Christian scholars, on the subject matter. By exploring these perspectives, the chapter provides a theological foundation to evaluate divorce from a Christian perspective.

#### **Old Testament Perspective on Marriage and Divorce**

In ancient Israel, marriage was viewed as a sacred covenant, deeply rooted in social and religious practices. Divorce was not the preferred option but was permitted through regulated by laws that sought to balance the patriarchal structure of society with ethical considerations for the vulnerable, particularly women.<sup>1</sup>

#### **Divorce and Remarriage in Ancient Israel**

While divorce was permitted under Mosaic Law, it was neither encouraged nor treated lightly. The primary legal text governing divorce in ancient Israel is found in Deuteronomy 24:1–4, which regulates both the grounds and process of divorce. This legislation reflects the broader ethical and theological vision of the Israelite

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<sup>1</sup> Pnina Lahav, “The Status of Women in Israel—Myth and Reality,” *The American Journal of Comparative Law* 22, no. 1 (1974): 107.

community, in which marriage was a sacred institution requiring regulation to prevent abuse and maintain social order.

**Deuteronomy 24:1-4: The legal foundations.** The text states,

If a man marries a woman who becomes displeasing to him because he finds something indecent about her, and he writes her a certificate of divorce, gives it to her and sends her from his house,<sup>2</sup> and if after she leaves his house she becomes the wife of another man,<sup>3</sup> and her second husband dislikes her and writes her a certificate of divorce, gives it to her and sends her from his house, or if he dies,<sup>4</sup> then her first husband, who divorced her, is not allowed to marry her again after she has been defiled. That would be detestable in the eyes of the LORD. Do not bring sin upon the land the LORD your God is giving you as an inheritance. (NIV)

This passage serves as the foundational legal framework for the regulation of divorce in ancient Israel. It centers on the requirement that a man issue a written certificate of divorce (Heb. *sefer keritut*) when dismissing his wife, thereby providing legal clarity and rights to the woman.

**The purpose of the certificate of divorce.** The requirement of a written certificate represented a significant legal development in ancient Israelite society. According to Davidson, “the certificate served as a legal document to protect the woman, allowing her the freedom to remarry and ensuring she was not treated as property.”<sup>2</sup> Davidson emphasizes that this legal formality prevented arbitrary dismissals and reflected a concern for justice.

Wright further observes that “the provision for a written certificate was unique compared to other ancient Near Eastern societies, where women often lacked such protections.”<sup>3</sup> In a patriarchal culture where economic and legal dependency upon male guardians was the norm, this law functioned as a safeguard against exploitation.

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<sup>2</sup> Richard M. Davidson, *Flame of Yahweh: Sexuality in the Old Testament* (Peabody, MA: Hendrickson Publishers, 2007), 388. Unless otherwise noted, all Scripture quotations are taken from the English Standard Version (ESV). Other Bible versions are specifically identified when used.

<sup>3</sup> Christopher J. H. Wright, *Old Testament Ethics for the People of God* (Downers Grove, IL: IVP Academic, 2004), 328.

Henry expands on this noting by stating that without a written document, a woman could be dismissed without proof of her marital status, making remarriage difficult.<sup>4</sup> The certificate not only released the woman legally from the first husband but also preserved her dignity by restricting a man's power to dismiss his wife at will. Thus, the law regulated male authority by formalizing divorce procedures, reinforcing that women were not mere property to be discarded. As Henry puts it, "this provision ensured dignity, preventing women from being treated as mere property that could be discarded at will."<sup>5</sup>

**The meaning of "some indecency" (ervat davar).** A key phrase in the text *ervat davar* ("some indecency") is deliberately ambiguous. Keil and Delitzsch note that this vagueness led to rabbinical debates regarding the grounds for divorce.<sup>6</sup> The ambiguity may have been intentional to leave room for interpretive judgment by the community or elders. However, its imprecision also opened the door to divergent views on permissible reasons for divorce, as seen in later Jewish tradition.

**Remarriage restrictions and legal integrity.** Deuteronomy 24:4 forbids a man from remarrying his former wife if she has married another man after the divorce. This restriction underscores the sanctity of marriage and the seriousness of divorce. Wenham and Walton suggest that "this regulation was intended to prevent legal manipulation, where husbands could repeatedly take back and divorce wives."<sup>7</sup>

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<sup>4</sup> Matthew Henry, *Matthew Henry's Commentary on the Whole Bible*, vol. 1, *Genesis to Deuteronomy* (Peabody, MA: Hendrickson, 1996), 202.

<sup>5</sup> Ibid.

<sup>6</sup> C. F. Keil and F. Delitzsch, *Commentary on the Old Testament*, vol. 1, *The Pentateuch* (Grand Rapids, MI: Eerdmans, 1982), 919.

<sup>7</sup> Gordon J. Wenham and John H. Walton, *Exploring the Old Testament: A Guide to the Pentateuch* (Downers Grove, IL: InterVarsity Press, 2003), 192.

Keil and Delitzsch argue that “this clause discourages hasty divorces by ensuring that such actions have permanent consequences.”<sup>8</sup> Likewise, Kaiser contends that “the prohibition served to promote social stability and ensure that marriage was not treated casually.”<sup>9</sup> The finality embedded in this clause reflects a broader concern for ethical conduct and family integrity in the covenant community.

**Theological and social rationale behind the regulation.** The prohibition against remarriage to a previous spouse after an intervening marriage also had moral and theological dimensions. Jones suggests that “the regulation aimed to preserve the sanctity of marriage, preventing marital relationships from being treated casually.”<sup>10</sup> The law upheld marriage as a covenantal relationship rather than a contractual convenience.

Moreover, Walton states that “the provision promoted community order by stabilizing family structures and ensuring that divorce did not become a tool for exploitation.”<sup>11</sup> This indicates that the law was not merely about individual rights, but about preserving communal integrity and divine order within Israelite society.

**Comparative insight.** In contrast to surrounding cultures, the Israelite legal tradition offered a relatively advanced system for regulating divorce. As Wright notes, “in patriarchal Israelite society, this law offered some protection to women, who were often economically dependent on their husbands.”<sup>12</sup> The requirement for formal

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<sup>8</sup> Keil and Delitzsch, *Commentary on the Old Testament*, vol. 1, *The Pentateuch*, 920.

<sup>9</sup> Walter C. Kaiser Jr., *Toward Old Testament Ethics* (Grand Rapids, MI: Zondervan, 1983), 187.

<sup>10</sup> David W. Jones, “The Betrothal View of Divorce and Remarriage,” *Bibliotheca Sacra* 165, no. 657 (January-March 2008): 68-85.

<sup>11</sup> John H. Walton, *Ancient Israelite Literature in Its Cultural Context* (Grand Rapids, MI: Zondervan, 1990), 99.

<sup>12</sup> Wright, *Old Testament Ethics for the People of God*, 328.

documentation and the restrictions on remarriage functioned as checks on male authority and helped prevent social abuses common in neighboring civilizations.

### **Causes of Divorce in Ancient Israel**

The text state, "*if she finds no favor in his eyes because he has found some indecency in her*" (*'ervat dabar*) in Deuteronomy 24:1 (NIV). This phrase, "some indecency," is the foundation for understanding the cause of divorce in ancient Israel. However, it is intentionally vague, prompting a variety of interpretations in Jewish legal and theological traditions.

Craigie notes that "*'ervat dabar* does not refer to adultery, since adultery was already punishable by death (cf. Deut 22:22). Instead, it likely refers to some form of shameful or indecent behavior, possibly of a ceremonial or modesty-related nature. The law aims more to regulate remarriage than to encourage divorce. 'The phrase...is deliberately ambiguous, allowing for flexibility in judicial interpretation.'"<sup>13</sup>

Tigay emphasizes that "this law's focus is not to permit or endorse divorce, but to limit remarriage, particularly prohibiting a man from remarrying a woman who had become another man's wife. On the phrase *'ervat dabar* it refers to an indecent or improper act, but not something as severe as adultery. 'This law neither commands nor recommends divorce; it recognizes its existence and attempts to regulate it.'"<sup>14</sup>

Christensen connects this law to ancient Near Eastern legal customs, where women could be dismissed relatively easily. He argues the indecency probably indicates serious but non-capital offenses, possibly sexual misconduct short of

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<sup>13</sup> Peter C. Craigie, *The Book of Deuteronomy*, New International Commentary on the Old Testament, 2nd rev. ed. (Grand Rapids: William B. Eerdmans, 1976), 305.

<sup>14</sup> Jeffrey H. Tigay, *Deuteronomy*, The JPS Torah Commentary (Philadelphia, PA: Jewish Publication Society, 2003), 219.

adultery. He also emphasizes that “this law served a protective function for the woman, ensuring she had a certificate and legal clarity. ‘It reflects an effort to formalize the practice, to ensure a legal document was issued, protecting the woman’s rights.’”<sup>15</sup>

The School of Shammai argued *‘ervat dabar* referred only to unchastity or sexual misconduct. The School of Hillel interpreted it more broadly even trivial reasons like a poorly cooked meal. Rabbi Akiva went further, “stating a man could divorce his wife if he found someone more attractive. This internal debate shaped first-century Jewish divorce law and is echoed in Jesus’ confrontation with Pharisees in Matthew 19. “The school of Shammai say: A man may not divorce his wife unless he has found unchastity in her ... but the school of Hillel say: He may divorce her even if she spoiled a dish for him.”<sup>16</sup>

The causes of divorce in Deuteronomy 24:1–4 center on the vague phrase “*some indecency*” (*‘ervat dābār*), interpreted as a non-adulterous but morally or socially offensive behavior. Ancient rabbinic traditions diverged significantly in interpreting this, ranging from strict sexual misconduct according to Shammai, to any cause of displeasure according to Hillel.

### **The Covenant and God’s Hatred of Divorce**

Malachi 2:16 is a crucial biblical passage that expresses God’s disapproval of divorce, emphasizing the covenantal nature of marriage and its ethical responsibilities. The verse states, “*For the Lord, the God of Israel, says that He hates divorce, and him who covers his garment with violence, says the Lord of Hosts. So guard*

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<sup>15</sup> Duane L. Christensen, *Deuteronomy 21:10-34:12*, Word Biblical Commentary 6B (Nashville, TN: Thomas Nelson, 2002), 57.

<sup>16</sup> Herbert Danby, trans., *The Mishnah* (Peabody, MA: Hendrickson, 2011), 321.

*yourselves in your spirit, and do not be faithless.*” This passage highlights God’s discontent with Israel’s unfaithfulness, both in their marriages and in their covenant relationship with Him. It reflects a broader biblical ethic of faithfulness, justice, and marital integrity.

According to Gill, Malachi is the last book of the Old Testament, was written during the post-exilic period when Israel had returned from Babylonian captivity. The prophet rebukes priests and men of Judah for their moral and spiritual corruption, including their treatment of marriage. Gill explains that Malachi specifically condemns men who divorced their wives unjustly, often to marry foreign women, thereby undermining God’s covenant with Israel.<sup>17</sup> Richard D. Patterson explains that the men condemned in Malachi “violated the sacred covenant of marriage,” which was intended to reflect a lifelong commitment analogous to God’s covenant relationship with His people.<sup>18</sup>

The phrase “*God hates divorce*” conveys God’s strong disapproval of the practice, especially when used unjustly or selfishly.<sup>19</sup> Matthew emphasizes that divorce “was never part of God’s original plan for marriage but was permitted due to human hardness of heart” in his commentary on Matthew 19:8.<sup>20</sup> Keil and Delitzsch note that “the Hebrew phrase translated as “hates divorce” reflects God’s displeasure

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<sup>17</sup> John Gill, *Exposition of the Old and New Testaments*, vol. 6, *Ezekiel through Malachi* (London: Mathews and Leigh, 1809), 461.

<sup>18</sup> Richard D. Patterson, “Malachi,” *The Expositor’s Bible Commentary*, ed. Frank E. Gaebelein (Grand Rapids, MI: Zondervan, 1985), 7:701.

<sup>19</sup> Gordon P. Hugenberger, *Marriage as a Covenant: A Study of Biblical Law and Ethics Governing Marriage, Developed from the Perspective of Malachi* (Leiden, Netherlands: Brill, 1994), 326-328.

<sup>20</sup> Matthew Henry, *Matthew Henry’s Commentary on the Whole Bible*, vol. 5, *Matthew to John* (Grand Rapids, MI: Christian Classics Ethereal Library, 2000), 387.

at unfaithfulness, equating it to spiritual and moral violence.<sup>21</sup> Walton highlights that “divorce was sometimes misused as an easy escape, contradicting God’s ideal of commitment and stability in marriage.”<sup>22</sup>

Malachi also warns against “*covering one’s garment with violence*,” a phrase that symbolizes betrayal and injustice in marriage. Huey explains that “in Hebrew culture, covering with a garment symbolized protection and marital commitment as we can see in Ruth 3:9.” By divorcing their wives unjustly, men violated their sacred duty of care and protection.<sup>23</sup> Huey asserts that this phrase equates unjust divorce with violence, as it exposes women to social and economic vulnerability.<sup>24</sup>

Malachi 2:16 teaches that marriage is a covenant, not a contract, requiring lifelong faithfulness and integrity. God’s covenant with Israel in Malachi links marital unfaithfulness with Israel’s spiritual unfaithfulness to God. Just as God remains faithful to His people, husbands were expected to remain faithful to their wives.<sup>25</sup>

According to the commentary of Gill, the verse underscores that divorce violates covenantal and moral responsibility, highlighting the injustice inherent in breaking marital commitments and disregarding the obligations of the marital bond.<sup>26</sup> Henry highlights the moral responsibility in marriage by stating that “faithfulness in

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<sup>21</sup> C. F. Keil and F. Delitzsch, *Biblical Commentary on the Old Testament: The Twelve Minor Prophets*, trans. James Martin (Grand Rapids, MI: Eerdmans, 1982), 2:430-432.

<sup>22</sup> John H. Walton, Victor H. Matthews, and Mark W. Chavalas, *The IVP Bible Background Commentary: Old Testament*, 2nd ed. (Downers Grove, IL: InterVarsity Press, 2012), 810.

<sup>23</sup> F. B. Huey Jr., “Ruth,” *The Expositor’s Bible Commentary*, ed. Frank E. Gaebelin (Grand Rapids, MI: Zondervan, 1992), 3:531.

<sup>24</sup> *Ibid.*, 3:536.

<sup>25</sup> Andrew E. Hill, *Malachi: A New Translation with Introduction and Commentary*, Anchor Yale Bible 25D (New Haven, CT: Yale University Press, 1998), 253-266.

<sup>26</sup> Gill, *An Exposition of the Old Testament*, vol. 6, *Ezekiel through Malachi*, 737.

marriage reflects faithfulness to God, reinforcing why divorce was strongly discouraged in biblical teachings.”<sup>27</sup>

Malachi 2:16 provides a strong theological foundation against unjust divorce, reinforcing marriage as a sacred covenant rather than a disposable arrangement. It condemns selfishness and betrayal in marriage, urging both men and women to uphold their commitment, faithfulness, and justice.

Hill observes that divorce in ancient Israel functioned within a broader social and communal framework, where marriage carried economic and familial obligations. Consequently, divorce laws sought to regulate dissolution in ways that preserved social stability and promoted fairness in marital relations.<sup>28</sup>

### **Rabbinic Debates Regarding Divorce**

By the time of Jesus, rabbinical debates had emerged regarding the interpretation of Deuteronomy 24:1 which states, “*When a man takes a wife and marries her, and it happens, if she finds no favor in his eyes because he has found some indecency in her, that he writes her a certificate of divorce, puts it in her hand, and sends her away from his house.*” Particularly concerning the phrase “some indecency” (*ervat davar*). The two dominant Jewish schools of thought the School of Hillel and the School of Shammai held contrasting views on what constituted acceptable grounds for divorce.

The School of Hillel took a broad and permissive interpretation of *ervat davar* (some indecency), allowing a man to divorce his wife for any cause of dissatisfaction, even trivial reasons. This included: Burning food, where if a wife burned her

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<sup>27</sup> Henry, *Commentary on the Whole Bible*, , vol. 1, *Genesis to Deuteronomy*, 1483-1484.

<sup>28</sup> Hill, *Malachi*, 253-266.

husband's meal, he could divorce her.<sup>29</sup> Appearance and aging, if a husband found another woman more attractive or his wife no longer pleased him, divorce was permitted.<sup>30</sup> Speaking disrespectfully, if a wife spoke ill of her husband or his family, he could issue a divorce.<sup>31</sup>

Hillel's interpretation made divorce widely accessible and was commonly practiced in first-century Judaism. Instone-Brewer explains that "this approach led to many women being divorced for minor offenses, leaving them economically and socially vulnerable."<sup>32</sup> In contrast, the School of Shammai took a strict and conservative approach. This school restricted divorce to cases of serious sexual immorality, such as adultery. The School of Shammai interpreted *ervat davar* (some indecency) as referring specifically to marital unfaithfulness rather than general dissatisfaction.<sup>33</sup> Shammai's stricter stance was less popular among the Jewish population but was closer to Jesus' teaching on divorce in Matthew 19:3-9.<sup>34</sup>

These debates over Deuteronomy 24:1 formed the backdrop against which Jesus addressed divorce in the Gospels. The next section explores how Jesus' response in Matthew 19:3-9 aligns more closely with the School of Shammai, reinforcing the permanence of marriage while providing a theological framework distinct from rabbinic legalism.

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<sup>29</sup> Jacob Neusner, *The Mishnah: A New Translation*, later printing ed. (New Haven, CT: Yale University Press, 1991), 778.

<sup>30</sup> Shaye J. D. Cohen, *From the Maccabees to the Mishnah*, 2nd ed. (Louisville, KY: Westminster John Knox Press, 2006), 70.

<sup>31</sup> Craig S. Keener, *The IVP Bible Background Commentary: New Testament*, 2nd ed. (Downers Grove, IL: IVP Academic, 2014), 44.

<sup>32</sup> David Instone-Brewer, *Divorce and Remarriage in the Bible: The Social and Literary Context* (Chicago, IL: Eerdmans, 2002), 44-48.

<sup>33</sup> Neusner, *The Mishnah*, 466.

<sup>34</sup> Keener, *The IVP Bible Background Commentary: New Testament*, 44.

## **New Testament Perspective on Marriage and Divorce**

The New Testament reinforces the sanctity of marriage, viewing it as a covenant established by God. Unlike the Old Testament, which permitted divorce under certain conditions in Deut. 24:1-4, Jesus and Paul present a stricter view, emphasizing the permanence of marriage and restricting divorce to exceptional cases. Their teachings in Matthew 19:3-9, Mark 10:2-12, and 1 Corinthians 7:10-16 provide the foundation for Christian understandings of marital commitment. This section examines these passages using multiple biblical commentaries.

### **Jesus' Teaching on Marriage and Divorce**

The Pharisees approached Jesus with a question about divorce, referencing Deuteronomy 24:1-4: "*Is it lawful to divorce one's wife for any reason?*" (Matt 19:3). This question reflects the first-century debate between the schools of Hillel and Shammai, with Hillel allowing divorce for any cause and Shammai restricting it to cases of unfaithfulness.<sup>35</sup>

Jesus, however, redirects the discussion to God's original design for marriage as stated in Genesis 2:24 "*Therefore a man shall leave his father and his mother and hold fast to his wife, and they shall become one flesh.*" Keener argues that Jesus rejects the permissive divorce laws of His time and restores the divine ideal of lifelong marriage.<sup>36</sup> Jesus' appeal to Genesis 2:24 signals that marriage was always intended to be indissoluble, and Moses' allowance for divorce was merely a concession to human sinfulness.

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<sup>35</sup> Leon Morris, *The Gospel according to Matthew* (Leicester, England: Eerdmans, 1992), 483.

<sup>36</sup> Keener, *The IVP Bible Background Commentary: New Testament*, 44.

France argues that the Greek word πορνεία (*porneia*), translated as sexual immorality in Matthew 19:9, is widely debated. While some scholars argue it refers to adultery, others believe it denotes illicit unions (e.g., incestuous marriages prohibited in Leviticus 18). France supports a narrow interpretation, suggesting that Jesus permits divorce only in extreme cases like illicit unions (e.g., incestuous marriage) gross sexual immorality, persistent betrayal of marital fidelity, not a one-time fall but something that annihilates trust and covenantal fidelity.<sup>37</sup>

Morris emphasizes that Jesus overturns the male-dominated divorce system where men could dismiss their wives arbitrarily. He argues that Matthew 19:9 does not encourage remarriage but rather warns against casual divorce,<sup>38</sup> whereas Barclay interprets Jesus' statement as a radical challenge to Jewish divorce customs, requiring men to take full responsibility for their marriages rather than exploiting legal loopholes.<sup>39</sup>

### **Jesus' Warning on Divorce**

Mark's Gospel presents a more absolute stance on divorce. Unlike Matthew, Mark 10:11 omits the exception clause and states: "*Whoever divorces his wife and marries another commits adultery against her*" (Mark 10:11). Lane highlights that Mark's omission of except for sexual immorality presents divorce as a violation of God's covenant, aligning with Jesus' high standard for marriage.<sup>40</sup> This makes Mark's account the most restrictive in the Gospels.

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<sup>37</sup> R. T. France, *The Gospel of Matthew*, New International Commentary on the New Testament (Grand Rapids, MI: Eerdmans, 2007), 711.

<sup>38</sup> Morris, *The Gospel according to Matthew*, 485.

<sup>39</sup> William Barclay, *The Gospel of Matthew, Volume 2*, Daily Study Bible, 3rd ed. (Edinburgh: St Andrew Press, 2001), 233.

<sup>40</sup> William L. Lane, *The Gospel according to Mark: The English Text with Introduction, Exposition, and Notes*, 2nd rev. ed. (Grand Rapids, MI: Eerdmans, 1974), 356.

Marcus argues that Mark's Gospel was written for a Roman audience, where both men and women could initiate divorce. Jesus' words in Mark 10:12, "*If she divorces her husband and marries another, she commits adultery,*" would have been shocking to Jewish listeners, since in Jewish law, only men could divorce.<sup>41</sup> Moloney states that Jesus' teaching in Mark 10 reinforces equality in marriage, countering the prevailing male-dominated divorce culture.<sup>42</sup>

### **Paul's Teaching on Marriage and Divorce**

Paul's teaching in 1 Corinthians 7:10-16 addresses mixed-faith marriages among early Christians: "*If any brother has a wife who is an unbeliever, and she consents to live with him, he should not divorce her*" (1 Cor 7:12). Fee explains that Paul distinguishes between Jesus' direct teaching for Christian marriages and his own apostolic guidance for mixed marriages. He emphasizes that believers should not initiate divorce, but if the unbelieving spouse departs, the believer is not bound.<sup>43</sup>

Thiselton examines the phrase "not bound," noting that some interpret it as permission for remarriage, while others see it as freedom from marital obligations.<sup>44</sup> Hays states that "Paul prioritizes peace in marriage, allowing for separation but not

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<sup>41</sup> Joel Marcus, *Mark 8-16*, The Anchor Yale Bible 27A (New Haven, CT: Yale University Press, 2009), 699.

<sup>42</sup> Francis J. Moloney, *The Gospel of Mark: A Commentary* (Peabody, MA: Hendrickson, 2002), 196.

