

Summary of the Study

The Study aimed at providing an analytical understanding of divorce before consummation among female youth, through detailed information supported by statistical and objective evidence, for the purpose of reaching a social interpretation of relation between social and cultural changes which lead to divorce before actual marriage (consummation) through identifying divorce before the actual marriage (consummation) problem in Gaza strip, exploring the social, economical cultural and political factors, and identifying the problems facing divorced young women, legal and judicial protection for divorced women (before the consummation) in addition to identify of extent the enjoyment of their rights. all of these to come up the recommendations for Palestinian legislator, legal and judicial authority, ministries and legal and feminist organizations, to insure the protection rights for divorced women.

The study focused on divorced young aged (15- 35) years whether they are divorced individually by their husbands, agreement between them, or they get married after the divorce or not.

The researcher divided the study into 4 sections, the first section focused on the study subject, importance and objectives of the study, questions and concepts, methodology approach, study sample, location and time of study, in addition to the difficulties which is faced the researcher.

The second section focused on, theoretical framework of study which includes historical overview of divorce, through two articles the first one includes divorce at the religions, the second one about the previous studies of divorce.

The third section, included divorce before the actual marriage (consummation) at the Palestinian society, magnitude of the problem (divorce before the consummation), the variables which lead this problem.

The fourth section tackled data analysis of field study, presentation the characteristics of the study sample, clarification the reasons of divorce.

On the other hand, the researcher (at the end of study) presented the study summaries, results and recommendations for Palestinian legislator, legal and judicial authority, ministries and legal and feminist organizations. in addition to the annexes which includes study questionnaire.

The study results:

- 1- There is no difference at three heavenly religions, that the man have the right of divorce, even the Christian which prevent the divorce.
- 2- The average of divorce before the actual marriage in Gaza Strip is increased during the study period, in 2011 (1202) cases of divorce before the actual marriage from the total cases of the divorce as average of (34.9%) according to the statics of legal justice court.
- 3- The average of divorce before the actual marriage related to the age (15-25) is 78.9%, which means that the divorce before the actual marriage have occurs among female youth.
- 4- The questionnaire results are clarified that the minimum age of divorced women (before the actual marriage) are (16) years as average of (1.1%) follows by (15) years as average of (3.3%) and (26) years as average of (11.1%)

- 5- The divorce average(before the actual marriage) at villages is(52%) is higher than the average at camps (19%).
- 6- The reasons of divorce(before the actual marriage) are different , the economic reasons as the unemployment of husband of average (26%), the cultural and social reasons as the weakness character of husband of the average(35%), the health reasons as erectile dysfunction of average (11%), the political reasons as the husband doesn't have Palestinian identity card average of (9%).
- 7- Seeking of women for divorce decision as average of (82%) and it is high percentage which refers to the ability of divorce decision.
- 8- Despite the bad experience of divorce for women, this experience makes positive changes at their life.
- 9- There is positive change at the Palestinian society respective for divorced women through parents &NGOs supports for women.
- 10- The traditions at the Palestinian society particularly Gaza Strip of marriage and engagement are still not allowed the engagement of girls without marriage contract which guided to complicated problems in the case of not consummation the marriage, at this event the girls be divorced women at shariath courts statements.

Recommendations:

Firstly-

For decision makers at executive and legislative authority:

- 1- Amend the legal texts that applied at the shariath courts which consider the contract of the marriage (before consummation) is a form of engagement in terms of facilitating the procedures of the contract termination in order to ensure the protection of women rights (one of the contract parties).
- 2- The commitment of the executive authority , particularly the Ministry of interior for proving the marital status of girls at the identity cards after their wedding and moving to the marital home, not when the contract is assigned.
- 3- Claiming the judicial legislation authority as follows:
 - A: Facilitate the judicial procedures of separation (before consummation) issues in order to insure justice and equality between the contract parties.
 - B: Raising awareness for families that the engagement is not related with contract marriage and the engagement is the marriage promise only.
 - C: Coordination with women and legal organizations to provide guidance and advices before the contract marriage at the courts.
 - D: Updating statistics marriage, divorce and divorce before the consummation and disseminating them for public.

4- For Social Affairs Ministry:

- A- Preparation of rehabilitation programs for divorced women(before consummation) in coordination with stakeholders and organizations to insure their safe integration with community.
- B- Ensuring portions receiving for divorced women(before consummation) and not allow for their families to receive their