<sup>43</sup> Gordon D. Fee, *The First Epistle to the Corinthians*, New International Commentary on the New Testament (Grand Rapids, MI: Eerdmans, 1987), 284-90.

<sup>44</sup> Anthony C. Thiselton, *The First Epistle to the Corinthians*, New International Greek Testament Commentary (Grand Rapids, MI: Eerdmans, 2000), 533.

mandating divorce.<sup>45</sup>” He also highlights that Paul does not explicitly encourage remarriage, leaving room for pastoral discernment.<sup>46</sup>

Garland interprets this as Paul permitting divorce initiated by the unbeliever, highlighting that the believer is not enslaved to maintain the marriage at all costs. He further notes that “Paul's overarching concern is the stability and peace of Christian households, reflecting the broader mission of the Church to live in harmony with others.”<sup>47</sup>

As earlier stated, the New Testament offers a stricter view often the Old Testament. Jesus’ teachings in Matthew 19:3-9 and Mark 10:2-12 emphasize that marriage is a divine covenant that should not be broken except in extreme cases, while Paul’s instructions in 1 Corinthians 7:10-16 provide guidance for believers in mixed marriages. The New Testament thus upholds marriage as sacred while showing pastoral understanding for those in difficult situations, highlighting the need for a compassionate but theologically grounded approach to divorce.

### **Ellen G. White’s Perspective on Divorce**

Ellen G. White’s writings emphasize the sanctity and permanence of marriage as a divine institution established by God. This is because marriage is meant to be a lifelong commitment, reflecting God’s love, faithfulness, and unity. Her counsels provide clear guidance on the conditions under which separation may be justified. White was a strong advocate for preserving marital unity and discouraged divorce

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<sup>45</sup> Richard B. Hays, *First Corinthians*. Interpretation (Louisville, KY: Westminster John Knox Press, 2011), 127.

<sup>46</sup> Ibid.

<sup>47</sup> David E. Garland, *1 Corinthians*, Baker Exegetical Commentary on the New Testament (Grand Rapids, MI: Baker Academic, 2003), 312.

except in cases where remaining in the marriage would be spiritually or morally detrimental.

In her book *The Adventist Home*, she warns against entering marriage lightly and advises that once the marital covenant is made, it should be honored with commitment and perseverance.<sup>48</sup> She opines that “minor disagreements, personal differences, or hardships should not be grounds for divorce but rather opportunities for growth and reconciliation.”<sup>49</sup>

However, White acknowledges that in cases of adultery or circumstances where one’s spiritual and moral integrity is at risk, separation may be necessary.<sup>50</sup> She referenced biblical principles, particularly Jesus’ teaching in Matthew 19:9, which permits divorce in cases of sexual immorality. White’s views align more closely with Old and New Testament teachings that limit divorce to cases of unfaithfulness or situations where maintaining the marriage might compromise one’s spiritual life, echoing Jesus’ teachings on the sacredness of marriage.<sup>51</sup>

This stance aligns with her broader advocacy for personal holiness and faithfulness to God’s will. Furthermore, she counseled that individuals should seek divine guidance and pastoral counsel when facing marital crises, emphasizing the role of prayer, patience, and putting efforts toward reconciliation whenever possible.<sup>52</sup>

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<sup>48</sup> Ellen G. White, *The Adventist Home* (Hagerstown, MD: Review and Herald Publishing Association, 2001), 342-44.

<sup>49</sup> Ibid.

<sup>50</sup> Ellen G. White, “The Only Justifiable Cause for Divorce,” in *Manuscript Releases, Volume One [Nos. 19-96]* (Silver Spring, MD: Ellen G. White Estate, 1981), 143, 144.

<sup>51</sup> Ellen G. White, *Testimonies on Sexual Behavior, Adultery, and Divorce* (Silver Spring, MD: Ellen G. White Estate, 1989), 144-153.

<sup>52</sup> Ibid.

Additionally, White highlighted the role of Christian love and self-sacrifice in maintaining healthy marriages. She encouraged couples to practice “humility, forgiveness, and mutual respect as foundational elements of a strong marital relationship.”<sup>53</sup> Her writings suggest that while divorce is permissible in extreme cases, it should always be a last resort, pursued only when all efforts at restoration have failed.<sup>54</sup>

In conclusion, Ellen G. White’s perspective on divorce reflects a commitment to upholding the sanctity of marriage while acknowledging human brokenness. Her guidance encourages believers to approach marriage with seriousness, nurture relationships with Christ-like love, and seek resolution through faith and prayer before considering separation.

### **Other Christian Scholars’ Views on Marriage and Divorce**

Christian scholars have long debated the topic of divorce, with interpretations varying across theological traditions. While they uphold the sanctity of marriage, many recognize that the complexities of human relationships sometimes necessitate divorce under specific conditions. A unifying theme among scholars is the tension between biblical ideals and pastoral realities, especially within socio-religious contexts where divorce is stigmatized.<sup>55</sup>

Several scholars converge on the biblical grounds for divorce, particularly in cases of sexual immorality and abandonment. Rodríguez, for instance, asserts that

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<sup>53</sup> White, *The Adventist Home*, 346-349.

<sup>54</sup> *Ibid.*

<sup>55</sup> David Instone-Brewer, *Divorce and Remarriage in the Church: Biblical Solutions for Pastoral Realities* (Downers Grove, IL: IVP Books, 2003), 15-17.

“while marriage is designed to be a lifelong covenant, the realities of human brokenness make divorce sometimes unavoidable.”<sup>56</sup> He identifies Matthew 19:9 and 1 Corinthians 7:15 as key texts permitting divorce, emphasizing how cultural pressures, especially on women, can complicate the pursuit of biblical ideals.<sup>57</sup>

Similarly, Mueller affirms these biblical justifications, stressing the importance of churches offering compassionate guidance and support rather than rigid legalism.<sup>58</sup> Both scholars share a pastoral concern for individuals caught in painful marital situations and call for grace-based responses from the faith community.

Davidson echoes these concerns but offers a more theological and historical lens, tracing divorce in the Old Testament to God’s concession to human hardness of heart. He emphasizes that divorce laws were protective in nature intended to shield the innocent in cases of betrayal or abuse.<sup>59</sup> While Davidson, like Rodríguez and Mueller, supports reconciliation as the ideal, he uniquely underscores how biblical divorce laws served a redemptive purpose within ancient Israelite society.<sup>60</sup> This offers a broader theological framework for understanding modern applications.

Whereas Rodríguez, Davidson, and Mueller highlight biblical justifications, Knight and Fortin introduce additional nuances concerning the application of Scripture within contemporary contexts. Knight, for example, cautions against rigid legalism, advocating for an approach that balances scriptural fidelity with pastoral

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<sup>56</sup> Ángel Manuel Rodríguez, *Divorce and Remarriage in the Bible: The Social and Literary Context* (Silver Spring, MD: Biblical Research Institute, 2001), 15-18.

<sup>57</sup> *Ibid.*

<sup>58</sup> Ekkehardt Mueller, “Divorce and Remarriage in the Bible,” *Journal of the Adventist Theological Society* 14, no. 1 (2003): 137-150.

<sup>59</sup> Davidson, *Flame of Yahweh*, 395-420.

<sup>60</sup> *Ibid.*

sensitivity.<sup>61</sup> He stresses that “biblical principles must be applied thoughtfully, taking into account the emotional and cultural dimensions of modern relationships.”<sup>62</sup>

Fortin similarly argues that “while marriage should be preserved when possible, divorce may be the only recourse in situations of abuse or unfaithfulness.”<sup>63</sup> His emphasis on the church as a place of refuge and healing aligns with Mueller’s pastoral approach, but Fortin also stresses the institutional role of the church in reducing stigma and offering tangible support.

Although all five scholars affirm the sanctity of marriage and prioritize reconciliation, their approaches differ in emphasis. Rodríguez and Mueller lean more toward practical pastoral care, Davidson contributes a biblical-historical justification, while Knight and Fortin emphasize contextual sensitivity and institutional responsibility. These perspectives converge on the recognition that while Scripture sets moral boundaries, pastoral wisdom is essential in applying these teachings to diverse real-life situations.

Critically, while these scholars agree on the biblical grounds for divorce and the need for compassion, there is variation in how they weigh scriptural authority versus cultural adaptation. For example, Davidson’s framework is more prescriptive, rooted in covenant theology, whereas Knight permits greater interpretive flexibility to accommodate contemporary dynamics. This reflects a broader debate within Christian ethics: Should the church rigidly enforce biblical standards, or interpret them contextually to maximize care and justice?

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<sup>61</sup> George R. Knight, *Angels Watching over Me: A Handbook on Biblical Counseling* (Hagerstown, MD: Review and Herald Publishing Association, 1994), 112-115.

<sup>62</sup> Ibid.

<sup>63</sup> Denis Fortin, “A Biblical Theology of Marriage and Divorce,” *Journal of the Adventist Theological Society* 14, no. 1 (2003): 68-85.

In summary, these scholars collectively advocate for a biblically grounded yet pastorally responsive approach to divorce. They maintain that while marriage is sacred and reconciliation is ideal, divorce is permissible in cases of adultery, abandonment, or abuse. Their synthesis offers a model for churches navigating marital crises, one that holds fast to scriptural truth while extending grace, empathy, and institutional support to those experiencing broken relationships.

### **Summary**

This chapter explored the biblical and theological perspectives on marriage and divorce. The Old Testament presented marriage as a covenant and permitted divorce under specific conditions to protect the vulnerable, emphasizing ethical considerations. The New Testament elevated marriage as a divine institution, with Jesus and Paul reinforcing its permanence and mutual responsibility, allowing divorce only in cases of marital unfaithfulness. Ellen G. White's writings aligned with these biblical principles, highlighting the sacredness of marriage and the importance of reconciliation and mutual respect.

While Christian theologians agree that marriage is sacred, they also recognize that divorce is acceptable in some situations. They balance biblical norms with empathy and pastoral care, considering socio-religious realities and the need for religious groups to offer spiritual and practical support to those impacted by divorce.

## CHAPTER 3

### LITERATURE REVIEW

This chapter reviews existing literature to establish a body of knowledge on *talaq* (divorce) from an Islamic perspective, laying the groundwork for the study's theological and missiological reflections. The literature review explores the historical context of *talaq*. The chapter also examines how the concept has been expressed in the Qur'an and Ahadith. Furthermore, the researcher also considers various interpretations by Islamic schools of jurisprudence (*madhahib*), with a focus on the Shafi'i tradition relevant to the Somali Muslim community.

Additionally, the chapter examines theological and philosophical developments in Islamic thought regarding *talaq* and considers contributions from classical and contemporary Islamic scholars. The review will also incorporate insights from African Traditional Religion (ATR) on divorce practices, providing a cultural perspective to help in establishing data which may enhance the understanding of the researcher on the subject matter among Somalis, who no doubt have African background. By synthesizing these diverse sources, this chapter aims to inform the development of research instruments and contribute to a nuanced understanding of the socio-religious dimensions of *talaq*.

## Historical Context of *Talaq*

The practice of *talaq* (divorce) has deep historical roots in Arabian traditions, emerging within the socio-cultural and legal frameworks of early Arabian society.<sup>1</sup> Before the advent of Islam, divorce was common among Arab tribes, often favoring men, who could unilaterally dismiss their wives without legal or ethical constraints. Women had little to no recourse in such cases, reflecting the patriarchal nature of pre-Islamic society.<sup>2</sup>

The concept of *talaq* (divorce) in pre-Islamic Arabia was deeply rooted in the customs of tribal society. In the absence of structured legal frameworks, divorce was entirely at the discretion of men. A husband could dismiss his wife without restriction, often pronouncing *talaq* impulsively or repeatedly, leaving women in a state of social and emotional uncertainty. Since no formal process governed divorce, men could revoke and reinstate the marriage at will, subjecting women to cycles of separation and reconciliation without stability.<sup>3</sup>

This lack of regulation placed women in a highly vulnerable position. They had no legal means to contest a divorce, nor were they entitled to financial support after separation. With limited opportunities for economic independence, a divorced woman could face social isolation and financial hardship, often becoming dependent on her male relatives for survival.<sup>4</sup> Additionally, there was no requirement for witnesses or documentation in divorce proceedings, allowing men to exploit the

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<sup>1</sup> John L. Esposito, *What Everyone Needs to Know about Islam*, 2nd ed. (New York: Oxford University Press, 2011), 116.

<sup>2</sup> Jamal J. Nasir, *The Islamic Law of Personal Status*, 2nd ed. (London: Graham & Trotman, 1990), 112.

<sup>3</sup> Niaz A. Shah, *Women, the Koran and International Human Rights Law: The Experience of Pakistan* (Leiden, Netherlands: Brill, 2006), 27.

<sup>4</sup> *Ibid.*

system to their advantage. A husband could falsely claim he had divorced his wife, leaving her in a state of legal ambiguity with no recourse.<sup>5</sup>

Marriage itself was largely viewed as a contractual agreement between families rather than a sacred bond with spiritual or moral obligations. Divorce carried no religious accountability, and ethical considerations were often disregarded. Furthermore, women had no recognized right to initiate divorce (*khul'*), reinforcing their subordinate status within marital relationships.<sup>6</sup>

With the advent of Islam, these practices were reformed to establish fairness and accountability. The Qur'an introduced a structured legal process, mandating a waiting period (*'iddah*) before divorce was finalized, limiting the number of times *talaq* could be pronounced, and ensuring financial provisions for divorced women. Witnesses were required to prevent misuse, and women were granted the right to seek divorce under certain conditions. These reforms sought to balance the rights and responsibilities of both spouses, replacing arbitrary divorce practices with a system that upheld justice and social stability.<sup>7</sup>

The pre-Islamic practice of *talaq*, which often left women vulnerable and without legal protection, was fundamentally reformed through Qur'anic legislation. The Qur'an introduced clear guidelines to regulate divorce, ensuring fairness, accountability, and the protection of both spouses. To fully understand these reforms, it is essential to examine the Qur'anic verses on *talaq* and explore their interpretations in classical and contemporary commentaries.

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<sup>5</sup> Shah, *Women, the Koran and International Human Rights Law*, 27.

<sup>6</sup> Katarzyna Maksymiuk, "Marriage and Divorce Law in Pre-Islamic Persia. Legal Status of the Sassanid' Woman (224-651 AD)," *Cogent Arts & Humanities* 6, no. 1 (2019): Article 1703430, <https://doi.org/10.1080/23311983.2019.1703430>.

<sup>7</sup> *Ibid.*, 3.

## **Qur'anic Perspective on *Talaq***

The Qur'an, as the foundational text of Islam, provides detailed guidance on the practice of *talaq* (divorce), emphasizing justice, fairness, and the sanctity of marriage. Several key verses outline the conditions, procedures, and ethical considerations for divorce, establishing a framework intended to protect the rights of both spouses while upholding family stability. On the other hand, Islamic scholars and commentators have extensively analyzed these verses to understand their implications and practical application.<sup>8</sup>

### **Legal Boundaries and Ethical Responsibilities**

These verses were revealed at Medina during the period of societal restructuring in early Islam. In pre-Islamic Arabia, men could divorce and take back their wives repeatedly, often weaponizing divorce to humiliate or financially drain women. These revelations seek to limit abuse of power by restricting the number of revocable divorces to two, mandating fair treatment and ethical conduct, and affirming women's rights in the marriage and post-divorce processes.<sup>9</sup>

Verse 2:228, reflects the rights and reciprocity where Al-Ṭabari emphasizes the fairness of reciprocal rights and states that the degree men hold refers to responsibility rather than superiority. He relates this to the husband's role in providing maintenance and initiating divorce.<sup>10</sup> Also, Ibn Kathir, agreeing with Ṭabari, alludes

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<sup>8</sup> Mohammad Hashim Kamali, *Principles of Islamic Jurisprudence*, 3rd ed. (Cambridge: Islamic Texts Society, 2003), 287-291.

<sup>9</sup> Aisha Bewley, trans., *Tafsir al-Qurtubi: Classical Commentary of the Holy Qur'an* (London: Dar al-Taqwa, 2003), 1:284-286. (Hadith references are primarily drawn from *Sahih al-Bukhari*, *Sahih Muslim*, and other major Sunni collections).

<sup>10</sup> Fazlur Rahman, *Major Themes of the Qur'an*, 2nd ed. (Chicago, IL: University of Chicago Press, 2009), 45-46.

that “men have a degree refers to the right of revocation during *‘iddah*, not to any essential superiority in worth.”<sup>11</sup> He notes that “the verse affirms women’s moral agency commanding them not to conceal pregnancy, a point rooted in truthfulness and legal clarity.”<sup>12</sup>

Al-Qurṭubi sees this verse as foundational for gender ethics in Islam. He explains that “the declaration of women’s rights is unprecedented compared to other ancient legal systems, which denied women such legal standing.”<sup>13</sup> According Al-Qurṭubi, “the phrase in kindness (*bi’l-ma’ruf*) reflects Qur’anic moral symmetry rights must be exercised with compassion.”<sup>14</sup>

Verses 2:229–230 provide structured limitations and finality. Ṭabari clarifies that “the limitation of divorce to two times is intended to prevent cyclical abuse. He connects this to tribal practices where men would divorce and remarry women endlessly to exert control.”<sup>15</sup> The instruction to either retain with kindness or release with excellence forces the husband to make an ethical, not impulsive, decision.

While Al-Qurṭubi underscores the concept of moral accountability. When a third divorce occurs, reconciliation is no longer permissible until the woman lawfully marries another man. He refutes fabricated practices of temporary marriages used to

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<sup>11</sup> Ismā‘īl ibn ‘Umar Ibn Kathīr, *Tafsir Ibn Kathir (Abridged)*, trans. Safiur Rahman Mubarakpuri (Riyadh, Saudi Arabia: Darussalam, 2000), 1:597-598.

<sup>12</sup> Ibid.

<sup>13</sup> Bewley, *Tafsir al-Qurtubi*, 1:282-284.

<sup>14</sup> Ibid.

<sup>15</sup> ‘Abd Allāh ibn Ja‘far al-Ṭabarī, *The Commentary on the Qur’an*, trans. Scott C. Lucas (Oxford: Oxford University Press, 2021), 1:281-282.

bypass this rule.<sup>16</sup> This strictness discourages rash divorces and underscores the finality of severing marital ties without due process.

Verses 2:231-232 consider ethical treatment and women's autonomy. Well, Ṭabari interprets the prohibition against retaining to harm as a clear rejection of emotional manipulation. He stresses that "revocation must be done with genuine intent to reconcile, not as a delay tactic to prevent the woman from moving on."<sup>17</sup> Ibn Kathir supports this with the story of Fatimah bint Qays, whose family attempted to bar her remarriage. The Prophet Muhammad condemned this, and this historical incident provides a context for verse 232's instruction: "do not prevent them."<sup>18</sup> He reads the verses as a defense of personal agency in a woman's post-divorce life.

### **Socio-Religious Implications**

Surah Al-Baqarah 2:228–232 builds a comprehensive theology of divorce in Islam. The verses affirm equality and dignity between spouses, establish procedural justice and emotional ethics in divorce, regulate revocation and remarriage with fairness, and secure female autonomy against familial or patriarchal interference. The three commentators' Ṭabari, Ibn Kathir, and Qurṭubi converge on a shared ethical vision, yet their emphases enrich the discussion:

Ṭabari highlights the legal reasoning and ethical intentions, Ibn Kathir integrates prophetic traditions to illuminate practical implications, Al-Qurṭubi situates the rulings within societal structures and moral duties. These verses revolutionize the

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<sup>16</sup> Muḥammad ibn Aḥmad Al-Qurṭubī, *Al-Jāmi' li-Aḥkām al-Qur'ān*, trans. A. M. Kharrat (Beirut, Lebanon: Dar al-Kutub al-Ilmiyah, 2010), 3:245-247.

<sup>17</sup> Al-Ṭabarī, *The Commentary on the Qur'an*, 1:291-293.

<sup>18</sup> Ismā'īl ibn 'Umar Ibn Kathīr, *Tafsīr Ibn Kathīr*, trans. Muhammad M. al-Azami (Beirut, Lebanon: Dar al-Kutub al-Ilmiyah, 2015), 2:118-120.

tribal divorce norms of pre-Islamic Arabia, transforming *Talaq* into a spiritually regulated, socially conscious, and morally countable process.

**Arbitrational and reconciliation.** Surah An-Nisa 4:35 states, “And if you fear a breach between the two, appoint [arbiters] one from his family and one from hers. If they both desire reconciliation, Allah will cause it between them. Indeed, Allah is ever Knowing and Aware.”<sup>19</sup>

Surah An-Nisa is a Medinan revelation, addressing legal and social reforms in the emerging Muslim community. This verse emerges in a context of family law and marital discord, focusing on preventing divorce rather than formalizing it. It reflects the Qur’an’s commitment to social justice, communal responsibility, and the preservation of marriage where reconciliation is possible. Scholars like Ibn ‘Ashur argue that this verse introduced an institutional framework for marriage counseling, grounded in family-based arbitration, in contrast to the arbitrary and male-centered divorce practices of pre-Islamic Arabia.<sup>20</sup>

**Mechanism of arbitration.** Al-Ṭabari emphasizes that “the phrase ‘appoint one arbitrator from his family and one from hers’ implies an equitable, balanced intervention, ensuring neither party is overpowered. He notes the wisdom of choosing trusted family members who understand the dynamics and can advocate sincerely for reconciliation.”<sup>21</sup> This highlights a communal ethic in resolving personal disputes.

Ibn Kathir explains that “the verse sets out a preventive mechanism before *Talaq* is finalized. The goal is not merely arbitration but moral mediation, where the

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<sup>19</sup> Qur’an 4:35.

<sup>20</sup> Muhammad al-Tahir al-Ibn ‘Āshūr, *Tafsir al-Tahrir wa al-Tanwir*, trans. Ali Selim (Beirut, Lebanon: Dar al-Tanwir, 2015), 5:150-152.

<sup>21</sup> Al-Ṭabarī, *The Commentary on the Qur'an*, 2:45-47.

parties can be guided towards introspection and compromise.”<sup>22</sup> He references prophetic hadiths affirming that “divorce is the most detested permissible act in Islam, and thus should be preceded by serious efforts at reconciliation.”<sup>23</sup>

Al-Qurṭubī adds that “the verse grants these arbiters a form of delegated authority they can propose or even finalize reconciliation or separation if authorized by the couple.”<sup>24</sup> However, he warns that “manipulation or bias on the part of arbitrators must be guarded against. The principle underpinning the verse is that mutual desire for reconciliation is the essential condition, if they both desire reconciliation, God will bring it about.”<sup>25</sup>

Fakhr al-Din al-Razi gives a philosophical reading, stating that “reconciliation can only occur when hearts incline toward peace.”<sup>26</sup> Thus, while the verse sets out external procedures, its power lies in calling forth internal sincerity from all parties involved. This verse adds a crucial restorative dimension to the Qur’anic theology of *Talaq*.

Unlike verses that regulate divorce, Surah 4:35 aims to prevent it. It underscores that Marriage is a communal contract, not a purely private matter. Dispute resolution must be fair, balanced, and non-coercive. The role of family and community is to heal and guide, not pressure or dictate. Divine reconciliation is conditional upon human sincerity “*if they both desire reconciliation.*” While Ṭabari

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<sup>22</sup> Ismā‘īl ibn ‘Umar Ibn Kathīr, *Tafsīr Ibn Kathīr*, trans. Muhammad Saed Abdul-Rahman (London: MSA Publication Limited, 2009), 2:456-58.

<sup>23</sup> *Ibid.*, 2:460.

<sup>24</sup> Al-Qurṭubī, *Al-Jāmi‘ li-Aḥkām al-Qur’ān*, 5:198-200.

<sup>25</sup> *Ibid.*, 5:200.

<sup>26</sup> Fakhr al-Dīn al-Rāzī, *The Great Exegesis: Al-Rāzī’s Tafsīr al-Kabīr*, trans. Sohaib Saeed (Amman, Jordan: Royal Aal al-Bayt Institute for Islamic Thought, 2020), 6:122-124.

and Ibn Kathir stress the legal structure, Qurṭūbi and Razi bring attention to the moral-spiritual fabric.

The verse reflects Islam's dual concern for procedural justice and ethical intentionality. Furthermore, in contemporary application, this verse supports mediation-based approaches to marital conflict resolution in Muslim family law, highlighting the Islamic tradition's resources for non-litigious, restorative justice models.

**Procedural and justice.** Surah Al-Talaq 65:1-2 states,

O Prophet, when you [Muslims] divorce women, divorce them for [the commencement of] their waiting period, and keep count of the waiting period, and fear Allah, your Lord. Do not turn them out of their [husbands'] houses, nor should they leave [during that period], unless they commit a clear immorality. These are the limits of Allah, and whoever transgresses the limits of Allah has certainly wronged himself. You do not know; perhaps Allah will bring about after that a different matter. Then, when they have nearly fulfilled their term, either retain them according to what is acceptable or part with them according to what is acceptable.<sup>27</sup>

The Surah *Al-Talaq* is a Medinan revelation. It is often referred to as Surat al-Nisa' al-Ṣughra (The Smaller Chapter of Women) because it addresses intricate legal rulings concerning the procedure of divorce, waiting periods (*'iddah*), and fair treatment. These verses were revealed in a context where even Muslim men were misunderstanding or mishandling the legal boundaries of *talaq*, sometimes divorcing women without observing waiting periods, or removing them from their homes prematurely.<sup>28</sup> This passage serves as a corrective instruction, placing divine limits on human authority in the marital bond and setting forth an ethical procedure that combines legal clarity with spiritual consciousness in Islam.

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<sup>27</sup> Qur'an 65:1, 2.

<sup>28</sup> Ibn Kathīr, *Tafsir Ibn Kathir*, trans. Abdul-Rahman, 10:5-7.

Verse 65:1 points divorce for the commencement of *'Iddah*. Al-Ṭabarī emphasizes that “the instruction means divorce should occur at a time when the woman is not menstruating and has not been touched sexually since her last menstrual cycle. This allows the *'iddah* to begin in a state of physical and emotional neutrality, minimizing coercion and confusion.”<sup>29</sup>

Ibn Kathir, drawing on Prophetic tradition, supports Ṭabarī’s position and cites an incident involving ‘Abd Allah ibn ‘Umar, who divorced his wife during her menses. The Prophet (peace be upon him) ordered him to take her back and then divorce her at the proper time.<sup>30</sup> This shows the *Talaq* must be ethically timed, not weaponized in moments of anger or spite.

Al-Qurṭubī highlights that “the command *‘do not expel them from their homes’* upholds a woman’s residential and financial security during the *'iddah*.”<sup>31</sup> This is revolutionary compared to pre-Islamic norms, where a woman could be thrown out immediately after a divorce. Her continued stay allows space for reflection and possible reconciliation, thus reducing impulsive break-ups. Fakhr al-Dīn al-Rāzī reads the phrase “*perhaps Allah will bring about a different matter*” as a subtle encouragement for reconsideration and forgiveness.<sup>32</sup> Divorce is serious, but reversible if hearts are sincere and emotions settle, a new path might emerge, especially during the *'iddah*.

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<sup>29</sup> Al-Ṭabarī, *The Commentary on the Qur’an*, 18:12-14.

<sup>30</sup> Ibn Kathīr, *Tafsir Ibn Kathir (Abridged)*, 10:68-69.

<sup>31</sup> Muḥammad ibn Aḥmad al-Qurṭubī, *Tafsir al-Qurṭubī: The General Judgments of the Qur’an and Clarification of What It Contains of the Sunnah and Ayahs of Discrimination*, trans. Aisha Bewley (London: Dar al-Taqwa, 2007), 18:142.

<sup>32</sup> Fakhr al-Dīn al-Rāzī, *The Great Exegesis: Maḥāṭib al-Ghayb*, trans. Muhammad Abdel Haleem and Oliver Leaman (Cambridge: Islamic Texts Society, 2018), 31:412.

Verse 65:2 tells retain or release with justice and witness. Ṭabari highlights the legal requirement to decide, at the end of *‘iddah*, whether to reconcile or release the woman. The repetition of *bi-ma ‘ruf* (what is customary and fair) signals the moral basis of Islamic law even in separation, justice and dignity are obligatory.<sup>33</sup> Also, Ibn Kathir adds that the command to bring two upright witnesses safeguards against abuse, false claims, and private exploitation. It creates a transparent legal record, discouraging arbitrary revocations or unrecorded divorces.<sup>34</sup> It’s a call for communal accountability.

Al-Qurṭubī warns against manipulating the process by delaying the declaration of *Talaq* or reconciliation just to keep the woman hanging.<sup>35</sup> He notes that this violates the Qur’anic imperative to act in accordance with what is acceptable and reduces marriage to a power play. He sees these verses as anti-patriarchal reforms, asserting that “the process of *Talaq* must uphold the woman’s dignity throughout.”<sup>36</sup>

Surah Al-Talaq 65:1–2 introduces procedural ethics into the practice of divorce, seeking to replace impulsive discharges of marital ties with a deliberate, witness-based, time-sensitive approach. The main themes are: Divorce must occur in a lawful, ethical moment, not in a state of anger or uncertainty. Women must not be evicted or harmed during the *‘iddah*, ensuring social and psychological safety. The *‘iddah* is a space for moral reconsideration, not punishment. Final decisions must be transparent and witnessed, affirming legal fairness and accountability.

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<sup>33</sup> Al-Tabari, *The Commentary on the Qur’ān*, 27:45-47.

<sup>34</sup> Ibn Kathīr, *Tafsīr Ibn Kathīr (Abridged)*, 10: 70.

<sup>35</sup> Al-Qurṭubī, *Tafsīr al-Qurṭubī*, 18:238-240.

<sup>36</sup> *Ibid.*

Whereas Ṭabari and Ibn Kathir underscore the fiqhi (legal) aspects, Razi and Qurṭubi infuse the discussion with ethical and theological insight. The fusion of these approaches constructs a theology of divorce that is not merely permissive, but redemptive emphasizing that divorce is a regulated last resort, not a first recourse.

Socially, these rulings protect women from emotional, financial, and physical insecurity. Religiously, they challenge believers to internalize *taqwa* (God-consciousness) in one of the most emotionally fraught decisions of life. The verse frames even divorce as an act of worship, regulated by law and guided by compassion.

In conclusion, the researcher has established that the comments made by the authors emphasize that *talaq* is not merely a legal mechanism but a moral and spiritual responsibility, demanding adherence to principles of justice and compassion.

### **Ahadith References on *Talaq***

The ahadith literature provides essential guidance on the practice of *talaq* (divorce). These narrations from the Islamic Prophet, Muhammad (peace be upon him), elucidate the ethical and procedural aspects of divorce, with the Prophet himself stressing fairness, intentionality, and the avoidance of impulsive decisions. The ahadith corpus functions as both an interpretive and normative supplement to the Qur'an, reinforcing divine emphasis on justice and compassion even in the dissolution of marriage.

One of the most cited hadiths regarding *talaq* is the Prophet's statement: "Among lawful things, divorce is most hated by Allah."<sup>37</sup> While divorce is permitted, this narration underscores that it should not be taken lightly or used as a tool of

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<sup>37</sup> Al-Sijistani, *Sunan Abī Dāwūd*, 2:255, ḥadīth no. 2178.

emotional manipulation. Classical scholars such as Al-Qaradawi interpret this hadith as a strong discouragement from frequent or capricious divorce, emphasizing the gravity of the decision.<sup>38</sup>

Another significant hadith concerns the divorce issued during a woman's menstrual period, narrated by 'Abd Allah ibn 'Umar. He stated that "he divorced his wife while she was menstruating, and when his father, 'Umar, mentioned it to the Prophet Muhammad (peace be upon him), the Prophet became upset and instructed him to take her back and wait until she was pure before issuing the divorce at the proper time."<sup>39</sup>

This narration forms the procedural foundation for divorce in Islamic jurisprudence. The Islamic Prophet's response illustrates that even when a husband has the authority to pronounce divorce, it must be done at a suitable time and in the correct manner, preserving both dignity and legal clarity.<sup>40</sup>

The requirement for witnesses, referenced in Qur'an 65:2, is also echoed in Islamic Prophetic tradition. The Prophet reportedly instructed: "Take witnesses when you divorce and when you take back."<sup>41</sup> This directive was understood to institutionalize transparency and accountability in divorce proceedings, reducing the risk of secret divorces or later disputes over claims.<sup>42</sup> Ibn Kathir supports this by

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<sup>38</sup> Yūsuf al-Qaradāwī, *The Lawful and the Prohibited in Islam*, trans. Kamal El-Helbawy (Indianapolis, IN: American Trust Publications, 1999), 209.

<sup>39</sup> Muḥammad ibn Ismā'īl al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, trans. Muhammad Muhsin Khan (Riyadh, Saudi Arabia: Darussalam, 1997), 7:63, ḥadīth no. 5251; Muslim ibn al-Ḥajjāj, *Ṣaḥīḥ Muslim*, trans. Nasiruddin al-Khattab (Riyadh, Saudi Arabia: Darussalam, 2007), ḥadīth no. 1471.

<sup>40</sup> Muhammad Saalih al-Munajjid, *Fiqh of the Family*, trans. Nasiruddin al-Khattab (Riyadh, Saudi Arabia: Darussalam, 2013), 131.

<sup>41</sup> Ibn Mājah Muḥammad ibn Yazīd Al-Qazwīnī, *Sunan Ibn Mājah*, trans. Nasiruddin al-Khattab (Riyadh, Saudi Arabia: Darussalam, 2007), 1:661, ḥadīth no. 2027.

<sup>42</sup> Muhammad Taqi Usmani, *The Authority of Sunnah*, trans. Shameem Elahi (Karachi, Pakistan: Idaratul Ma'arif, 1990), 78.

highlighting that the command to bring two upright witnesses serves to protect against abuse and provides legal documentation, safeguarding the rights of both parties.<sup>43</sup>

In terms of social implications, the Muslims Prophet prohibited the practice of *halala* (permissible) as a manipulative legal workaround. He said, “May Allah curse the one who marries a woman to make her lawful for her first husband, and the one for whom it is done.”<sup>44</sup> This strong condemnation affirms the seriousness of marriage and divorce and condemns attempts to exploit legal loopholes for personal or patriarchal benefit.

These Ahadith collectively emphasize that *talaq* is not merely a legal act, but a moral and social responsibility. They highlight the Muslims Prophet’s role in shaping an Islamic ethos of justice, compassion, and intentionality in family matters, affirming women’s dignity and rights throughout the process.

### **Discussion on Jurisprudence, *Fiqh* on *Talaq*: The Shafi’i School of Thoughts**

Islamic jurisprudence (*fiqh*) has developed comprehensive frameworks to address *talaq* (divorce), interpreting Qur’anic and Ahadith teachings within the context of different schools of thought (*madhahib*). While all Sunni *madhahib* agree on the permissibility of *talaq*, they differ in procedural details, ethical considerations, and specific rulings.<sup>45</sup> This section focuses on the interpretations of the Shafi’i school, which predominates in Somali Muslim communities.<sup>46</sup>

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<sup>43</sup> Ibn Kathīr, *Tafsīr Ibn Kathīr (Abridged)*, 10:70.

<sup>44</sup> Abū Dāwūd Sulaymān ibn al-Ash‘ath, *Sunan Abī Dāwūd*, trans. Nasiruddin al-Khattab, ed. Huda Khattab (Riyadh, Saudi Arabia: Darussalam, 2008), 3:109, ḥadīth 2076.

<sup>45</sup> Muhammad Jawad Mughniyya, “Divorce,” Al-Islam.org, accessed April 14, 2026, <https://al-islam.org/five-schools-islamic-law-muhammad-jawad-mughniyya/divorce>.

<sup>46</sup> Shaykh Irshaad Sedick, “Does This Count as a Divorce in Shafi’i School?” SeekersGuidance, July 22, 2023, <https://seekersguidance.org/answers/shafii-fiqh/does-this-count-as-a-divorce-in-shafii-school/>.

The Shafi'i school, founded by Imam al-Shafi'i (d. 820 CE), is particularly meticulous in its procedural interpretation of *talaq*. Shafi'i jurists classify divorce according to form, timing, and revocability, all in strict adherence to Qur'anic guidance and Prophetic precedent. Key principles include:

### **Pronouncement of Talaq**

Shafi'i school rules that the pronouncement of *talaq* (divorce) must be clear and deliberate. Divorce declarations made in jest are considered valid, emphasizing the seriousness of the pronouncement. However, the validity of a *talaq* pronounced in anger depends on the intensity of the anger.<sup>47</sup> Mild to Moderate Anger. If the husband is angry but still aware of his words and actions, the *talaq* is valid. If the anger is so intense that the husband loses control and is unaware of his actions, the *talaq* is not valid.<sup>48</sup>

### **Waiting Period ('iddah)**

In Shafi'i jurisprudence, the concept of *'iddah* (waiting period) is an essential legal and ethical institution that follows the pronouncement of *talaq* (divorce). While *'iddah* is also observed in the case of a husband's death, its function following divorce is specifically tied to two central objectives: facilitating potential reconciliation and preserving clarity of lineage. As articulated in Qur'an 2:228, a woman divorced by her husband is required to wait for three menstrual cycles, while women who do not menstruate must wait three lunar months. If the woman is pregnant, the waiting period continues until the delivery of the child, in accordance with Qur'an 65:4.

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<sup>47</sup> Wahbah al-Zuhayli, *al-Fiqh al-Islami wa-Adillatuh* [Islamic jurisprudence and its proofs], vol. 7, trans. Imran Ahsan Khan Nyazee (Damascus, Syria: Dār al-Fikr, 1985), 105-107.

<sup>48</sup> Abū Ishāq Ibrāhīm al-Shīrāzī, *al-Muhadhdhab fī Fiqh al-Imām al-Shāfi'ī*, ed. Muḥammad al-Zuhaylī (Beirut, Lebanon: Dār al-Qalam, 1995), 2:63-66.

The waiting period allows the husband if the divorce is revocable to resume the marriage without a new contract, underscoring the reconciliatory nature of ‘iddah. Furthermore, it ensures that paternity is not disputed, thereby safeguarding the social and legal structure of lineage. These rulings are upheld in detail by Wahbah al-Zuhayli, who confirms that the Shafi‘i School emphasizes both the practical and spiritual wisdom behind the institution of ‘iddah in the context of *talaq*.<sup>49</sup>

### **Reconciliation before Divorce**

The Prophet of Islam encouraged reconciliation between spouses, stating, “If a man divorces his wife, he should not prevent her from remarrying if both parties agree in goodness.” This Hadith promotes fairness and goodwill, ensuring that divorce does not result in unjust restrictions or harm to the woman’s prospects.<sup>50</sup>

### **Triple Talaq**

In the Shafi‘i school of Islamic jurisprudence, the practice of pronouncing triple *talaq* (divorce) in a single sitting is considered both valid and sinful. This form of divorce, known as *talaq al-bid'ah* (innovative divorce), deviates from the prescribed method and is viewed as a misuse of the divorce provisions in Islam. The Shafi‘i school emphasizes the necessity of a structured and ethical process for divorce, advocating for pronouncements to be made in separate sittings to allow opportunities for reconciliation.<sup>51</sup>

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<sup>49</sup> Wahbah al-Zuhayli, *Al-Fiqh al-Islami wa Adillatuhu* [Islamic jurisprudence and its proofs], trans. and ed. Imran Ahsan Khan Nyazee (Beirut, Lebanon: Dar al-Fikr, 2007), 7:39-142.

<sup>50</sup> Muhammad ibn Isma‘il al-Bukhari, *Sahih al-Bukhari*, trans. Muhammad Muhsin Khan (Riyadh, Saudi Arabia: Darussalam, 1997), 7:65, ḥadīth 5331.

<sup>51</sup> Allamah Muhammad Jawad Maghniyyah, *Divorce according to the Five Schools of Islamic Law* (Charleston, SC: CreateSpace Independent Publishing Platform, 2017), 6.

## Procedure and Validity

For a *talaq* to be valid in the Shafi'i School, the husband must be of sound mind and not coerced. Intend the divorce (*niyyah*) in the case of indirect expressions.<sup>52</sup> Issue the divorce in clear, recognized language (*sarih*). Pronounce the divorce during a period of purity (*tuhr*) in which no sexual relations have occurred.<sup>53</sup>

If these conditions are violated e.g., if a man divorces his wife during menstruation or pronounces three divorces at once, it is classified as *Talaq al-Bid'ah* (*innovated divorce*). Though disliked and sinful, Shafi'i is still recognize its legal validity, which distinguishes them from some modern reformist positions.<sup>54</sup>

## Intention and Revocability

The Shafi'i School places strong emphasis on intention in cases where language is ambiguous (known as *kinayah*). Without an intention to divorce, ambiguous language does not constitute a valid divorce. Furthermore, the school recognizes revocable divorce (*talaq raj'i*) for the first and second pronouncement during the 'iddah period, and irrevocable divorce (*talaq ba'in*) in the third instance or by *khul'* (mutual agreement initiated by the wife).<sup>55</sup>

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<sup>52</sup> Mohammad Hashim Kamali, *Shari'ah Law: An Introduction* (Oxford: Oneworld Publications, 2008), 135.

<sup>53</sup> al-Zuhayli, *al-Fiqh al-Islami* (2007), 7:476.

<sup>54</sup> Muhammad ibn Idris al-Shafi'i, *Al-Umm*, ed. Rif'at Fawzi 'Abd al-Muttalib (Beirut, Lebanon: Dar al-Kutub al-'Ilmiyya, 2001), 5:200-203.

<sup>55</sup> Abdur Rahman I. Doi, *Shariah: The Islamic Law* (London: Ta Ha Publishers, 1984), 233-234.

## **Judicial Separation (Faskh) and Women's Rights**

While the husband traditionally initiates *talaq*, Shafi'i jurists recognize the right of the wife to seek judicial annulment (*faskh*) under circumstances such as impotence, chronic illness or abandonment, failure to provide maintenance, harm (*darar*) or abuse.<sup>56</sup> This mechanism ensures a form of legal agency for women within the Shafi'i framework, especially in cases of unjust treatment. In such rulings, the *qadi* (judge) serves to uphold justice (*'adl*) and social welfare (*maslahah*).

## **Social Function and Preventing Abuse**

The Shafi'i School, like the others, mandates the presence of two upright witnesses for a divorce to be documented, based on Qur'an 65:2 and corresponding Hadith. This procedural requirement is meant to discourage arbitrary or impulsive divorces, uphold transparency, and provide a legal record to protect both parties.<sup>57</sup>

Moreover, *Shafi'i* School stress that divorce should never be used as a tool of emotional punishment or social manipulation. Acting unjustly in the process of divorce is a violation of the ethical spirit of *fiqh*, even if it complies with its letter.

## **Islamic Theological and Philosophical Development on *Talaq***

### **Pre-Islamic Arabian and Religious Context of Divorce**

Prior to the advent of Islam, Arabian tribal societies permitted men to divorce their wives at will and without formal restriction, often using this as a tool of manipulation or social control. There were no fixed limits on the number of times a

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<sup>56</sup> Jasser Auda, *Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach* (London: International Institute of Islamic Thought, 2008), 112.

<sup>57</sup> Ibn Kathīr, *Tafsīr Ibn Kathīr (Abridged)*, 10:70-71.

husband could take back and divorce his wife, which often led to cycles of oppression. Pre-Islamic practices were largely patriarchal, with little regard for the welfare or dignity of women. Divorce could be declared using vague language or even by simply turning one's back.<sup>58</sup>

Judaism, which had established divorce laws long before Islam, also influenced the Arabian Peninsula, especially through Jewish tribes settled in Yathrib (Medina). In Mosaic law, as reflected in Deuteronomy 24:1–4, a man could issue a certificate of divorce (*sefer keritut*) if he found some indecency in his wife, a practice that became a reference point in later Islamic debates.<sup>59</sup>

Christianity, on the other hand, had developed stricter views on divorce, particularly following the teachings of Jesus as recorded in the Gospels, where divorce was limited or discouraged, except in the case of adultery.<sup>60</sup> Thus, Islam emerged into a religiously diverse and ethically complex environment, one that necessitated a balance between established tribal norms and emerging monotheistic ethics.

### **Greek Philosophical Influence and the Nature of Marriage**

While divorce itself was not a central topic in classical Greek philosophy, the Greek worldview on marriage, ethics, and gender roles indirectly influenced later Islamic moral and legal thought. Philosophers like Plato and Aristotle viewed marriage as an institution essential to the ordering of the state and the pursuit of

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<sup>58</sup> Leila Ahmed, *Women and Gender in Islam: Historical Roots of a Modern Debate* (New Haven, CT: Yale University Press, 1992), 59-62.

<sup>59</sup> Tikva Frymer-Kensky, *Reading the Women of the Bible* (New York: Schocken, 2002), 115-117.

<sup>60</sup> W. F. Albright and C. S. Mann, *Matthew*, The Anchor Bible 26 (New York: Doubleday, 1971), 94-97.

virtue. For Aristotle, the household (*oikos*) was the basic unit of the polis, and marriage was a natural partnership meant for procreation and mutual support, though not necessarily spiritual companionship.<sup>61</sup>

The Neoplatonic School, particularly as preserved and transmitted by Islamic philosophers like al-Farabi, Ibn Sina (Avicenna), and later al-Ghazali, emphasized the rational and ethical order of the universe. This framework shaped early Islamic thinkers' understanding of family law as not merely legalistic but deeply embedded in metaphysical and ethical structures. In this view, marriage was a contractual relationship but also one with ethical purpose, and the dissolution of that relationship through *ṭalaq* required moral deliberation, not impulsive action.<sup>62</sup>

### **Early Islamic Theologians and Legal-Moral Integration**

Among early Islamic scholars, particularly the Mutakallimun (Islamic theologians) and the *fuqaha*' (jurists), there was considerable effort to ethicize legal rulings related to divorce. For example, al-Ghazali (d. 1111) emphasized in *Iḥyā' 'Ulum al-Dīn* that while divorce is legally permissible, it is disliked (*makruh*) unless absolutely necessary, because it threatens the moral fabric of society.<sup>63</sup> This ethical tension reflects the broader Islamic philosophical concern with harm reduction (*dar' al-mafasid*) and promotion of welfare (*jalb al-masalih*) principles that became central to the development of Islamic jurisprudence.

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<sup>61</sup> Julia Annas, *The Morality of Happiness* (New York: Oxford University Press, 1993), 124-129.

<sup>62</sup> Majid Fakhry, *A History of Islamic Philosophy*, 3rd ed. (New York: Columbia University Press, 2004), 107-115.

<sup>63</sup> Abu Hamid al-Ghazali, *The Revival of the Religious Sciences (Iḥyā' 'Ulūm al-Dīn)*, trans. Nabih Amin Faris (Lahore, Pakistan: Sh. Muhammad Ashraf, 1962), 62-66.

Early jurists like al-Shafi‘i, though more legalistic, still acknowledged the theological weight of marital contracts and divorce. The integration of *Aql* (reason) and Shari‘a (divine law) a hallmark of classical Islamic philosophy created space for divorce to be both a legal remedy and a spiritually accountable act. The Qur’an itself, while allowing for divorce, repeatedly calls for kindness and consultation in its execution (e.g., Qur’an 2:231; 65:2), showing a moral

### **The Shafi‘i Legal Rulings on *Talaq***

The development of *talaq* within the Shafi‘i School reflects a conscious effort to translate theological ethics into legal structure. While rooted in divine revelation, Shafi‘i legal thought was also shaped by earlier philosophical and theological currents that emphasized intentionality, ethical responsibility, and procedural discipline in matters of marriage and divorce. In this regard, the Qur’an’s moral imperatives, the Islamic Prophetic model, and the rationalist legacy of classical Islamic thought merged to create a legal system that is both spiritually attuned and jurisprudentially precise.

In keeping with Qur’anic verses such as 2:229–230 and 65:2–3, the Shafi‘i madhhab developed meticulous regulations concerning the conditions, intentions, and impact of divorce. For instance, the school insists that a divorce must be pronounced clearly, in unequivocal language, and must not be issued during a woman's menstruation, when emotions may be heightened and reconciliation hindered. This legal restriction is grounded in a Qur’anic ethic of patience and self-control, themes which echo the Greek and Islamic philosophical ideal of reasoned moral action.<sup>64</sup>

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<sup>64</sup> al-Zuhayli, *al-Fiqh al-Islāmī* (2007), 7:114-17.

Moreover, the Shafi‘i School’s insistence on the presence of witnesses in certain cases and the observance of ‘iddah reflects not only scriptural mandates but also a broader teleological concern that is, concern for the ends and purposes of legal acts. As with Aristotle’s notion that ethical action should be directed toward the common good, Shafi‘i jurists emphasized that divorce procedures should be aimed at justice, clarity, and social cohesion.<sup>65</sup>

Perhaps most telling is the school’s treatment of revocable vs. irrevocable divorce. A single pronouncement of *talaq* does not dissolve the marriage irrevocably, but leaves open a path for reconciliation during the waiting period. This design shows an underlying moral philosophy: divorce should not be rushed, and the family should not be dismantled without a period of reflection.

As al-Ghazali wrote, “although legally permitted, divorce ought to be viewed with hesitation and treated as a last resort unless it prevents greater harm.”<sup>66</sup> This harm-reduction principle (*dar’ al-mafasid*), a cornerstone of Islamic legal philosophy, is evident in many Shafi‘i rulings and reflects the ongoing synthesis of reason, revelation, and ethical reflection in the school’s jurisprudence.

### **Islamic Scholars’ Views on *Talaq***

There has been varied opinion on the subject of divorce. These views are influenced by differing interpretations of Shari‘ah, early philosophical underpinnings of Islamic jurisprudence, and evolving social contexts. What emerges is a spectrum of perspectives where classical jurists, reformists, and modern scholars enter into both implicit and explicit dialogue with one another.

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<sup>65</sup> Fakhry, *A History of Islamic Philosophy*, 92-95.

<sup>66</sup> Al-Ghazali, *The Revival of the Religious Sciences*, 64-66.

For instance, scholars like Ibn Taymiyyah and Muhammad ‘Abduh approached *talaq* not merely as a legal pronouncement but as a social and moral phenomenon emphasizing intention, context, and ethical purpose. Even though their conclusions diverge from classical formulations, their concerns resonate with early maqasid-oriented interpretations and demonstrate how philosophical trajectories such as Islamic rationalism and ethical teleology continue to shape discourse.<sup>67</sup>

Ibn Taymiyyah, for example, strongly opposed the practice of *talaq al-bid‘i* triple divorce pronounced at once considering it not only contrary to prophetic practice but also socially damaging and legally invalid. His approach, although grounded in Hanbali textualism, departed from his own school’s rigid formalism by introducing a more purposive method, which focused on preserving the spirit of marriage and the welfare of the family.<sup>68</sup> His position echoes a broader reformist concern that Islamic law must align with the objectives of Shari‘ah (maqasid al-shari‘ah), especially justice and family stability.

In a different but comparable trajectory, Muhammad ‘Abduh, a modernist reformer, also criticized the misuse of *talaq*, particularly the cultural practices that reduced it to a unilateral male privilege. He called for legal reform, arguing that divorce must be overseen by judicial bodies to prevent abuse and protect women’s rights.<sup>69</sup> While Ibn Taymiyyah approached reform from within the tradition, ‘Abduh, influenced by Enlightenment rationalism and Islamic ethical humanism, sought to

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<sup>67</sup> Wael B. Hallaq, *The Origins and Evolution of Islamic Law* (Cambridge: Cambridge University Press, 2005), 174.

<sup>68</sup> Wael B. Hallaq, *A History of Islamic Legal Theories: An Introduction to Sunni Usul Al-Fiqh* (Cambridge: Cambridge University Press, 1997), 38.

<sup>69</sup> Ahmed, *Women and Gender in Islam*, 144.

reconcile Qur'anic principles with modern social values.<sup>70</sup> Nonetheless, both shared a maqasid-oriented concern for the moral and social consequences of divorce.

Rahman deepened this ethical turn by emphasizing that the Qur'an should be read not merely as a legal code but as a document with moral imperatives rooted in historical realities. His view on *talaq* critiques both the classical jurists' literalism and modernist superficiality, calling instead for a historically conscious and ethically grounded reinterpretation.

Rahman argued that “‘a purely legalistic and literal approach to divorce is blind to the Qur'an's moral ethos,’ which aimed at reforming exploitative pre-Islamic customs.”<sup>71</sup> Rahman's approach implicitly dialogues with both Ibn Taymiyyah's intent-based jurisprudence and 'Abduh's ethical revivalism, while offering a more hermeneutical methodology grounded in Qur'anic moral philosophy.

In contrast, classical jurists like al-Shafi'i and Abu Hanifah, while emphasizing legal formalism and procedural validity, often accepted practices like triple *talaq* as binding despite their ethical ambiguity. This legal position, rooted in early formalist philosophy and the need for legal uniformity, was perhaps more concerned with maintaining the integrity of the law than with its social consequences.

For example, *al-Shafi'i* maintained that even irregular forms of divorce were effective if the verbal formula was met, reflecting his foundational principle that law must be derived strictly from the Qur'an and authentic Sunnah, without allowing circumstantial variables to interfere.<sup>72</sup> Yet, such rigidity often left women vulnerable

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<sup>70</sup> Muhammad 'Abduh, “Laws Should Change in Accordance with the Conditions of Nations and The Theology of Unity,” in *Modernist Islam, 1840-1940: A Sourcebook*, ed. Charles Kurzman (Cary, NC: Oxford University Press, 2002), 58.

<sup>71</sup> Rahman, *Major Themes of the Qur'an*, 2-40.

<sup>72</sup> Norman Calder, *Studies in Early Muslim Jurisprudence* (Oxford: Oxford University Press, 1993), 78.

to unilateral and immediate divorce, contributing to long-term socio-religious harm, such as stigmatization, economic marginalization, and disruption of kinship structures.

Contemporary scholars have noted how the legacy of these early jurists shaped Muslim divorce practices in societies like Somalia, where the influence of classical *fiqh* particularly the *Shafi'i* School remains strong. Yet modern realities, including urbanization, gender activism, and legal reform movements, are challenging these inherited norms. For example, Kamali critiques the continued enforcement of triple *talaq* in a single sitting, arguing it undermines the Qur'anic injunction of reflection and reconciliation, and calls for an interpretation more aligned with *maqasid* and contemporary legal reasoning.<sup>73</sup>

Thus, a critical reading of these scholars reveals both historical continuity and interpretive rupture. While classical jurists emphasized procedural correctness and textual obedience, later reformists and modern scholars introduced ethical reasoning and social awareness. What unites scholars like Ibn Taymiyyah, 'Abduh, Rahman, and Kamali is a shared concern for the social-religious impact of *talaq* its consequences on women, families, and the community at large despite their varying methodological commitments.

These thinkers draw from a range of influences: from the early Islamic rationalists and jurists to modern epistemological critiques and human rights discourses. Yet their shared recognition of the inadequacies of mere legal formalism marks a significant shift in Islamic thought from law as rule to law as a means of moral and social flourishing.

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<sup>73</sup> Kamali, *Shari'ah Law*, 278.

## **African Traditional Viewpoint on Marriage and Divorce**

In African Traditional Religion (ATR), marriage is viewed as a sacred union that extends beyond the individuals involved, connecting families, ancestors, and the broader community. Divorce, while not encouraged, is recognized as a reality when marital harmony cannot be restored. Various African communities, including those in East Africa, have established traditional mechanisms for handling divorce, emphasizing communal involvement, reconciliation, and the protection of family stability.<sup>74</sup>

### **Core Principles of Divorce in African Traditional Religion**

Divorce within ATR is not merely a social or legal phenomenon it is embedded within a complex matrix of religious beliefs, ancestral obligations, community structures, and gendered norms. In ATR, marriage itself is viewed as both a spiritual covenant and a social institution, and the dissolution of that union through divorce carries implications that are religious, familial, and societal.

**Spiritual and ancestral considerations.** In the worldview of ATR, marriage is a sacred institution that binds not only two individuals but also their extended families and ancestral spirits. Rituals that accompany marriage are often performed to invoke ancestral blessings, signifying the continuity of lineage and the spiritual endorsement of the union. Divorce, therefore, is not seen merely as a breakdown of personal compatibility but as a disruption to spiritual order. Many African

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<sup>74</sup> Elias O. Opongo and Peter Kimani, *Peacebuilding in Eastern Africa: Innovative Approaches to Preventing and Resolving Conflicts* (Nairobi, Kenya: Pauline Publications Africa, 2019), 120-123.

communities believe that separation displeases ancestors and can result in misfortune or spiritual imbalance.<sup>75</sup>

This fear of ancestral disapproval acts as a strong cultural deterrent to divorce. Couples are often encouraged to resolve their differences through dialogue, ritual intervention, and community-based mediation. Where divorce is unavoidable, cleansing or appeasement rituals may be required to formally dissolve the spiritual bond and prevent negative consequences. Among the Shona, Yoruba, and other groups, ritual return of bride wealth also functions symbolically to undo the spiritual transaction initiated at marriage.<sup>76</sup> These customs illustrate that both marriage and divorce are spiritual transactions, deeply intertwined with religious cosmology and ancestral allegiance.

**Communal involvement and mediation.** In ATR, marriage is inherently communal. The extended family and broader kinship network are central not only to the formation of marriage but also to its continuity. When conflict arises, elders, kin leaders, and respected community figures assume the role of mediators. Their goal is to prevent the escalation of disputes and to uphold social and spiritual harmony.<sup>77</sup>

Divorce is only considered after thorough reconciliation attempts, which may involve multiple rounds of negotiation, symbolic offerings, or ritual purification. These interventions reflect the communitarian ethos that defines ATR, where marriage is regarded as a shared good and its dissolution as a communal loss. As Gyekye notes, “African moral philosophy prioritizes group cohesion, and as such,

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<sup>75</sup> John S. Mbiti, *African Religions and Philosophy*, 2nd ed. (Portsmouth, NH: Heinemann, 1990), 133-37.

<sup>76</sup> J. O. Awolalu and P. A. Dopamu, *West African Traditional Religion* (Ibadan, Nigeria: Onibonoje Press & Book Industries, 1979), 216-17.

<sup>77</sup> Mbiti, *African Religions and Philosophy*, 133-37.

divorce is approached with collective responsibility and care.”<sup>78</sup> Even when divorce does occur, the community often remains involved to mediate post-divorce responsibilities, particularly concerning children and property, emphasizing the preservation of societal balance.

**Gender dynamics and property rights.** While many African societies are patriarchal, it is important to recognize that some are matrilineal or exhibit matriarchal features, such as the Akan and Chewa.<sup>79</sup> In patriarchal settings, women may face limited rights to marital property or child custody after divorce, reflecting broader gendered power imbalances. In some cases, women who initiate divorce may be required to return the bride wealth, while men retain economic and custodial privileges.<sup>80</sup>

However, traditional support systems often include compensatory mechanisms, such as assistance from the woman’s natal family or the provision of symbolic compensation to alleviate the imbalance. In matrilineal communities, by contrast, women may retain stronger post-divorce rights, particularly over children and property linked to their lineage.<sup>81</sup> These variations highlight the dynamic interplay between kinship structures, customary law, and gender roles, demonstrating that ATR does not operate as a monolith but as a flexible moral and legal system adapted to diverse contexts.

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<sup>78</sup> Kwame Gyekye, *Tradition and Modernity: Philosophical Reflections on the African Experience* (New York: Oxford University Press, 1997), 37, 83.

<sup>79</sup> Christine Oppong, *Middle Class African Marriage: A Family Study of Ghanaian Senior Civil Servants* (London: George Allen & Unwin, 1981), 31-33.

<sup>80</sup> T. Makinde, “Marriage and Family in Africa: Position of Women in Marriage,” *Anthropologist* 6, no. 3 (2004): 207-212.

<sup>81</sup> Gyekye, *Tradition and Modernity*, 37, 83.

**Impact on children and family stability.** The welfare of children is a central concern in ATR's approach to marriage and divorce. The family is considered the primary unit of socialization and moral instruction, and divorce is often discouraged due to fears of disrupting the upbringing and lineage identity of children. Extended family members typically step in to maintain the child's stability, ensuring that the child remains within the family's social and spiritual orbit.<sup>82</sup>

Custody arrangements prioritize lineage continuity. In patrilineal communities, children typically remain with the father's family, while in matrilineal systems, they may stay with the mother's kin. The emphasis is not so much on legal custodianship as on preserving communal identity and heritage, ensuring that the child remains anchored in their cultural and spiritual origins.<sup>83</sup> Even after divorce, children are not viewed as belonging solely to the parents, but to the entire kin group, whose duty is to safeguard their upbringing.

**Grounds for divorce.** Acceptable grounds for divorce in ATR are rooted in both practical and spiritual considerations. Common reasons include infidelity, infertility, physical abuse, neglect, and failure to fulfill marital obligations. These reasons reflect a balance between protecting the integrity of the marriage and ensuring justice and well-being for the individuals' involved.<sup>84</sup>

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<sup>82</sup> Mbiti, *African Religions and Philosophy*, 133-37.

<sup>83</sup> Awolalu and Dopamu, *West African Traditional Religion*, 216-17.

<sup>84</sup> Eric A. Ayisi, *An Introduction to the Study of African Culture*, 2nd ed. (Nairobi: East African Educational Publishers, 1992), 96-97.

## **Polygamy, Marriage, and Divorce in African Traditional Religion**

Polygamy is a central feature in many African traditional marriage systems and directly shapes how divorce is understood and practiced. In most ATR contexts, marriage is not merely a union between two individuals but a social contract involving extended families and, often, multiple spouses.<sup>85</sup> Polygamous marriages are typically rooted in communal values such as lineage continuation, economic cooperation, and social prestige.<sup>86</sup> The acceptance of polygamy means that marital conflict does not always lead directly to divorce; rather, tensions may be managed through the addition of another wife or redistribution of responsibilities among co-wives.<sup>87</sup>

Divorce within polygamous unions is complex and negotiated differently from monogamous marriages. A wife may return to her natal family if mistreated, but such a separation involves broader familial mediation and restitution of bride wealth.<sup>88</sup> The dissolution of one marital bond does not necessarily unravel the entire household but may be isolated to the aggrieved relationship, especially if the man maintains other wives.<sup>89</sup>

Moreover, ATR does not treat polygamy and divorce in isolation from spiritual and communal obligations. Elders, ancestors, and diviners may be consulted

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<sup>85</sup> Mbiti, *African Religions and Philosophy*, 133.

<sup>86</sup> Bolaji Idowu, *African Traditional Religion: A Definition* (Maryknoll, NY: Orbis Books, 1973), 85-86.

<sup>87</sup> Mercy Amba Oduyoye, *African Women's Theology, Gender Relations, and Family Systems* (Eugene, OR: Wipf and Stock, 2001), 45.

<sup>88</sup> Kofi Asare Opoku, *West African Traditional Religion* (Accra, Ghana: FEP International, 1978), 94.

<sup>89</sup> John S. Mbiti, *Introduction to African Religion*, 2nd ed. (Oxford: Heinemann, 1991), 105.

to discern causes of marital breakdown sometimes attributing discord to spiritual imbalance or ancestral displeasure.<sup>90</sup> Thus, the processes surrounding divorce, even in polygamous settings, aim at restoration and balance rather than retribution, reinforcing ATR's core value of social harmony.<sup>91</sup>

While ATR does not use the formalized legal structure of *talaq* found in Islam, polygamy in ATR influences the administration and perception of marital dissolution in ways that mirror some dynamics of *talaq*. In both systems, male authority in initiating divorce is prominent, and the marital bond is often viewed in terms of wider communal and spiritual obligations.<sup>92</sup>

### **Comparative Reflections: African Traditional Religion and Somali Cultural Parallels**

Although Somalis are predominantly Muslim, their cultural worldview retains elements that resonate with the broader ATR conception of marriage and divorce. Like ATR communities, Somali marriage is not merely a private union between two individuals but a communal covenant that joins families and clans. The *mehr* (bride wealth), family negotiations, and the involvement of clan elders reflect the same communal ethos seen in ATR societies, where marriage binds extended kin and strengthens social harmony.<sup>93</sup>

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<sup>90</sup> Laurenti Magesa, *African Religion: The Moral Traditions of Abundant Life* (Maryknoll, NY: Orbis Books, 1997), 124-26.

<sup>91</sup> Elias Kifon Bongmba, *African Witchcraft and Otherness: A Philosophical and Theological Critique of Intersubjective Relations* (Albany, NY: State University of New York Press, 2001), 92.

<sup>92</sup> Mbiti, *African Religions and Philosophy*, 133-35.

<sup>93</sup> *Ibid.*, 141-143.

When marital discord arises, Somali elders (*odayaal*) and customary mediators (*xeer beegti*) intervene to facilitate reconciliation before any divorce takes place.<sup>94</sup> This communal arbitration is comparable to the role of elders in ATR societies, who strive to restore harmony and preserve family stability. In both systems, the dissolution of marriage is viewed as a communal rather than a purely individual matter.

While Islam provides the theological framework for *talaq* in Somalia, underlying cultural attitudes toward marriage and divorce are deeply shaped by traditional African notions of honor, social continuity, and collective well-being. For instance, divorce may be regarded as a source of shame or misfortune for the extended family, echoing ATR beliefs that marital disruption displeases ancestors or disrupts spiritual order.<sup>95</sup> Similarly, Somali customs prioritize the protection of children and lineage after divorce, ensuring that children remain within the care of the extended family—a practice deeply consistent with ATR principles of kinship continuity.

Comparable patterns are found among non-Somali African communities such as the Kikuyu, Luhya, and Luo, where family elders mediate conflicts, bride wealth may be returned symbolically, and children's custody decisions serve to preserve lineage identity.<sup>96</sup> These parallels reveal that despite differences in religion, both Somali and non-Somali African societies uphold communal values that prioritize reconciliation, social stability, and moral responsibility over individual autonomy.

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<sup>94</sup> Mbiti, *African Religions and Philosophy*, 141-143.

<sup>95</sup> Gyekye, *African Cultural Values*, 85.

<sup>96</sup> Magesa, *African Religion*, 110-13.

Thus, Somali culture—though shaped by Islam—shares with ATR an underlying worldview that regards marriage as a sacred trust, divorce as a last resort, and community harmony as the ultimate moral goal.

In ATR, polygamy may mitigate the need for outright divorce, offering alternative conflict resolutions such as redistribution of household roles or the addition of another spouse whereas in some Islamic contexts, *talaq* might serve as the final recourse.<sup>97</sup> Understanding this parallel helps clarify the underlying patriarchal structures and communal values that shape responses to divorce in both traditions, especially among African Muslim communities where cultural and religious worldviews intersect.<sup>98</sup>

What is consistent across many African societies is the idea that marriage must be sustained through reciprocity, mutual respect, and fulfillment of expected roles. When these values are undermined, divorce becomes an option but one that must be negotiated through customary norms, family consultations, and sometimes spiritual rites. The overarching goal is not punitive separation but equitable resolution, minimizing social disharmony and protecting the community's moral fabric.

### **Missiological Implications of the Study**

The study of *talaq* (Islamic divorce) and its socio-religious impact presents vital missiological concerns, especially for Christian engagement in Muslim-majority contexts such as Somalis. The administration of *talaq* is not only a legal or theological issue in Islam but a deeply embedded social practice that shapes identity, gender

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<sup>97</sup> Benezet Bujo, *African Theology in Its Social Context*, trans. John O'Donohue (Maryknoll, NY: Orbis Books, 1992), 27-29.

<sup>98</sup> Kwame Bediako, *Christianity in Africa: The Renewal of a Non-Western Religion* (Maryknoll, NY: Orbis Books, 1995), 102-104.

roles, and communal structures. For the Church to minister meaningfully in such contexts, it must engage these realities with theological depth, cultural sensitivity, and a clear articulation of the Gospel's redemptive vision.

### **Critical Contextualization as a Theoretical Framework**

The concept of Critical Contextualization, as developed by Hiebert, offers a crucial theoretical lens for interpreting cultural and religious practices such as *talaq* within the Somali Muslim context. Hiebert proposes that effective theological and missiological engagement requires a four-step process: (1) studying local customs and beliefs, (2) evaluating them through Scripture, (3) engaging in critical community dialogue, and (4) allowing the community to apply biblically informed alternatives.<sup>99</sup> This process ensures that Christian mission neither rejects culture indiscriminately nor accepts it uncritically, but allows Scripture to transform cultural values through community participation.

In the context of this study, Critical Contextualization provides a framework for examining the *administration of talaq* as both a religious-legal system, informed by Islamic jurisprudence and a cultural practice, shaped by Somali clan norms and African communitarian ethics. It helps identify points of continuity between Islamic, Somali, and African traditional understandings of marriage and divorce—such as reconciliation, communal mediation, and gender roles—while also enabling theological critique where these systems may perpetuate unfairness or imbalance.

Furthermore, this framework resonates with the ATR perspective already discussed in this chapter. Both ATR and Somali cultures emphasize community cohesion, ancestral or spiritual harmony, and family stability as moral imperatives.

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<sup>99</sup> Paul G. Hiebert, *Anthropological Reflections on Missiological Issues* (Grand Rapids, MI: Baker Academic, 1994), 75-92.

Through the lens of Critical Contextualization, these cultural values can be appreciated for their redemptive potential while being critically examined in light of biblical principles such as covenantal faithfulness, dignity of persons, and fairness in relationships.

By engaging *talaq* through this framework, the literature review establishes a missiological foundation for understanding how local practices can be addressed theologically and ethically in later analysis. It also prepares the ground for Chapter Five, where Critical Contextualization guides the interpretation of field data and the development of mission strategies.

Hiebert's framework of critical contextualization offers a crucial foundation for this task. Hiebert argued that "missional work must neither reject cultural practices wholesale nor accept them uncritically, but must instead engage them through Scripture, community dialogue, and discernment."<sup>100</sup> In the case of *talaq*, this involves understanding the Qur'anic and fiqh-based rationale behind divorce procedures, while also recognizing their social consequences especially for women and children. The Christian mission, therefore, must be deeply informed by both theological and anthropological insights to effectively address the pastoral needs of those affected by divorce in Islamic societies.

Hiebert's three-tiered model of worldview transformation formal religion, folk beliefs, and deep-level assumptions helps missionaries and Christian workers appreciate that "*talaq* (divorce) operates across multiple layers of Muslim experience."<sup>101</sup> While Islamic jurisprudence presents a structured theology of divorce,

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<sup>100</sup> Paul G. Hiebert, *Anthropological Insights for Missionaries* (Grand Rapids, MI: Baker Book House, 1985), 171-192.

<sup>101</sup> Paul G. Hiebert, *Transforming Worldviews: An Anthropological Understanding of How People Change* (Grand Rapids, MI: Baker Academic, 2008), 45-75.

everyday Muslim communities interpret and implement *talaq* through cultural, economic, and patriarchal lenses. Missiologists must engage this layered reality to offer a biblically grounded alternative that resonates not only doctrinally but existentially.

### **Indigenization and Pilgrim Principles**

Building on this, Walls' insights into the indigenizing and pilgrim principles offer another layer of missiological reflection.<sup>102</sup> Walls' indigenizing principle affirms that the Gospel must take root in every culture including Muslim contexts while the pilgrim principle ensures that the Gospel continually critiques cultural distortions, such as injustice or gender imbalance in the application of *talaq*. Thus, a faithful Christian response acknowledges the communal function of *talaq* in Islamic societies while prophetically challenging its misuse.

The intersection of polygamy and *talaq* also presents important missiological insights, especially in African Muslim contexts where ATR and Islam coexist. Polygamy, while culturally accepted in both ATR and Islam, often functions as a mechanism to maintain social balance and lineage continuity.<sup>103</sup> In such contexts, *talaq* may not result in complete household dissolution, especially where other wives are present, mirroring ATR practices where marital conflict is resolved through role redistribution or adding another spouse.<sup>104</sup> This reality calls mission practitioners to understand local marriage systems not just as theological constructs, but as embedded cultural frameworks.

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<sup>102</sup> Andrew F. Walls, *The Missionary Movement in Christian History: Studies in the Transmission of Faith* (Maryknoll, NY: Orbis Books, 1996), 7-9.

<sup>103</sup> Mbiti, *African Religions and Philosophy*, 133-35.

<sup>104</sup> Bujo, *African Theology in Its Social Context*, 27-29.

A contextualized Christian response must therefore affirm the dignity of every person in the marriage relationship while prophetically addressing patriarchal distortions.<sup>105</sup> It also invites the Church to model covenantal relationships rooted in love, mutuality, and permanence, offering an alternative vision that resonates within polygamous societies yet remains faithful to the biblical witness.

Newbigin emphasis on public truth also becomes relevant. In contexts where Islam shapes not only religious life but also public and legal norms, the Church is called to witness to the Gospel as a comprehensive vision of truth one that speaks to marriage, reconciliation, and justice.<sup>106</sup> Newbigin urged the Church to be a “hermeneutic of the Gospel in the world,” meaning that “Christian communities should embody alternative relational and social patterns that reflect the Kingdom of God.”<sup>107</sup> In response to the fragmentation caused by *talaq*, the Church is invited to model covenantal faithfulness, forgiveness, and healing.

Moreover, Sanneh’s missiology of translatability offers a hopeful perspective for Christian engagement. Sanneh highlighted that the Gospel, by its very nature, translates into every culture and can address every human concern.<sup>108</sup> The Gospel message, when faithfully translated into the Somali Muslim context, has the capacity to respond to the wounds might have been created by unjust divorces, to affirm the dignity of women, and to reframe the purpose of marriage around mutual submission

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<sup>105</sup> Bediako, *Christianity in Africa*, 102-4.

<sup>106</sup> Lesslie Newbigin, *The Gospel in a Pluralist Society* (Grand Rapids: Eerdmans, 1989), 227–234.

<sup>107</sup> Ibid.

<sup>108</sup> Lamin Sanneh, *Translating the Message: The Missionary Impact on Culture*, 2nd ed. (Maryknoll, NY: Orbis Books, 2009), 39-62.

and love as reflected in Christ's relationship with the Church as we see in Ephesians 5:21-33.

### **Incarnational and Holistic Mission**

Finally, the socio-religious implications of *talaq* point to the importance of incarnational and holistic mission. As Charles Kraft noted, contextualization is not simply about cultural adaptation but about allowing the Gospel to transform hearts and systems.<sup>109</sup> For Muslim-background believers (MBBs) who might have experienced *talaq* or its social stigma, the Church must be a community of restoration, offering not only theological teaching but also relational and psychological healing.

Discipleship, pastoral care, and community formation must address the complex intersections of religious identity, trauma, and social belonging. In sum, the administration of *talaq*, when studied through a missiological lens, opens up space for the Church to bear faithful witness: by understanding local realities, offering redemptive alternatives, and demonstrating the reconciling power of Christ in fractured relational contexts.

### **Summary**

This chapter provided a comprehensive exploration of *talaq* (divorce) through a review of literature, focusing on Islamic perspectives. It traced the practice of *talaq* from pre-Islamic period to the emergence of Islam. The Qur'anic and ahadith perspectives and rulings by Shafi'i school on the practice were examined. Islamic scholars were also consulted. The researcher also established the ATR perspective to gain knowledge on how African cultures related with the practice. These insights

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<sup>109</sup> Charles H. Kraft, *Christianity in Culture: A Study in Dynamic Biblical Theologizing in Cross-Cultural Perspective*, 2nd ed. (Maryknoll, NY: Orbis Books, 2005), 289-312.

provide a foundation for engaging to the researcher in formulating research questions for the ethnography study.

## CHAPTER 4

### RESEARCH METHODOLOGY

This chapter presents the research methodology of the study. It outlines the research design, sampling technique, data collection methods, data analysis procedures, and ethical considerations. The chapter also begins by explaining the setting of the research.

#### **Research Setting**

The Somali community in Nairobi traces its origins to both historical migrations and more recent movements driven by socio-political factors. Historically, Somali traders and herders moved across the Horn of Africa and into Kenya long before colonial boundaries were drawn, establishing early settlements in the northeastern regions of the country. During British colonial rule, Somali populations were further integrated into Kenya as part of the British protectorate over the Northern Frontier District (NFD), a region predominantly inhabited by ethnic Somalis.<sup>1</sup> However, political instability and civil conflict in Somalia, particularly following the outbreak of the Somali civil war in 1991, resulted in a significant wave of Somali refugees and migrants settling in urban areas such as Nairobi.<sup>2</sup>

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<sup>1</sup> Ioan M. Lewis, *A Modern History of the Somali: Nation and State in the Horn of Africa*, 4th ed. (Oxford: James Currey, 2002), 123-125.

<sup>2</sup> Laura Hammond, "History, Overview, Trends and Issues in Major Somali Refugee Displacements in the Near Region (Djibouti, Ethiopia, Kenya, Uganda and Yemen)," *Bildhaan: An International Journal of Somali Studies* 13 (2014): 69.

Nairobi West, though originally a predominantly residential area for Kenyan professionals, has increasingly attracted Somali families due to its strategic location near Eastleigh, a well-known hub for Somali business and culture. In Nairobi West, the Somali community has established a noticeable presence, with mosques, Islamic schools (madrassas), and halal markets serving as both religious and cultural centers.<sup>3</sup>

Socially, the community maintains a strong emphasis on family structures, clan affiliations, and traditional forms of dispute resolution. Economically, Somalis in Nairobi West are engaged in a wide range of activities, from running small-scale retail shops and transport businesses to participating in the growing real estate and informal banking sectors.<sup>4</sup>

Religiously, the Somali community in Nairobi West practices Sunni Islam, with many adhering to the Shafi'i School of jurisprudence. The mosque plays a central role not only in religious observance but also in community leadership and decision-making processes, including matters related to marriage, divorce, and social welfare.<sup>5</sup> Religious leaders (*sheikhs*) and elders continue to wield significant influence in shaping communal norms and guiding religious practice, including the administration of *talaq*, which remains deeply embedded within both Islamic jurisprudence and Somali customary traditions.

Cultural integration within Nairobi's multi-ethnic urban setting has presented both opportunities and challenges. Somali women, in particular, navigate evolving

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<sup>3</sup> Hannah Whittaker, "The Somali Factor in Urban Kenya: A History," in *Mobile Urbanity: Somali Presence in Urban East Africa*, ed. Neil Carrier and Tabea Scharrer (New York: Berghahn Books, 2019), 45-48.

<sup>4</sup> Neil Carrier, *Little Mogadishu: Eastleigh, Nairobi's Global Somali Hub* (Oxford: Oxford University Press, 2016), 98-101.

<sup>5</sup> Abdullahi A. Shongolo, "Islamic Religious Leadership and Community Justice among Somalis in Kenya," *Islamic Africa* 5, no. 2 (2014): 179-181.

roles, balancing traditional expectations with modern socio-economic realities.<sup>6</sup> These dynamics make the study of *talaq* in this setting crucial to understanding its socio-religious impact and identifying strategies for effective missiological engagement.

### **Research Approach and Design**

This is a qualitative research approach where, “it is a method of inquiry that seeks to understand human experiences, behaviors, and social phenomena by collecting non-numerical data such as interviews, observations, and texts. It focuses on exploring meanings, interpretations, and patterns within a particular context, often aiming to generate deep insights rather than generalizable results. This approach is especially suitable for studying complex, subjective, or culturally embedded issues such as *talaq*.”<sup>7</sup>

The study adopted a phenomenological study design to aid in establishing lived experiences associated to the practice of *talaq* (divorce) among the Somalis in Nairobi West, Kenya. Specifically, the research is grounded in the Interpretive Phenomenological Approach (IPA). Interpretive phenomenology acknowledges the researcher’s active role in interpreting participants’ experiences rather than merely describing them. Rooted in Heidegger’s hermeneutic philosophy and further developed by Smith, Flowers, and Larkin, this approach is especially suitable for exploring the social, spiritual, and emotional dimensions of divorce.<sup>8</sup>

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<sup>6</sup> Nereida Ripero-Muñiz, “Agency of Somali Migrant Women in Nairobi and Johannesburg: Negotiating Religious and Cultural Identifications in Diasporic Spaces,” *African Studies Review* 63, no. 1 (2020): 24-26.

<sup>7</sup> Creswell and Poth, *Qualitative Inquiry and Research Design*, 7-9.

<sup>8</sup> Jonathan A. Smith, Paul Flowers, and Michael Larkin, *Interpretative Phenomenological Analysis: Theory, Method and Research* (London: SAGE Publications, 2009), 1-4; Martin Heidegger, *Being and Time*, trans. John Macquarrie and Edward Robinson (New York: Harper & Row, 1962), 49-63; Max van Manen, *Researching Lived Experience: Human Science for an Action Sensitive Pedagogy* (London: Althouse Press, 1990), 1-8.

Interpretive phenomenology enables the researcher to access the deeply personal, cultural, and religious meanings of *talaq* as experienced by those directly affected such as divorced women, religious leaders, community elders, and adult children of divorcees. It allows for co-construction of meaning through the interview process and emphasizes depth over breadth. This aligns with the study's focus on understanding and interpreting individual narratives within the context of Somali Islamic culture and community life.

This type of qualitative research emphasizes exploring how people make sense of their experiences, considering the interaction between the participant's account and researcher's interpretation.<sup>9</sup> Through this approach, the study aims to uncover core themes and insights that reflect how *talaq* is lived and understood by those within the community. The use of interpretive phenomenology also supports the goal of developing a culturally sensitive missiological response informed by authentic experiences and contextually interpretations.<sup>10</sup>

Data was collected primarily through in-depth semi-structured interviews and a focus group discussions, which are common tools in phenomenological studies. These tools allow for flexible but focused engagement, encouraging participants to share meaningful insights into their spiritual and social experiences of *talaq*.

### **Population of Study**

The study sample was drawn from the wider Somali Muslim population residing in Nairobi West, estimated to number between approximately 700 and 1,400 individuals, as outlined in Chapter 1. This population provides the social and religious

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<sup>9</sup> Smith, Flowers, and Larkin, *Interpretative Phenomenological Analysis*, 1-3.

<sup>10</sup> Linda Finlay, *Phenomenology for Therapists: Researching the Lived World* (Chichester, UK: Wiley-Blackwell, 2011), 19-21.

environment within which the phenomenon of *talaq* (Islamic divorce) occurs. From this population, twelve participants were purposively selected to capture diverse perspectives related to the administration of *talaq* and its socio-religious impact. The sample included divorced women, religious leaders, community elders, and adult children of divorced mothers, reflecting the key social actors involved in or affected by divorce within the Somali Muslim community.

The selection sought depth rather than breadth, consistent with interpretive phenomenological methodology, which emphasizes the detailed exploration of lived experiences over statistical generalization. Consequently, while the findings may not be numerically representative of the entire population, they provide rich, contextual insights into the lived realities of *talaq* among Somali Muslims in Nairobi West.

Situated within one of Kenya's most densely populated counties, the study locale of Nairobi West lies in a context where just over 6,200 persons per square kilometer inhabit the broader Nairobi City County. This overall density is reflected at the neighborhood scale, where Nairobi West is characterized by high-density residential zoning and heterogeneous housing stock—from single-family bungalows to multi-storey flats and marionettes'—thus supporting a mixed residential profile within a constrained urban land-use environment.<sup>11</sup>

### **Sampling Technique and Selection Criteria**

The total population for this study comprises Somali Muslims residing in Nairobi West, Kenya. This community represents a culturally and religiously cohesive group in which Islamic practices including the administration of *talaq* (divorce) are deeply embedded in social norms, religious life, and legal customs.

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<sup>11</sup> Kenya National Bureau of Statistics, *2019 Kenya Population and Housing Census*, vol. 4, *Distribution of Population by Socio-Economic Characteristics*, 45-47.

From within this broader group, the target population consists of Somali Muslim men and women who have either personally experienced *talaq* or have been directly involved in its administration or outcomes. This includes divorced women, religious leaders (e.g., imams), community elders, and adult children of divorced parents. These individuals are considered information-rich cases due to their experiential knowledge of how *talaq* is practiced and perceived in the community, making them particularly well-suited to provide meaningful insights into its administration and socio-religious implications.<sup>12</sup>

This study employed purposive sampling, a widely used non-probability sampling technique in qualitative research. Participants were intentionally selected based on predefined criteria that align with the research objectives.<sup>13</sup> Purposive sampling was especially appropriate for phenomenological studies, which sought to explore lived experiences in depth rather than to produce generalizable results.<sup>14</sup> The goal was to obtain detailed, context-rich data from individuals who are best positioned to speak to the phenomena under investigation.<sup>15</sup>

To supplement purposive sampling, snowball sampling was also used to reach additional suitable participants. After initial participants were recruited through known community networks, religious institutions (e.g., local mosques), and Somali associations, they were asked to refer others who met the inclusion criteria. This

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<sup>12</sup> Michael Quinn Patton, *Qualitative Research and Evaluation Methods*, 4th ed. (Thousand Oaks, CA: SAGE Publications, 2015), 264-65.

<sup>13</sup> Johnny Saldaña, *The Coding Manual for Qualitative Researchers*, 3rd ed. (Los Angeles, CA: SAGE Publications, 2016), 70.

<sup>14</sup> Max van Manen, *Researching Lived Experience: Human Science for an Action Sensitive Pedagogy*, 2nd ed. (New York: Routledge, 2016), 350.

<sup>15</sup> Creswell and Poth, *Qualitative Inquiry and Research Design*, 148.

method was particularly useful in contexts where potential participants were hesitant to engage in sensitive discussions unless approached through trusted contacts.

A purposive sample of twelve participants were selected to ensure diversity in age, gender, and duration since divorce. The participants were drawn from the following categories: Focus group discussions - One focus group comprising six divorced women was conducted. To capture a range of perspectives, participants were selected with the aim of reflecting different durations since divorce including women who were divorced within the past year, within the past five years, and more than ten years ago.

While this diversity was desirable to explore temporal variations in lived experiences, the selection remained flexible and responsive to participant availability and willingness, ensuring the sampling process was not unduly restricted. This stratification was designed to capture a range of short-term and long-term socio-religious effects of divorce.<sup>16</sup>

Individual interviews. Two religious leaders (i.e., imams) who have been actively involved in the administration or counseling of *talaq* cases were interviewed. Additionally, two community leaders a male and a female with practical experience and insight into traditional and religious approaches to divorce resolution were selected. Two adult children of divorced parents (one male, one female) were also interviewed to provide intergenerational perspectives on the impact of *talaq* on family and communal life.

This sampling strategy ensured that all selected participants had firsthand and diverse experiences related to *talaq*, thereby enhancing the depth, validity, and

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<sup>16</sup> Merriam and Tisdell, *Qualitative Research*, 97.

contextual relevance of the data collected. Including two participants from each category allows for a broader range of perspectives and ensures that the study reflects possible variations in interpretation and practice within the Somali community. This approach enhances the credibility and trustworthiness of the findings by capturing the diversity of experiences and viewpoints. It also aligns with the study's phenomenological design, which values the richness of lived experiences over statistical generalizability.<sup>17</sup>

### **Participant Recruitment Process**

During the recruitment process, each potential participant was provided with a Participant Information Sheet and a clear oral briefing in either English or Kiswahili (depending on language preferred), outlined the study's purpose, ethical safeguards, and expectations. All participants were informed of their right to voluntarily participate or withdraw at any stage without consequence. Informed consent was obtained before any data collection began, in accordance with ethical guidelines.

**Inclusion criteria.** Participants in this study were purposefully selected based on the following criteria to ensure relevance and depth in relation to the research objectives: Divorced Somali women residing in Nairobi West who have experienced *talaq* at varying time intervals including those divorced within the past year, within the past five years, and more than ten years ago. This stratified inclusion was intended to capture a range of temporal perspectives, enabling the study to explore both short-term and long-term socio-religious effects of *talaq*. Selection remained flexible and responsive to participant availability and willingness, ensuring inclusivity without undue restriction.

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<sup>17</sup> Patton, *Qualitative Research and Evaluation Methods*, 266.

Religious leaders (i.e., imams) who have been actively involved in the administration or counseling of *talaq* cases within the Somali community in Nairobi West. Their insights helped to illuminate the religious interpretations and practical approaches used in guiding divorce processes. Community elders / opinion leaders with practical knowledge of traditional Somali practices and religious influences on marital conflict resolution and divorce. Their input was vital for understanding communal norms and cultural continuity.

Adult children of divorced Somali parents (one male, one female), who could provide intergenerational perspectives on the familial, social, and religious impacts of *talaq*. This also could enrich the analysis of how divorce affects children and their relationship with parents, community, and religious engagement.

**Exclusion criteria.** Participants were excluded from the study if they: Are unwilling or unable to provide informed consent. Are non-Somali or not residing in Nairobi West, Kenya. Have not experienced *talaq* (in the case of divorced women participants). Have no direct involvement or experience with *talaq* cases (in the case of leaders and elders). Are under the age of 18 (in the case of adult children of divorced parents). This inclusion and exclusion framework ensured the selection of participants whose experiences and roles are directly relevant to the study's focus, thereby enhancing the credibility, depth, and contextual accuracy of the findings.

### **Data Collection Procedure**

The researcher employed two data collection methods: semi-structured individual interviews and a focus group discussion. These methods are intended to explore the administration of *talaq* and its socio-religious impact within the Somali Muslim community in Nairobi West, Kenya. This combination of methods is chosen

for its ability to generate rich, detailed insights into participants' lived experiences and cultural practices surrounding divorce.<sup>18</sup>

One-on-one interviews based on semi-structured questions was used to capture their unique perspectives. This kind of interviews allow for in-depth exploration while also enabling follow-up questions for clarification.<sup>19</sup> An interview guide with open-ended questions was developed to ensure consistency across interviews while allowing for natural conversation flow.

One focus group discussion (FGD) consisting of six divorced women was conducted, as previously outlined. Participants were purposively selected to reflect varying durations since divorce: two women divorced within the past year, two within the past five years, and two divorced more than ten years ago. This diversity helped to capture shared lived experiences concerning the impact of *talaq* on family dynamics and social well-being.

The FGD facilitated group interaction, which revealed collective insights and differences in perspectives. To understand the socio-religious coping mechanisms of divorcees within the Somalis in Nairobi West, participant observations focused on individuals who had undergone *talaq*. This approach allowed the researcher to gain contextual insights into post-divorce social roles, behavioral adaptations, and patterns of religious participation.

All interview and focus group instruments were initially developed in English, as it is the language of instruction at the School of Postgraduate Studies, AUA. These instruments were translated into Kiswahili, the lingua franca of Nairobi, to ensure

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<sup>18</sup> John W. Creswell, *Research Design: Qualitative, Quantitative and Mixed Methods Approaches*, 4th ed. (Los Angeles, CA: SAGE Publications, 2014), 189.

<sup>19</sup> John W. Creswell, *Qualitative Inquiry and Research Design: Choosing among Five Approaches*, 3rd ed. (Thousand Oaks, CA: SAGE Publications, 2012), 145.

accessibility and participant comprehension. To guarantee linguistic accuracy and conceptual equivalence, the Kiswahili version was then back-translated into English. If participants were not fluent in Kiswahili, a similar translation and back-translation process was applied to Somali. This translation protocol enhanced the integrity and clarity of data collection across multilingual contexts.<sup>20</sup>

Data were gathered through semi-structured individual interviews and a focus group discussion, enabling participants to share their lived experiences in their own words. Thematic analysis was used to identify recurring patterns and meanings across participants' narratives, enhancing the depth and validity of the findings.<sup>21</sup>

### **Rationale for Using These Methods**

This study utilized two primary qualitative methods: semi-structured individual interviews and focus group discussions. The use of these diverse data collection techniques reflects a triangulation strategy, which enhanced the credibility and validity of the research by allowing the cross-verification of information from multiple sources. "Triangulation in qualitative research refers to the combination of different methods, data sources, or theoretical perspectives to develop a more comprehensive understanding of a phenomenon."<sup>22</sup>

Individual interviews yielded detailed, personal narratives of divorcees' lived experiences, while focus group discussions offered collective insights and social interactions that might not have emerged in one-on-one settings. Together, these

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<sup>20</sup> Richard W. Brislin, "Back-Translation for Cross-Cultural Research," *Journal of Cross-Cultural Psychology* 1, no. 3 (September 1970): 185-216.

<sup>21</sup> Martyn Hammersley and Paul Atkinson, *Ethnography: Principles in Practice*, 4th ed. (New York: Routledge, 2019), 32-36.

<sup>22</sup> Norman K. Denzin, *The Research Act: A Theoretical Introduction to Sociological Methods* (New York: McGraw-Hill, 1978), 294-307.

methods allowed for the collection of complementary data that reflected both individual experiences and social contexts, thereby providing a comprehensive and nuanced understanding of the socio-religious impact of *talaq* within the Somali Muslim community in Nairobi West.

### **Data Analysis and Management**

This study employed a manual thematic analysis approach within the framework of interpretive phenomenological analysis (IPA) to systematically examine data collected through interviews and focus group discussions. Thematic analysis, a widely used method in qualitative research, was used to identify, analyze, and interpret patterns or themes within the data. In interpretive phenomenology, however, this process was not merely descriptive but sought to uncover how participants made sense of their lived experiences in their social, cultural, and religious contexts.<sup>23</sup>

**Data collection.** Data were collected through semi-structured interviews and focus group discussions. Sessions were audio-recorded (with consent), and detailed field notes were taken. Interviews were conducted in Kiswahili, Somali, or Arabic, depending on participants' language preference.

**Data processing.** Audio recordings were transcribed verbatim in their original language. Transcripts were translated into Kiswahili or English, with back-translation procedures to ensure accuracy. A second bilingual reviewer cross-checked translations against original recordings to maintain reliability. Transcripts and notes were organized, labeled, and stored securely for analysis. This process ensured

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<sup>23</sup> Virginia Braun and Victoria Clarke, *Thematic Analysis: A Practical Guide* (Los Angeles, CA: SAGE Publications, 2022), 3-5.

linguistic accuracy and conceptual equivalence, minimizing distortions introduced during translation.<sup>24</sup>

### **Data Analysis**

Thematic analysis within the framework of interpretive phenomenological analysis (IPA) was applied. Coding was conducted in three stages: open coding (identifying significant statements), axial coding (grouping related codes into categories), and selective coding (refining categories into core themes).<sup>25</sup> Emerging themes were synthesized across individual interviews, focus group discussions, and observations to ensure credibility and coherence. This structured process ensured that data were systematically collected, accurately processed, and rigorously analyzed to produce trustworthy findings.

### **Coding and Thematic Analysis**

Following transcription and translation, the researcher undertook an initial immersion in the data to become familiar with the content, tone, and context of participants' narratives. This immersion phase guided the development of a systematic coding framework consistent with IPA, ensuring that the analysis remained grounded in participants' authentic voices and experiences.

**Open coding.** Significant statements, emotions, and meanings expressed by participants were identified and labeled. The aim was to remain close to the text and capture a wide array of insights without imposing preconceived categories.

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<sup>24</sup> David L. Morgan, *Focus Groups as Qualitative Research*, 2nd ed. (Thousand Oaks, CA: SAGE, 1997), 56-58.

<sup>25</sup> Johnny Saldaña, *The Coding Manual for Qualitative Researchers*, 4th ed. (Los Angeles, CA: SAGE, 2021), 115-120.

**Axial coding.** Related codes were organized into conceptual clusters or categories that reflected broader experiential themes, such as loss of dignity, religious ambiguity, or gendered responsibilities.

**Selective coding.** Categories were refined and integrated into core themes that captured the essence of participants' lived experiences of *talaq*. These core themes were synthesized across individual and group narratives to construct a holistic understanding of the phenomenon.

The study adopted an inductive thematic development approach, meaning that patterns and categories were derived directly from the data rather than imposed by existing theoretical frameworks.<sup>26</sup> This ensured that themes naturally emerged from participants' accounts and were not constrained by external assumptions.

Key themes reflected significant aspects of how *talaq* was administered, including religious interpretations, reconciliation practices, gender dynamics, community responses, and the socio-religious impacts on affected individuals. To ensure coherence and credibility, findings from focus group discussions, individual interviews, and participant observations were cross-referenced during analysis.

This multi-stage, phenomenologically informed process ensured that the study accurately captured the nuanced and layered experiences of *talaq* among Somalis, contributing to a contextually grounded understanding of its social and religious implications.

## **Presentation of Findings**

The findings of this study were presented qualitatively, organized around the research questions outlined in Chapter One. A thematic analysis revealed key themes

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<sup>26</sup> Smith, Flowers, and Larkin, *Interpretative Phenomenological Analysis*, 79-85.

as natural outcomes of the participants' narratives, which directly addressed each research question and ensured that the analysis remained focused on the study's objectives. Each theme was supported by a combination of direct quotations and paraphrased insights from participants, authentically representing the lived experiences of *talaq* among Somalis while maintaining scholarly clarity and conciseness.

The discussion first explored the traditional Somali perspectives and customary practices surrounding *talaq* as they existed before the strong influence of Islamic jurisprudence. This provided a baseline for identifying cultural continuities and changes over time. Additionally, comparative discussions highlighted similarities and differences between Islamic teachings, customary practices, and statutory laws governing *talaq* in Kenya. This structured approach ensured clarity, coherence, and a comprehensive understanding of the subject matter.<sup>27</sup>

### **Ethical Consideration**

This study upheld ethical standards to protect the rights and dignity of participants. Prior to data collection, ethical approval was obtained from the Adventist University of Africa Research Ethics Committee (AUA-REC). Permissions were also secured from local government authorities and religious leaders of the Nairobi West Somali community, ensuring community-level acceptance given the cultural and religious significance of *talaq*. Participants were provided with clear information about the study in Kiswahili and Somali (through oral explanation where needed) and

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<sup>27</sup> Graham R. Gibbs, *Analyzing Qualitative Data*, 2nd ed. (Los Angeles, CA: SAGE Publications, 2018), 53-126.

gave informed consent voluntarily, with the assurance that they could withdraw at any time.<sup>28</sup>

Given the sensitivity of the study, which focused on the practice of *talaq* (divorce) and its socio-religious impact within a Somali Muslim context, the researcher, a Christian female, engaged trained Muslim research assistants to facilitate access to participants where culturally or religiously appropriate. This was particularly important for interactions with male participants, in line with Islamic norms governing gender interaction. Research assistants were carefully trained on the study's aims, ethical standards, and confidentiality procedures, and they supported the data collection process without introducing personal biases. Their presence helped to build trust with participants and ensured that interactions remained culturally and religiously appropriate.<sup>29</sup>

Throughout the research process, cultural sensitivity was maintained, and care was taken to avoid practices that might be intrusive or disrespectful. Confidentiality and anonymity were safeguarded by assigning pseudonyms to participants and securely storing both digital and physical data. All electronic data (audio recordings and transcripts) were kept in password-protected files on an encrypted computer, while physical notes were stored in a locked cabinet accessible only to the researcher. These measures are consistent with best practices in qualitative research ethics, ensuring both the ethical soundness and the methodological trustworthiness of the study.<sup>30</sup>

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<sup>28</sup> World Health Organization, *Standards and Operational Guidance for Ethics Review of Health-Related Research with Human Participants* (Geneva, Switzerland: WHO Press, 2011), 24-25.

<sup>29</sup> David B. Resnik, *Ethics of Research with Human Subjects: Protecting People, Advancing Science, Promoting Trust* (Cham, Switzerland: Springer, 2018), 89-92.

<sup>30</sup> Uwe Flick, *An Introduction to Qualitative Research*, 6th ed. (London: SAGE Publications, 2018), 54-56.

For cultural sensitivity and community engagement there was a need to seek prior community consultation. Whereby, before beginning data collection, the researcher, actively engaged with respected community leaders to gain entry into the Somali community and ensure cultural acceptance of the study.

The researcher held introductory meetings with two imams from mosques in Nairobi West, two community elders, and the coordinator of a Somali women's support group. During these meetings, the researcher explained the academic purpose of the research, clarified that participation was voluntary, and assured them that confidentiality and cultural values would be upheld.

The leaders responded positively and provided practical guidance on how to approach participants respectfully. They advised against scheduling interviews during Friday prayers or late in the evenings and emphasized the importance of using culturally appropriate language when addressing divorced women. The leaders also suggested that the researcher should work through a trusted liaison, whom they later introduced to me, to help with initial participant connections. This liaison also served as my research assistant throughout the data collection process, accompanying me during the first introductions, which greatly reduced hesitation and fostered trust among participants.

Importantly, the community leaders proposed one of their community school, Maarifa College, as a culturally acceptable and neutral venue for the interviews and focus group discussions. They explained that women might feel more comfortable participating in such a familiar and community-approved setting, rather than in an outsider's space or private home, which could cause suspicion or shyness. Following this advice, I conducted several interviews and one focus group discussion at Maarifa College, which proved to be an effective and safe environment.

Throughout all interactions, I used courteous and non-judgmental language, ensuring that Islamic and Somali cultural values were upheld. Sensitive questions were framed carefully to avoid offense, and I remained attentive to participants' verbal and non-verbal cues to maintain a respectful atmosphere.

### **Summary**

This chapter outlined the research methodology that was used to study the administration of *talaq* and its socio-religious impact among the Somalis in Nairobi West, Kenya. The chapter begins by establishing the setting of the research area. A qualitative research method, based on phenomenological study, was discussed which included all field research procedures, that is, sampling technique, data collection, collation, analysis and the ethical considerations.

## CHAPTER 5

### DATA ANALYSIS, FINDINGS, AND PROPOSED STRATEGY

This chapter presents a thematic analysis of the qualitative data gathered through in-depth interviews and focus group discussions. Guided by the research questions outlined in Chapter One, the analysis seeks to uncover the lived experiences of Somali Muslim individuals in Nairobi West who have been affected by how talaq is being administered, with particular attention to women and children. The interpretive phenomenological approach adopted in this study allows for a nuanced exploration of participants' inner experiences and meanings.

The purpose of this chapter is to respond systematically to the research questions by analyzing participants' narratives, identifying emerging themes, reflecting on the missiological implications, and finally proposing a practical mission strategy. The discussion is organized into four major sections. First, the data analysis provides a detailed examination of the voices of divorced Somali women, religious leaders, community elders, and adult children of divorced women, with attention to both Islamic and cultural practices of divorce and how they are interpreted within the Somali Shafi'i context.

Second, the emerging themes are identified and discussed under their own subtitle, supported by participants' narratives, including issues such as fear of rejection, economic struggles, spirituality, and the tension between Islamic ideals and Somali cultural distortions. Third, the missiological implications are drawn from the findings, guided by core mission principles such as the *Missio Dei*, critical

contextualization, Christ's method alone, and the Global Center for Adventist Muslim Relations (GCAMR) framework. Finally, the mission strategy is presented, developed primarily from the findings related to Research Question 4, as a time-framed and practical roadmap for engaging Somali women, youth, and children affected by *talaq*.

This structure ensures that the chapter not only presents the lived realities of participants but also translates those realities into mission opportunities. The goal is not advocacy in the secular sense but the development of a biblically grounded, contextually sensitive strategy for spiritual engagement that addresses the pain points identified in the Somali Muslim community of Nairobi West.

### **Data Analysis**

This section analyzes narratives from twelve participants as follows: A focused group of Participants FDW 1- FDW 6, an in-depth interview's with RLI1 – RLI2, MCL – FCL, and AMCDM – AFCDM, to capture prevailing perceptions.

#### **Prevailing Perceptions of Divorce among Somali Muslims**

The first research question explored community perceptions of divorce, focusing on both cultural and religious influences. Specifically, it asked: What are the prevailing perceptions of divorce among Somali Muslims in Nairobi West? This was further divided into two sub-questions: (a) How do Somali cultural norms influence these perceptions? and (b) How does Islamic teaching shape their understanding of *talaq*?

**Influence of Somali cultural norms.** A consistent finding was that Somali cultural norms strongly shape perceptions of divorce, often in ways that stigmatize women. Five out of six divorced women (83%) reported being treated as socially less valuable after divorce. The participant FDW2 shared:

After my husband divorced me, the community looked at me differently. Some even avoided me, as if I had done something shameful. That was especially painful. The community treated me with suspicion and pity. Many assumed I was the problem because I couldn't have children. Some friends distanced themselves. I felt like a marked woman.

The participant MCL1 shared:

In our culture, people see a divorced woman as incomplete. They are not respected in the same way as married women. ... They are often blamed or looked down upon, even when they're not at fault.

These accounts show that cultural stigma often frames divorce as a personal failure, intensifying women's social rejection.

Another cultural dimension was the issue of family honor. Another participant FDW4 explained:

My family blamed me, saying I should have kept quiet and stayed. They thought divorce brings shame to the family. The community reaction was split. Some believed I should have remained in the marriage and accepted the co-wife. Others quietly sympathized with me but didn't speak up.

This reveals that cultural values of silence and endurance often pressure women to remain in unhappy marriages to protect family honor. Economically, Somali cultural practice also diverged from Islamic teaching. Four of the six women (67%) stated that their ex-husbands withdrew financial support completely after divorce. One participant explained:

When he divorced me, he gave nothing for the children. People said it is the woman's responsibility now...

This shows how cultural expectations often absolve men of post-divorce responsibilities, deepening women's economic vulnerability.

**Perceptions on the trend of talaq.** The two community leaders who participated in this study, the MCL and FCL, were asked whether *talaq* is increasing or decreasing within the Somali Muslim community in Nairobi West. Both leaders observed that divorce has become more frequent in recent years, reflecting deep social

changes that have weakened traditional structures of mediation and mutual accountability.

The participant MCL, a long-serving clan elder and mediator, explained that in the past, divorce was a last resort after extended family and clan efforts at reconciliation had failed. He lamented, “Today, many young couples bypass us and go directly to the Kadhi or even just issue *talaq* without any consultation.”

He attributed this trend to erosion of traditional values, economic pressure, and declining respect for elder authority. According to him, *talaq* has become more common partly because people marry young without adequate preparation and lack patience when marital challenges arise. He further noted that “social media, financial stress, and modern attitudes have made divorce easier than before.”

Similarly, the participant FCL, a respected women’s leader and counselor, confirmed that *talaq* is increasing, especially among urban families. She associated this rise with changing gender roles, reduced family mentorship, and modern communication patterns that have disrupted traditional marital guidance. She explained, “People are marrying without understanding what marriage truly requires. Previously, elders and women mentors prepared couples for marriage, but that is fading today.” She added that the internet and shifting social expectations have made couples more individualistic and less tolerant, leading to premature separations.

Both leaders also recognized that while divorce is more visible today, this is partly due to increased openness and access to formal systems such as the Kadhi’s court. The participant FCL pointed out that women have become more courageous to speak up and seek justice, which was rarely the case before. Yet, they both emphasized that the cultural stigma surrounding divorced women persists, with women still being blamed more harshly than men.

Overall, the narratives of the two community leaders indicate that *talaq* is perceived to be increasing within the Somali Muslim community in Nairobi West. The reasons include weakened traditional mediation, socio-economic strain, changing cultural values, and increased visibility through formal legal structures. These perceptions reinforce the broader findings of this study that divorce is both a growing social reality and a reflection of ongoing transitions in Somali cultural and religious life in urban Kenya.

**Voices of the female community leader.** The participant FCL, a respected women's leader and counselor within the Somali Muslim community in Nairobi West, offered profound insights into how *talaq* affects women and children. Her experiences in mediating family conflicts provided a gendered and community-based understanding of divorce as both a social and spiritual challenge.

She explained that, traditionally, divorce was considered a last resort, handled through multiple levels of family and clan intervention. In her words:

Divorce in Somali traditional practice was historically a last resort. Elders and families intervened early and worked hard to preserve the marriage. There were multiple steps of negotiation, involving maternal uncles, clan elders, and sometimes even neighbors. *Talaq* was not seen as a personal decision—it was a communal matter.

However, she noted that in Nairobi West today, these communal structures have weakened, and couples increasingly resolve issues privately or through the Kadhi's court. This shift, she said, has made *talaq* more common and less mediated by elders.

The participant FCL highlighted that divorced women face emotional, economic, and spiritual challenges. She described that after divorce, women often suffer stigma and isolation:

A divorced woman is often avoided by other wives, and men see her as a 'risk.' Divorce is often seen as a woman's failure, even when she is the victim.

She further explained that such stigmatization extends to children, especially daughters, who may be perceived as less marriageable if their mother is divorced. Economically, women become vulnerable, particularly if they depended on their husbands for financial support. Spiritually, many experience confusion or discouragement, questioning their faith or self-worth.

Despite these challenges, the participant FCL observed emerging signs of change among younger women, who have become more open in discussing divorce and seeking justice through formal mechanisms:

While many still see divorce as a disgrace, some younger people, especially women, are beginning to talk more openly. But the judgment is still there.

She identified urbanization, modern influences, and lack of mentorship as factors driving the increase in *talaq*:

People are marrying without understanding what marriage truly requires. Previously, women were taught how to manage homes, and men were taught responsibility. That has reduced today.

The participant FCL also emphasized that community transformation must come from within. She called for bold leadership and cooperative efforts among imams, elders, and women leaders to promote fairness and compassion toward divorced women and their children:

Imams, elders, and women leaders must speak with one voice that says: women deserve dignity after divorce, and children must be protected. Cultural pride should never come before justice.

Her insights reveal that women leaders are not only aware of the growing trend of *talaq* but are also actively seeking community-based reforms that balance Somali cultural values with Islamic justice. The participant FCL's perspective strengthens the understanding that gender, leadership, and spirituality are intertwined in shaping how divorce is perceived and managed in the Somali Muslim community of Nairobi West.

**Influence of Islamic teachings.** By contrast, participants also acknowledged the role of Islamic teaching in shaping perceptions of *talaq*. Both imams emphasized that Islam regulates divorce with fairness, discourages arbitrary separation, and requires continued responsibility. The participant RL11 stated:

In Islam, divorce is allowed but only as a last option. A man must provide for his children even after divorce. The problem is that many do not follow this.

Similarly, women described finding strength in faith despite cultural rejection. Three divorced women (50%) mentioned that prayer and Qur'anic recitation gave them resilience. As FDW5 put it:

When no one was there for me, I prayed and read Qur'an. That gave me peace and reminded me Allah had not left me.

This suggests that while culture stigmatized them, religious practice provided an alternative source of dignity and hope.

Still, both women and leaders acknowledged a gap between Shafi'i jurisprudence and Somali culture. While Islam emphasizes respect, fairness, and provision, cultural practice often distorts these principles. As the participant RL12 stated: "The problem is not Islam. The problem is culture. People follow tradition more than Sharia."

The findings show that Somali Muslims in Nairobi West perceive divorce through the dual lenses of cultural norms and Islamic teaching. Culturally, divorce is stigmatized, women are blamed, and men often withdraw financial responsibility. Religiously, *talaq* is understood as a permissible but discouraged act, regulated by fairness and continued responsibility, with many women drawing resilience from their faith. The tension between these perspectives highlights how Somali culture often overrides Shafi'i principles, creating a dissonance that affects women most severely.

## **Biblical-Theological Understanding of Marriage**

The second research question sought to establish: What is the biblical-theological understanding of marriage? This question was comprehensively addressed in Chapter Two: Biblical-Theological Foundation. That chapter provided the theological and scriptural grounding for the study, examining Old and New Testament perspectives on marriage and divorce, the insights of Ellen G. White, and interpretations from other Christian scholars.

The analysis in Chapter Two established that marriage, from a biblical-theological standpoint, is a sacred covenant instituted by God and characterized by mutual love, faithfulness, and permanence. It further underscored that while Scripture recognizes human weakness and provides regulated grounds for divorce, the divine ideal remains reconciliation and restoration of broken relationships. This theological framework guided the interpretation of field data presented in the current chapter, offering a lens through which the socio-religious experiences of *talaq* among Somali Muslims in Nairobi West could be understood and critically evaluated.

Therefore, Chapter Two directly answers Research Question Two, serving as the biblical-theological foundation upon which the empirical analysis of this chapter builds. The subsequent sections focus on the remaining research questions, which analyze the cultural, social, and religious realities surrounding *talaq* as expressed in participants' lived experiences.

## **Socio-Economic and Religious Impacts of *talaq***

This third research question examined the consequences of divorce on those most affected within the Somali Muslim community of Nairobi West. Specifically, it asked: What are the socio-economic and religious impacts of *talaq* on affected

individuals, particularly women and children? The analysis is based on the participants from the focused group of divorced women FDW1 – FDW6, two adult children of divorced mothers; i.e., AMCDM – AFCDM, and the views of religious and community leaders; i.e., RLI1 – RLI2.

**Socio-economic impacts.** The analysis of socio-economic impacts seeks to explore how the administration of *talaq* shapes the everyday livelihoods, financial stability, and social mobility of divorced women within the Somali community in Nairobi West. Through participants’ narratives, this section examines the economic vulnerabilities that emerge after divorce—including loss of spousal support, challenges in accessing employment, and the strain of single-handedly providing for children. It also considers the broader social consequences, such as shifts in communal support systems, changes in living arrangements, and the impact of stigma on women’s opportunities. By grounding the discussion in lived experiences, this subsection highlights how socio-economic realities intersect with religious and cultural norms to influence the post-divorce wellbeing of Somali women.

**Economic hardship for women.** Among the six divorced women who participated in the study, five (83%) reported being left without financial support after divorce. Husbands frequently failed to provide *nafaqah* (financial support) despite Shafi‘i obligations. The participant FDW3 recounted:

After the divorce, he gave nothing for food or school. I had to sell small goods in the market to survive. *Another FDW6 explained:* I struggled with rent and children’s needs. My family helped sometimes, but mostly I had to manage alone.

This shows that cultural practice often absolves men of responsibility, shifting the full economic burden to women.

**Burden on children.** Both adult children reported disruption to their education due to poverty. One participant AMCDM recalled: “I had to leave school

for some time because my mother could not pay the fees. It was very difficult...” The other AFCDM shared: “My mother worked hard, but sometimes we lacked basic things. It made me feel insecure.” These accounts illustrate how children inherit the economic consequences of divorce, with long-term effects on opportunity and stability.

**Social exclusion.** Four women (67%) described being excluded from community events or treated as outsiders. As participant FDW2 said: “*Friends avoided me. I was no longer invited to women’s gatherings.*” Also, the participant FCL confirmed: “*Divorced women are seen as less respectable. They are often left out.*” This exclusion deepens women’s vulnerability by denying them access to support networks.

**Religious impacts.** The religious impacts of *talaq* reflect how divorce reshapes women’s spiritual lives, religious participation, and engagement with Islamic norms within the Somali community in Nairobi West. Participants’ narratives reveal that the experience of divorce often intersects deeply with their understanding of faith—affecting their relationship with religious institutions, leaders, and practices. For some women, *talaq* prompts spiritual resilience and a renewed dependence on God, while for others it generates feelings of guilt, fear, or uncertainty regarding their religious standing.

This section examines these experiences to show how faith both supports and complicates the post-divorce journey, highlighting the complex role of religion in shaping personal identity, community perception, and coping mechanisms among divorced Somali women.

**Spiritual crisis.** Two women (33%) described experiencing doubt and discouragement after divorce. The participant FDW4 admitted: “*I wondered why*

*Allah allowed this to happen. For a while, I did not want to pray.*” This shows how personal suffering can create a crisis of faith, leaving women spiritually vulnerable.

**Spiritual resilience and renewal.** At the same time, three women (50%) emphasized that faith became their anchor. The participant FDW5 said: *“When no one supported me, I turned to prayer and Qur’an. That gave me strength.”* This indicates that religion also functions as a source of healing and resilience, enabling women to cope with rejection.

**Leaders’ perspectives.** Religious leaders stressed that Islamic law provides safeguards for women and children. One participant RLI1 explained: “In Islam, a man must support his family even after divorce. The problem is that people follow culture and neglect Sharia.” Another RLI2 noted: “Divorce is allowed, but it should not harm women and children. Sadly, our culture often does the opposite.” These statements highlight the gap between Islamic ideals of justice and compassion and Somali cultural practice, which often neglects them.

### **Variations between Islamic and Cultural Practices**

The narratives consistently revealed a tension between Shafi‘i jurisprudence and Somali cultural practice. While Islam outlines principles of fairness, provision, and dignity, Somali traditions often neglect these obligations, leaving women and children vulnerable.

The administration of *talaq* among Somalis in Nairobi West reflects a blend of Shafi‘i Islamic teachings and Somali cultural traditions, which often diverge in practice. The table below highlights key areas where Islamic principles and cultural norms align or conflict, and how these differences shape the lived experiences of divorced women, children, and families. Drawing on insights from religious leaders,

elders, and divorced women, the comparison illustrates the practical impacts of these contrasting approaches to divorce within the community.

*Table 1.* Comparison of Shafi'i Islamic Teaching and Somali Cultural Practices on Divorce

Aspect	Shafi'i Islamic Teaching	Somali Cultural Practice	Observed Impact in Nairobi West
Legitimacy of Divorce	Permissible but discouraged; considered a last resort after reconciliation attempts (RLI1).	Culturally accepted but stigmatizes women as shameful (FDW2, MCL).	Women face exclusion despite divorce being lawful.
Financial Responsibility ( <i>nafaqah</i> )	Husband must provide for children and support wife during <i>'iddah</i> (RLI1).	Men often withdraw financial support completely (FDW3, FDW6).	Women struggle economically; children face disrupted education (AMCDM, AFCDM).
Custody of Children	Custody usually granted to mother; father remains financially responsible (Shafi'i fiqh).	Fathers frequently disengage, leaving mothers with both roles (FDW1).	Children face neglect and insecurity.
Status of Divorced Women	Divorced women retain dignity; remarriage permitted (Islamic law).	Women treated as failures; excluded from community life (FDW2, FCL2).	Isolation and loss of support networks.
Reconciliation Process	Mediation by elders/religious leaders required before final divorce (RLI2).	Women pressured to remain silent; reconciliation often superficial (FDW4).	Women lack voice; cultural authority dominates.

### Shafi'i Interpretation among Somali Muslims

Although Somali Muslims in Nairobi West identify with the Shafi'i School of law, interviews revealed that cultural norms frequently override its rulings. As the participant RLI2 stated: "The Sharia is clear, but culture speaks louder. People practice what they know from tradition, not what Islam teaches." This explains why

women and children often experience abandonment, exclusion, and poverty despite Islamic principles designed to protect them.

The socio-economic and religious impacts of *talaq* on Somali Muslims in Nairobi West are extensive. Economically, women face abandonment and poverty, while children experience educational disruption and insecurity. Socially, divorced women suffer stigma and exclusion. Religiously, divorce provokes both crisis and resilience: some struggle with faith, while others find renewed strength.

The comparative analysis highlights the root cause of these impacts is the gap between Shafi'i Islamic teaching, which emphasizes justice and provision, and Somali cultural practice, which often neglects or distorts those responsibilities. This dissonance not only explains the suffering experienced by divorced women and children but also creates opportunities for constructive mission engagement in areas of justice, compassion, and spiritual renewal.

### **Impact of *Talaq* on Christian Mission and Gospel Engagement**

The fourth research question asked: In what ways has the practice of *talaq* influenced Christian mission efforts and gospel engagement within the Somali community? The inquiry sought to understand how the lived realities of divorce shape the openness, resistance, or spiritual receptivity of Somali Muslims, particularly women and children, toward Christian mission initiatives in Nairobi West.

**Distrust of religious institutions.** A recurring theme from RQ1 and RQ2 was a deep mistrust of religious leadership. Many participants expressed frustration at imams and elders who prioritized cultural norms over justice. One participant FDW4 lamented: "I went to the elders to ask for support, but they told me to be patient. No one defended my rights."

This disillusionment with Islamic leaders creates a wider suspicion of religion in general, including Christianity. Community members often project this mistrust onto any external religious effort, fearing ulterior motives. As the participant MCL explained: “Our people think outsiders will also take advantage of their weakness, just like their own leaders.” Thus, Christian mission faces the challenge of approaching a community already wounded by failed religious authority.

**Fear of stigma and rejection.** From focused group discussions, women shared the social isolation they faced after divorce. This stigma often makes them avoid any public association with Christian workers, fearing further exclusion. One participant FDW2 confessed: “If I even talk to Christians, people will say I have left Islam. I cannot risk more shame.” This suggests that mission engagement must adopt low-visibility, relationship-based approaches, rather than overt or institutionalized methods, to avoid reinforcing social rejection.

**Spiritual openness through suffering.** At the same time, several women indicated that suffering led them to seek new meaning in faith. As one participant FDW5 shared: “When no one supported me, I turned to God more seriously. I asked Him to show me the way.” Another participant FDW4 admitted: “I wondered if God still cared for me. I wanted answers beyond what my leaders gave.” Such statements reveal that crises of divorce create moments of spiritual questioning where women and children are more open to compassionate engagement. While suspicion of formal religion remains high, quiet conversations about God’s care resonate deeply.

**Opportunities through children.** Narratives from adult children showed how divorce left them educationally and emotionally vulnerable. As one participant AFCDM said: “I felt insecure and wanted guidance. Sometimes I wished someone would advise me.” This presents a mission opportunity in the form of mentorship,

education support, and youth programs that demonstrate practical concern. By addressing these needs, Christian mission may build trust with families and create natural pathways for gospel dialogue.

### **Leaders' Perspectives on Mission Barriers**

Community leaders warned that open proselytizing creates resistance. One participant FCL explained: "If Christians come to preach directly, people will close their doors. But if they come to help, people will listen." This echoes the need for Christ's method of mingling, showing sympathy, and meeting needs before introducing spiritual conversations.

The practice of *talaq* has indirectly shaped Christian mission and gospel engagement among Somali Muslims in Nairobi West by producing a community characterized by mistrust of religious institutions, fear of social stigma, and deep emotional wounds. However, it has also created openings for mission through the spiritual searching of divorced women, the vulnerabilities of children, and the unmet needs that cultural and religious leaders have failed to address. These findings suggest that mission work among Somali divorce-affected families must be quiet, relationship-centered, and need-based, positioning Christian witness as a healing presence rather than an external imposition.

### **Emerging Themes from the Data**

The qualitative analysis of interviews and focus group discussions revealed several cross-cutting themes that help explain the lived realities of Somali Muslims affected by *talaq* in Nairobi West. These themes summarize patterns that cut across the research questions and highlight both the challenges and opportunities for mission engagement.

**Fear of rejection and social stigma.** A dominant theme across participant accounts was the fear of being judged or rejected by family and community after divorce. Four of the six divorced women reported being excluded from gatherings or looked down upon. One participant ADW2 shared: “Friends avoided me. I was no longer invited to women’s gatherings.” This stigma extended to mission engagement as divorced women worried that associating with Christians could intensify their rejection. The fear of stigma therefore influences not only community life but also how people perceive new relationships or spiritual conversations.

**Economic vulnerability.** Nearly all participants emphasized the economic struggles that followed divorce. Husbands often failed to provide *nafaqah* (financial support), leaving women to raise children alone. As one participant ADW3 explained: “After the divorce, he gave nothing for food or school. I had to sell small goods in the market to survive.” This theme demonstrates disconnect between Shafi‘i law, which requires male provision, and cultural practice, which often neglects it. Economic vulnerability is both a social crisis and a potential mission opportunity where practical support can open doors for trust.

**Spiritual tension: Crisis and resilience.** The data revealed a tension in participants’ spiritual experiences. Some expressed doubt and discouragement: As the participant ADW4 stated: “I wondered why Allah allowed this to happen. For a while, I did not want to pray.” Others described renewal and resilience through prayer and Qur’an: Such as the participant ADW5 said: “When no one supported me, I turned to prayer and Qur’an. That gave me strength.” This duality suggests that divorce creates both barriers; faith crises and openings to renewed spiritual seeking that are relevant for mission engagement.

**Mistrust of religious leadership.** Participants consistently criticized religious and community leaders for prioritizing culture over justice. As one participant ADW4 recounted: “I went to the elders to ask for the support, but they told me to be patient. No one defended my rights.” Another participant RLI2 acknowledged this problem as he admitted: “The Sharia is clear, but culture speaks louder. People practice what they know from tradition, not what Islam teaches.” This mistrust spills over to perceptions of Christian mission, since many equate “religion” with failed leadership. Mission engagement must therefore be distinguished from cultural or exploitative models of religion.

**Vulnerability of children.** Children of divorced women described the insecurity they faced. One AMCDM said: “I had to leave school for some time because my mother could not pay the fees.” This highlights how the effects of *talaq* extend beyond women to the next generation, creating a cycle of poverty and spiritual vulnerability. Mission approaches that include mentorship, education, and youth care resonate with these needs.

**Cultural distortions of shafi‘i Islam.** The comparative analysis confirmed that cultural practices often override Shafi‘i principles. While Islamic teaching emphasizes fairness and provision, Somali traditions frequently stigmatize women and absolve men of responsibility. This distortion not only harms families but also creates confusion about the nature of God and religion.

The data points to six dominant themes: fear of rejection, economic vulnerability, spiritual tension, mistrust of religious leadership, vulnerability of children, and cultural distortions of Shafi‘i Islam. Together, these themes reveal the deep pain of divorce while highlighting entry points for mission. They show that the Somali Muslim community of Nairobi West is simultaneously wounded by cultural

injustice and searching for meaning, justice, and healing conditions that, if approached wisely, can provide openings for gospel engagement.

### **Missiological Implications**

The findings of this study revealed the painful realities faced by divorced Somali women and children in Nairobi West, but they also opened pathways for mission engagement. The role of missiology here is not to impose change on Somali culture but to identify mission opportunities within experiences of suffering and to discern how the gospel can bring economic empowerment, social acceptance, emotional resilience, and spiritual renewal. This section reflects on the implications of the study using key missiological principles: the *missio Dei*, critical contextualization, and the Christ's method alone.

#### **The Missio Dei and Presence**

The Latin term *Missio Dei* means “the mission of God.” It emphasizes that mission does not originate with the church but with God Himself. Mission is rooted in the sending of the Son by the Father and the continuing sending of the Spirit into the world as we find in John 20:21.<sup>1</sup> As Bosch explains, *Missio Dei* shifts the focus from mission as the activity of the church to mission as the activity of God, in which the church is invited to participate.<sup>2</sup>

The doctrine of the *Missio Dei* reminds the church that God is already active in the Somali community, even amid the suffering of divorced women and children. Narratives revealed both pain and resilience, women who clung to prayer, children

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<sup>1</sup> Christopher J. H. Wright, *The Mission of God: Unlocking the Bible's Grand Narrative* (Downers Grove, IL: IVP Academic, 2006), 62-65.

<sup>2</sup> David J. Bosch, *Transforming Mission: Paradigm Shifts in Theology of Mission* (Maryknoll, NY: Orbis Books, 1991), 389-93.

who longed for belonging, and leaders who sought fairness. These are signs that God's Spirit is at work. The church's task is to discern and join in this work through presence, listening, and accompaniment. Such presence can nurture emotional resilience, restore social acceptance, and strengthen communal bonds.

### **Critical Contextualization**

Critical contextualization is the process of evaluating cultural beliefs and practices in light of Scripture in order to affirm what is good, reject what is harmful, and transform what is neutral for the sake of the gospel.<sup>3</sup> Hiebert, who coined the term, argued that missionaries must neither uncritically accept culture nor reject it wholesale, but engage it critically through biblical reflection and communal discernment.<sup>4</sup>

The study revealed tensions between Islamic/Shafi'i teachings and Somali cultural practices of divorce. While Shafi'i jurisprudence requires fairness, provision, and reconciliation, Somali cultural practice often neglects these principles, leaving women and children vulnerable. Through critical contextualization, mission can affirm the good in Islamic teaching of fairness, compassion, and reconciliation. While gently challenging harmful cultural misrepresentation such as neglect of provision, stigmatization of women etc. This approach builds common ground and opens dialogue with Muslim leaders while pointing toward biblical values of social acceptance, economic responsibility, and reconciliation.

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<sup>3</sup> Hiebert, *Anthropological Reflections on Missiological Issues*, 88-91.

<sup>4</sup> Paul G. Hiebert, *The Gospel in Human Contexts: Anthropological Explorations for Contemporary Missions* (Grand Rapids, MI: Baker Academic, 2009), 31-34.

## **Christ's Method Alone**

Ellen G. White summarizes Christ's approach to mission in these words:

“Christ's method alone will give true success in reaching the people. The Savior mingled with men as one who desired their good. He showed His sympathy for them, ministered to their needs, and won their confidence. Then He bade them, ‘Follow Me.’”<sup>5</sup> This framework has become a cornerstone of Adventist missiology because it integrates social engagement with spiritual invitation.

The themes that emerged such as fear of rejection, economic vulnerability, stigma, and longing for community, resonate strongly with Christ's method of ministry; i.e., Mingling through attending community gatherings and being present in safe spaces like Maarifa College to promote trust and acceptance. Showing sympathy by listening, supporting, and addressing emotional pain, fostering healing and resilience. Ministering to needs through providing vocational training, mentoring children, and offering trauma healing, contributing to economic empowerment and social stability.

Dialogue where possible, engaging respectfully with imams and elders on shared values of fairness and reconciliation. Discipleship by nurturing small household fellowships where faith can grow in a safe environment, leading to spiritual renewal and belonging. Christ's method thus provides a practical framework for mission among divorced Somali women and children, moving from relationship-building to long-term transformation.

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<sup>5</sup> Ellen G. White, *The Ministry of Healing* (Mountain View, CA: Pacific Press, 1905), 143.

## Mission Strategy

The fifth research question asked, what mission strategy can be developed to engage Somali Muslims in Nairobi West, particularly women and children affected by *talaq*? The findings of this study revealed that *talaq* generates stigma, economic hardship, and spiritual disruption for Somali women and children in Nairobi West.

These challenges create entry points for mission, not as problems to be solved by outsiders, but as opportunities for contextual witness rooted in God's mission. Guided by the *Missio Dei* the mission as God's initiative,<sup>6</sup> informed by critical contextualization; i.e. affirming what is good in culture and correcting distortions,<sup>7</sup> Shaped by the GCAMR three-step strategy, which embodies Christ's method of compassionate engagement, the following mission roadmap is proposed.

### Global Center for Adventist Muslim Relations: Three-Step Strategy

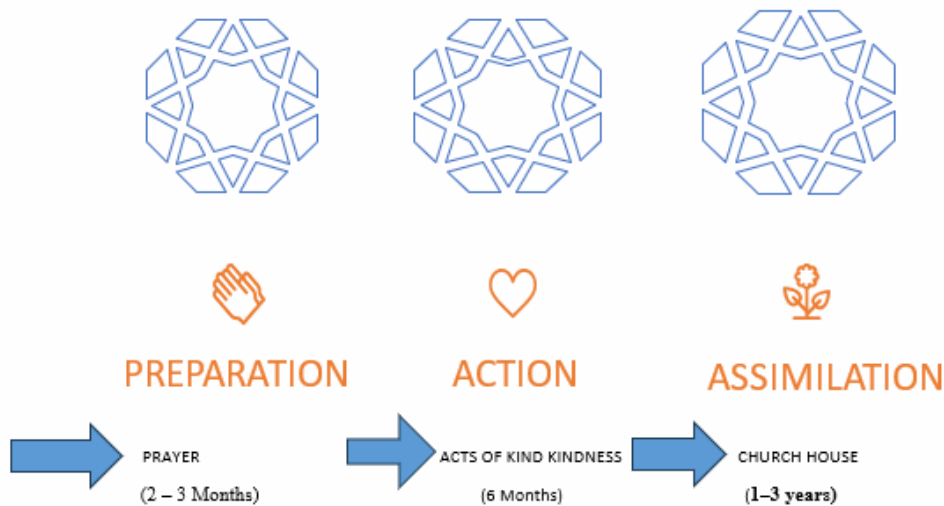
The Global Center for Adventist Muslim Relations (GCAMR) has developed a practical mission model specifically for Muslim contexts. The GCAMR approach is built on three steps: Preparation, Action, and Assimilation, each emphasizing prayer, acts of kindness, and household fellowships as demonstrated in the Figure 1 below.<sup>8</sup>

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<sup>6</sup> Bosch, *Transforming Mission*, 389-93.

<sup>7</sup> Hiebert, *The Gospel in Human Contexts*, 31-34.

<sup>8</sup> Petras Bahadur, *A Practical Guide to Muslim Ministry* (Silver Spring, MD: Global Center for Adventist Muslim Relations, 2018), 25-32.



*Figure 1.* The Global Center for Adventist Muslim Relations: Three-Step Strategy

### **Preparation (2–3 months)**

Mission begins with prayer, cultural learning, and relationship-building. For the Somali context, this means praying for women and children affected by *talaq*, studying Somali customs, and seeking guidance from local leaders. This cultivates trust and openness.

### **Action (6 months)**

Mission is expressed through *acts of kindness* that embody *Christ’s method of compassionate engagement*. In Nairobi West, this could include helping with school fees, providing food support, facilitating vocational training for women, and offering emotional care for children affected by divorce. These practical actions mirror Christ’s approach of mingling with people, showing sympathy, meeting their needs, and thereby building trust that opens the way for deeper relationships.

Through such compassionate acts, mission becomes visible and credible. They communicate genuine concern rather than proselytism, reflecting the heart of the gospel through service. Within the Somali Muslim context, these gestures should be

offered respectfully and quietly, consistent with cultural values of dignity and communal care. As trust grows, these acts of kindness cultivate *economic empowerment, emotional resilience, and community acceptance*, preparing the ground for sustained spiritual dialogue and household fellowship.

By integrating *Christ's method* within the *Acts of Kindness* stage, this roadmap ensures that mission engagement remains relational, respectful, and restorative—meeting both physical and emotional needs as an authentic expression of God's love.

### **Assimilation (long-term, (1–3 + years))**

Mission matures into household fellowships and discipleship groups. For divorced women and children who experience exclusion, small home fellowships provide social belonging, spiritual renewal, and emotional support. These fellowships can begin organically through trusted relationships formed during earlier stages of compassionate engagement—such as acts of kindness, livelihood projects, or prayer visits. As relationships deepen, small groups may meet discreetly in homes for shared meals, storytelling, prayer, and reflection on spiritual values. Such gatherings foster mutual encouragement, empowerment, and healing within safe, familiar environments.

In the Somali Muslim context, household fellowships should remain relational rather than institutional, respecting privacy and cultural sensitivity. They may include discussions on family values, forgiveness, and hope, framed in language that resonates with Islamic moral teachings but biblical principles and social harmony. Over time, these gatherings can evolve into informal discipleship groups where participants learn biblical principles of faith, community care, and love of Christ modeled after Christ's method of nurturing trust and meeting needs.

By integrating GCAMR principles, this study highlights that mission should not be abstract but follow a structured pathway—beginning with prayer, expressed through acts of kindness, and culminating in household-based fellowships where discipleship and holistic transformation can flourish. Through following the Ellen White’s statement that Christ’s success in reaching people as depicted.

Table 2 presents a holistic, culturally sensitive ministry strategy designed to engage the Somali Muslim community in Nairobi West using a phased and respectful approach.

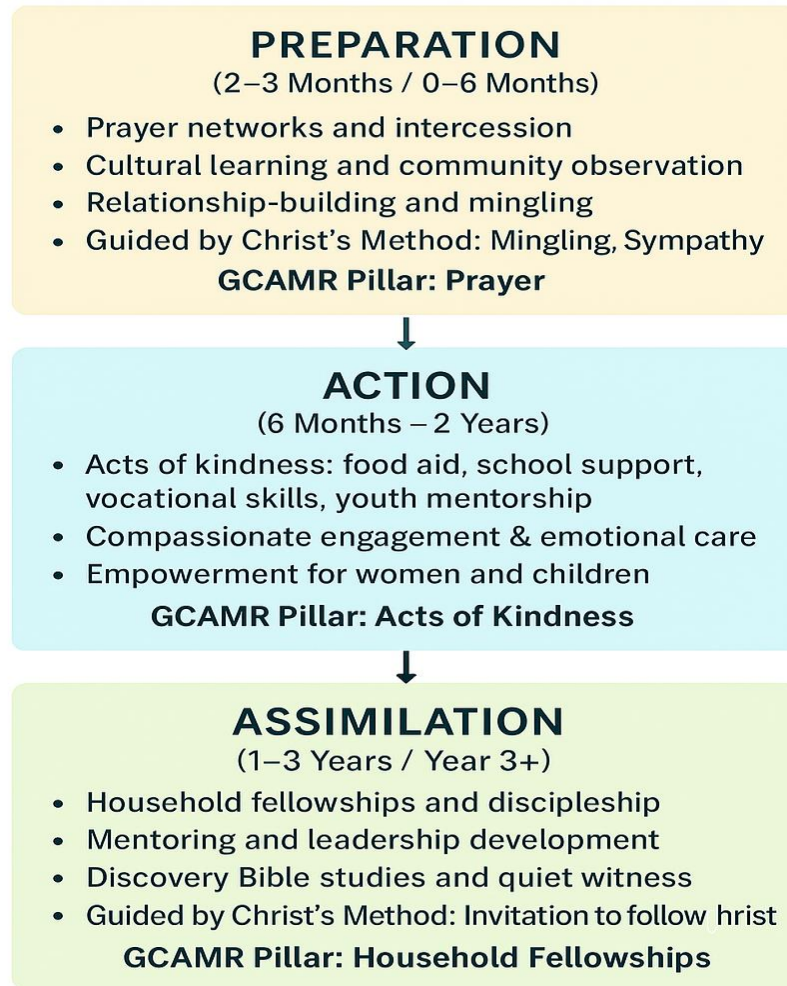
*Table 2. Holistic Strategic for Culturally Sensitive Engagement*

Step	Activity	Christ’s Method Element	GCAMR Pillar	Time Frame
Building Trust	Prayer networks, cultural learning, mingling at community events	Mingling	Prayer	0–6 months
Compassionate Support	Acts of kindness, safe women’s gatherings, youth mentorship	Sympathy, Meeting needs	Acts of kindness	6–12 months
Meeting Needs	Livelihood skills, counseling, long-term friendships	Meeting needs, Winning confidence	Acts of kindness	Year 2
Spiritual Dialogue	Discovery Bible studies, storytelling, quiet witness	Winning confidence → Invitation	Prayer, Acts of kindness	Year 2–3
Discipleship & Fellowship	House fellowships, mentoring, leadership development	Invitation to follow Christ	House churches	Year 3+

The strategy integrates Christ’s Method, the GCAMR Missiological Pillars, and context-appropriate activities that build trust, meet practical needs, and gradually open space for spiritual dialogue and discipleship. Each step outlines specific actions,

their missiological alignment, and an estimated time frame, offering a structured pathway for sustainable, relational, and culturally aware engagement.

The Figure 2 below presents a phased mission strategy designed to engage Somali Muslims affected by *talaq* through a culturally sensitive and relational approach. Structured around the GCAMR pillars and grounded in Christ's Method, the model moves progressively from Preparation, to Action, and finally to Assimilation, illustrating how trust is built, needs are met, and long-term spiritual growth is nurtured. Each stage includes key activities, timelines, and guiding principles, offering a practical roadmap for holistic transformation within the community.



*Figure 2.* The Proposed Mission Strategy for Engaging Somali Muslims Affected by *Talaq*

The GCAMR framework following the Christ’s method by offering three core pillars: Prayer, acts of kindness, and household fellowships.<sup>9</sup> Prayer undergirds each stage of the roadmap, shaping presence and intercession for healing. Acts of Kindness are most visible in the sympathy and needs stages, where practical compassion builds bridges of trust and empowerment. Household Fellowships form the backbone of long-term discipleship, ensuring mission is relational, sustainable, and less threatening in Muslim-majority contexts. As Bahadur emphasizes, prayer opens doors, kindness

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<sup>9</sup> Bahadur, *A Practical Guide to Muslim Ministry*, 25-32.

builds credibility, and household fellowships create space for spiritual growth in culturally sensitive ways.<sup>10</sup>

This mission strategy proposes a step-by-step, time-framed roadmap for engaging Somali Muslims in Nairobi West, particularly women and children affected by *talaq*. It begins with mingling and sympathy helps in building trust and belonging, expands to meeting economic and emotional needs for empowerment and resilience, progresses into dialogue through mutual respect and shared values, and culminates in discipleship through household-based fellowships and spiritual renewal. The GCAMR three step strategy, anchored in Christ's method, the strategy is not abstract but a practical roadmap that anyone seeking to engage in mission among Somalis can follow.

### **Summary**

This chapter revealed that *talaq* brings stigma, economic hardship, and spiritual disruption, with women and children most affected. Themes such as rejection, emotional struggle, cultural-religious tension, and longing for belonging highlighted gaps between Shafi'i jurisprudence and Somali cultural practices. The missiological response requires a relational and holistic approach, guided by the *Missio Dei*, critical contextualization, and the GCAMR framework, anchored in Christ's method alone. A phased mission strategy was proposed, showing that the challenges of divorce also create opportunities for culturally sensitive, gospel-centered mission.

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<sup>10</sup> Bahadur, *A Practical Guide to Muslim Ministry*, 25-32.

## CHAPTER 6

### SUMMARY, CONCLUSION, AND RECOMMENDATIONS

This final chapter provides an integrated summary, conclusion, and recommendations drawn from the findings and discussions presented in the preceding chapters. It aims to synthesize the key theological, cultural, and missiological insights of the study on the administration of *talaq* (Islamic divorce) and its socio-religious impact among the Somali Muslim community of Nairobi West, Kenya.

The chapter revisits the biblical, Qur'anic, and scholarly perspectives on divorce; interprets how Somali cultural dynamics interact with Shafi'i jurisprudence; and offers mission-oriented recommendations for the local church, conference leadership, and missionaries serving in this context.

#### **Summary of the Study**

This study explored the administration of *talaq* and its socio-religious impact on Somali Muslim families in Nairobi West. Theologically, the biblical foundation found in Chapter 2, established marriage as a divine covenant of companionship and mutual care. The Old Testament portrays marriage as a sacred bond in Gen. 2:24 that protects social order and human dignity, while the New Testament elevates marriage as indissoluble except on grounds of unfaithfulness in Matthew 19:3–9.

The prophet Malachi declared that God hates divorce in Malachi 2:16, underscoring divine concern for faithfulness and justice. Ellen G. White reinforced

this covenantal ideal, emphasizing that divorce should be regarded as a last resort and that pastoral care must restore hope and reconciliation where possible.<sup>1</sup>

In contrast, the Qur'anic framework allows divorce under regulated conditions but commands fairness and reconciliation. In Surah al-Baqarah 2:228–232 and Surah al-Nisa' 4:35 outline arbitration, waiting periods (*'iddah*), and financial responsibility, presenting *talaq* not as a punishment but as a last option after mediation. However, classical Shafi'i jurisprudence, while rooted in these Qur'anic principles, has often been selectively applied in Somali contexts. Scholars such as al-Shafi'i and later commentators stress fairness, witness, and due process, yet Somali customary norms tend to override these safeguards through patriarchal practices and clan-based honor systems.<sup>2</sup>

The literature review in Chapter 3 revealed how Somali Muslims perceive *talaq* as a religiously sanctioned but socially charged act. While Islam theoretically upholds women's rights, cultural distortion results in male-dominated interpretations, reinforcing stigma and socio-economic marginalization. African traditional elements such as collective honor and family reputation, further intensify the stigma surrounding divorce.

The empirical findings in Chapter 5 confirmed that these cultural distortions deeply affect women and children. Divorced women face economic deprivation, loss of community respect, and emotional trauma. Children experience instability, disrupted education, and spiritual insecurity. Religious leaders acknowledged that although the community identifies with the Shafi'i School, most divorces are

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<sup>1</sup> White, *The Adventist Home*, 342-43; see also *The Ministry of Healing*, 358-59.

<sup>2</sup> Al-Shāfi'ī, *Al-Umm*, 5:213-220.

administered according to cultural norms rather than Shariah principles, often without witnesses or provision for the wife and children.

Missiologically, the study demonstrated that *talaq* produces both barriers and opportunities for Christian mission. While mistrust of religious institutions creates resistance to overt evangelism, the suffering of divorced women and children opens quiet spaces for compassionate witness. Guided by Bosch's theology of the *Missio Dei*—that mission begins with God's initiative and the church merely participates in His redemptive activity.<sup>3</sup> This study recognized that God is already present in Somali suffering, working through resilience, prayer, and communal care.

Hiebert's concept of critical contextualization further informed this approach, showing that mission must affirm what is good in Somali-Islamic values such as justice, compassion, reconciliation, while gently confronting harmful cultural distortions.<sup>4</sup> Likewise, Whiteman's emphasis on incarnational ministry calls for missionaries to embody Christ's presence through humility, service, and long-term relationships.<sup>5</sup>

Ellen White's principle that "Christ's method alone will give true success in reaching the people provides a practical model: mingling with the community, showing sympathy, meeting needs, and then inviting discipleship."<sup>6</sup> Together, these biblical, Islamic, and missiological perspectives form a coherent framework for understanding *talaq* not merely as a legal act but as a deeply social, spiritual, and missional issue.

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<sup>3</sup> Bosch, *Transforming Mission*, 390-93.

<sup>4</sup> Hiebert, *Anthropological Reflections on Missiological Issues*, 89-97.

<sup>5</sup> Darrell L. Whiteman, "Anthropology and Mission: The Incarnational Connection," *Missiology* 23, no. 4 (1995): 401-418.

<sup>6</sup> White, *The Ministry of Healing*, 143.

## Conclusion

The study concludes that the administration of *talaq* among Somali Muslims in Nairobi West is a complex interplay of religion, culture, and gender power. While the Shafi‘i School prescribes fairness, mediation, and financial provision, Somali customary practices frequently neglect these principles. Cultural honor systems stigmatize divorced women, making them bear the brunt of social rejection and economic hardship. Children become collateral victims, suffering neglect, instability, and reduced educational opportunities.

A key analytical insight is that the Somali community, though professing allegiance to the Shafi‘i School, has not fully aligned with its jurisprudential integrity. Imams and elders often follow inherited clan traditions rather than the balanced justice envisioned by al-Shafi‘i. The findings therefore expose a gap between religious ideal and cultural practice—one that perpetuates injustice under the guise of faith.

Yet, within this brokenness, the study identified remarkable resilience. Many women found solace in prayer, Qur’anic recitation, and informal support circles. Some turned their pain into purpose, supporting others or pursuing education. These elements point to divine grace already at work—an expression of God’s redemptive presence within suffering, as reflected in the *Missio Dei*.

For Christian mission, *talaq* represents both a challenge and an invitation. Direct proselytism in Somali contexts often provokes suspicion; however, relational, need-based, and dignity-centered engagement can embody Christ’s love effectively. Mission must therefore move from confrontation to incarnation, being with the people before speaking to them. This aligns with Bosch’s call for a transforming mission that

participates in God's ongoing activity in history rather than imposing external agendas.<sup>7</sup>

Ultimately, the study concludes that culturally sensitive mission among Somali Muslims must integrate compassion, fairness, and dialogue. It should address the socio-economic wounds caused by *talaq* while nurturing emotional healing and spiritual renewal. This approach not only respects Somali identity but also reflects the holistic nature of the gospel.

### **Recommendations**

The following recommendations are derived from the study's findings and missiological reflections. They are directed toward different levels of Christian engagement and institutional responsibility: the local church, the conference leadership, missionaries and Christian workers, and future researchers. Each recommendation seeks to promote justice, dignity, and contextual sensitivity in ministry among Somali Muslims in Nairobi West.

#### **Recommendations to the Local Church in Nairobi West**

**Holistic community outreach.** The Church should initiate programs that address both spiritual and socio-economic needs of divorced women and children, such as microfinance initiatives, literacy classes, and trauma counseling. This reflects the incarnational model of Christ's ministry described in Luke 4:18. Also, Interfaith Cooperation. Where, the Local congregations should partner with imams and elders to promote mutual understanding and compassion, reflecting the principle of living peaceably with all men taught in Romans 12:18.

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<sup>7</sup> Bosch, *Transforming Mission*, 519.

**Safe spaces for healing.** Churches can host culturally neutral spaces—like community dialogue centers where divorced women and youth feel accepted, allowing trust to develop before any explicit faith discussions. Also, mentor discipleship through Presence. Ministry should emphasize long-term relationships and personal witness over mass evangelism, echoing Ellen White’s counsel that true influence arises from mingling, sympathizing, and meeting needs before invitation.<sup>8</sup>

### **Recommendations to the Local Conference Leadership**

**Contextual mission training.** The conference should develop specialized training programs for pastors and lay leaders working in Muslim-majority settings, focusing on cultural intelligence, Somali traditions, and principles of *critical contextualization*. Also, Policy Support for Community Programs that encourage the establishment of mission centers in areas with large Somali populations to coordinate holistic projects—education sponsorship, livelihood support, and family counseling.

**Empowerment of women leaders.** Identify and train women within the church who can engage Somali divorced women as mentors and peer counselors, promoting empowerment through empathy and shared experience. Also, develop an Inter-Departmental Collaboration. Whereby, Conference departments such as; Family Ministries, Women’s Ministries, Adventist Muslim Relations, should collaborate to design sustainable programs addressing the family breakdown realities in Nairobi West.

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<sup>8</sup> White, *The Ministry of Healing*, 143-45.

## **Recommendations to Missionaries and Christian Workers**

**Adopt Christ’s method of engagement.** Follow the model of mingling, showing sympathy, and ministering to needs before presenting spiritual truths.<sup>9</sup> Compassionate presence must precede proclamation. Through applying *Missio Dei* and critical contextualization. Understand that mission originates from God’s initiative. Workers should discern divine activity already present in Somali resilience and faith, while affirming what is compatible with biblical values and gently transforming what is harmful.<sup>10</sup>

**Promote incarnational witness.** As Whiteman emphasizes, missionaries must live among the people, learn their language, and adopt humility as a strategy of trust, this creates relational bridges that outlast doctrinal debates.<sup>11</sup> By use the GCAMR three-step strategy. Employ the Global Center for Adventist Muslim Relations model—Preparation (prayer and study), Action (acts of kindness), and Assimilation (household fellowships)—as a structured approach to mission engagement in Somali communities.

## **Recommendations for Future Research**

### 1. A Gendered Analysis of Male Experiences of Divorce

Future inquiry should examine how divorced Somali men in Nairobi West experience and negotiate cultural and religious expectations regarding *talaq*. This would provide a balanced understanding of gendered perceptions of

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<sup>9</sup> White, *The Ministry of Healing*, 143-45.

<sup>10</sup> Hiebert, *Anthropological Reflections on Missiological Issues*, 90.

<sup>11</sup> Whiteman, “Anthropology and Mission,” 406-408.

divorce and reveal how masculine identities are shaped by both Shafi‘i jurisprudence and Somali cultural norms.

2. Long-Term Socio-Spiritual Outcomes for Children of Divorced Families

A longitudinal study could explore how children of divorced Somali parents in Nairobi West navigate educational, emotional, and spiritual development over time. Such research would deepen understanding of intergenerational impacts and inform more holistic mission interventions.

3. Role of Local Religious Leaders in Shaping Divorce Practices

Investigating how imams and community elders interpret and implement *talaq* regulations in practice could illuminate why cultural norms often override Shafi‘i principles. This would contribute to reform-oriented dialogue within the community.

4. Faith-Based Coping Mechanisms among Divorced Women

Further study could explore how divorced women use faith—through Qur’anic study, prayer, or communal networks—as a means of healing and resilience. Understanding these coping strategies can enhance faith-sensitive counseling and mission strategies.

### Chapter Summary

This chapter has summarized the key theological, cultural, and empirical findings of the study, concluding that the administration of *talaq* among Somali Muslims in Nairobi West is shaped more by culture than by Shafi‘i jurisprudence, producing deep socio-religious consequences. However, it also offers opportunities for redemptive mission grounded in the *Missio Dei*.

The recommendations call for contextual, compassionate, and collaborative mission strategy which address economic justice, spiritual renewal, and social

healing. By embodying Christ's love through presence, empathy, and service, the church and its partners can become instruments of reconciliation and transformation among Somali Muslim families affected by *talaq* in Nairobi West Kenya.

## APPENDICES

## APPENDIX A

### INFORMED CONSENT FORM

#### **Consent to Participate in a Research Study**

Immaculate Muthoni Murage  
Student at Adventist University of Africa  
MA Missiology  
Mobile +254797335242  
Email muragei@aua.ac.ke

**Subject: Consent Form to Participate in a Research Study**

**Dear Sir/Madam**

You are being asked to participate in a research study entitled: “***Talaq* and its Social-religious Impact among the Somalis in Nairobi west, Kenya: Implications for Mission.**”

The information below tells you about what is involved in the research, what you will be asked to do, and the potential risks and benefits of participating in this study. You are encouraged to ask questions and seek clarification about the nature of the study. Please note that choosing whether to participate in this research is voluntary and entirely your choice. You may refuse to participate or discontinue your participation at any time during the study.

**The purpose of this study:** This study aims to develop a missiological strategy to address the socio-religious challenges posed by the practice of *talaq* among the Somali community in Nairobi West, Kenya.

**Your participation:** You will be asked to participate in an interview. Participation will involve one-on-one interview session with the researcher. The interview is expected to take approximately 30 – 45 minutes to complete.

**Benefits & Risks:** While there may be no direct benefit to you, your participation will contribute to a deeper understanding of the socio-religious challenges associated with the practice of *talaq* among the Somali community in Nairobi West, potentially informing strategies to address these challenges; however, some questions may touch on sensitive cultural or religious topics, which could cause discomfort or emotional distress, and you are free to skip any questions you prefer not to answer and may withdraw from the study at any time without any negative consequences. In case of distress, referrals to counseling services or community support networks will be provided.

**Confidentiality:** Your personal information will be kept confidential. Your interview responses will be anonymized so they will not be identified in any report or publication of this study.

Please carefully read and sign this Form if you are willing to participate in the study.

1. My participation in this research project is voluntary. There is no explicit or implicit coercion whatsoever to participate.
2. I may withdraw and discontinue participation at any time without penalty.
3. I understand that if I feel uncomfortable during the interview, I have the right to decline to answer any question or end the interview or discussion.
4. I understand that the interview will be audio-recorded to accurately capture my own words and a transcript will be produced for data analysis.
5. I understand the researcher will not identify me by name in any reports using information from this interview or discussion.

If you have any ethical concerns about your participation in this research, contact the Institutional Scientific Ethics Review Committee, Adventist University of Africa: [ethics@aua.ac.ke](mailto:ethics@aua.ac.ke)

I have read and fully understood the statements on this Form. All my questions were answered satisfactorily. I voluntarily agree to participate in this study.

Participant's Signature \_\_\_\_\_

Date \_\_\_\_\_

Researcher's Signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_

Contact the supervisor of the research if you need more information or have questions:

Olaotse Obed Gabasiane, PhD ([gabasiano@aua.ac.ke](mailto:gabasiano@aua.ac.ke)) +254718511780 WhatsApp  
+1(269)2461862

Thank you.

Immaculate Muthoni Murage

(MA Missiology Programme, [muragei@aua.ac.ke](mailto:muragei@aua.ac.ke) / +254797335242)

APPENDIX B

AUA/ISERC APPROVAL



Adventist University of Africa  
*Developing Leaders for Service*  
A Private Chartered University Accredited by Commission for University Education, Kenya



Immaculate Muthoni Murage  
Theological Seminary  
Adventist University of Africa  
Kenya

**Reference: AUA/ISERC/20/05/2025**

Dear Immaculate Muthoni Murage

**RE: A Study of the Administration of Talaq and Its Social-Religious Impact among the Somalis in Nairobi West, Kenya: Implications for Mission**

This is to inform you that the Adventist University of Africa Institutional Scientific Ethics Review Committee (AUA-ISERC) has reviewed and approved your research proposal titled above. Your application approval number is AUA/ISERC/2025/0044.

The approval period is 8<sup>th</sup> July 2025 – 9<sup>th</sup> July 2026.

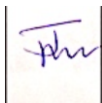
This approval is subject to compliance with the following requirements:

- i. Only approved documents (including informed consent and study instruments) will be used.

- ii. All changes, including amendments, deviations, and violations, are submitted for review and approval by AUA-ISERC.
- iii. Death and life-threatening problems, serious adverse events, or unexpected adverse events, whether related or unrelated to the study, must be reported to AUA-ISERC within 72 hours of notification.
- iv. Any changes anticipated or otherwise that may increase the risks or affect the safety or welfare of study participants and others or affect the integrity of the research must be reported to AUA-ISERC within 72 hours.
- v. Submission of a request for renewal of approval at least 60 days prior to the expiry of the approval period. Attach a comprehensive progress report to support the renewal.
- vi. Submission of an executive summary report within 90 days upon completion of the study to AUA-ISERC.

Prior to commencing your study, you are expected to obtain permissions or any other clearances needed.

Yours Sincerely



Josephine Ganu, Ph.D.



Chair, Institutional Scientific Ethics Review C'ttee

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APPENDIX C

COMMUNITY APPROVAL



# MAARIFA COLLEGE

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COMMUNITY APPROVAL

July 8<sup>th</sup>, 2025.

Subject: **Approval for Research within the Somali Community of Nairobi West, Kenya.**

**To Whom It May Concern,**

On behalf of the leadership of the Somali Community in Nairobi West, we write to grant **Immaculate Muthoni Murage**, a student at the Adventist University of Africa (AUA), permission to conduct research within our community.

The approved study is titled: **“A Study of the Administration of Talaq and its Social-Religious Impact among the Somalis in Nairobi West, Kenya: Implications for Mission.”**

We understand that this research has already received ethical approval from the Institutional Scientific Ethics Review Committee (AUA-ISERC), reference number AUA/ISERC/2025/0044, and will be conducted from July 2025 to July 2026.

We acknowledge that the study will involve voluntary participation from community members, and the data collection methods will include: One Focus Group Discussion of 4–6 divorced women; Individual interviews with: 2 community leaders, 2 religious leaders (Imams), Two adult children of divorced women (one male, one female)

We acknowledge that the purpose of this research is strictly academic, and we appreciate the effort to respect the cultural and religious values of the Somali community. We have been assured that all participation will be voluntary and that the privacy, dignity, and confidentiality of all participants will be fully respected. No identifying personal information will be published or disclosed.

Through this letter, we officially confirm that we grant permission and support for the researcher to proceed with data collection within the Somali community of Nairobi West, Kenya.

Sincerely,

Dr Abdusalan

Director, Maarifa college, Nairobi West Kenya.

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## APPENDIX D

### FIELD INTERVIEW QUESTIONS

The following are the Semi-Structured Interview Questions:

#### **Divorced Women (Focus Group Guide)**

1. Can you share your story of how your divorce (*talaq*) happened?
2. How was the *talaq* communicated or finalized (e.g., in court, at home, with elders or Imams)?
3. Who were involved in the process of the divorce?
4. Were you given a chance for reconciliation before the *talaq* was finalized?
5. What role did religious leaders or elders play in your divorce?
6. How does the community perceive and treat divorced women?
7. How has *talaq* affected your social life, and religious practices?
8. What support (legal, religious, or community-based) did you receive after the divorce?
9. In your opinion, how does Somali culture view divorced women?
10. How did religious teachings (Islamic) influence how the divorce was handled?
11. What were the biggest changes in your life after the divorce socially, economically, and religiously?
12. How did your community or family treat you after the divorce?
13. How did the divorce affect your children (if any)? Emotionally, spiritually, or economically?
14. What helped you most during the period after the divorce?

15. What do you wish could have been done differently in handling your divorce?
16. What kind of support do you think women like you need?

**Religious Leader (e.g., Imam) (Interview Guide)**

1. In your experience, how is *talaq* commonly practiced in this community?
2. What are the religious responsibilities of a husband and wife during and after divorce?
3. How is reconciliation promoted in Islam before *talaq* is finalized?
4. What reasons may lead to *talaq*?
5. What are the different types of *talaq* and their administrations?
6. Describe the steps involved in administering *talaq*?
7. What does Islam teach about the proper procedure and conditions of *talaq*?
8. Are women in this community well-informed about their rights in Islamic law regarding *talaq*?
9. What are the common misunderstandings or misapplications of *talaq* that you have observed?
10. How do you think cultural traditions influence or distort Islamic practice in these matters?

**Community Elder/ Opinion Leader (Interview Guide)**

1. How is divorce handled in the Somali traditional practice?
2. What role do elders play in resolving marital conflicts before divorce is considered?
3. What challenges face divorced women in the community?
4. How are the fore mentioned challenges addressed?
5. What is the general perception of divorce in the Somali community here in Nairobi West?

6. How does Somali culture shape the community's response to divorced women and their children?
7. Do you think *talaq* is increasing or decreasing? Why?
8. How are children from divorced families affected in terms of identity, education, or faith?
9. In your view, what kind of outside support is culturally acceptable for families affected by *talaq*?
10. How can community norms adapt to better support women and children in post-divorce situations?

#### **Adult Children of Divorced Women (Interview Guide)**

1. Can you tell me your age and whether you were living with your mother or father after the divorce?
2. How old were you when your parents divorced, and how did it affect you at the time?
3. What was the hardest part of growing up in a divorced family?
4. Did you feel treated differently by family, schoolmates, or the community?
5. What role did religion (Islam) play in how your family and community dealt with the divorce?
6. How did your parents' divorce impact your life socially, economically and religiously?
7. What role did the community and extended family play in supporting you?
8. How does *talaq* affect children's relationships with both parents?
9. What kind of support would have helped you or your family after the divorce?
10. What advice would you give to mission groups seeking to help families like yours?

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### Education

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### Work Experience

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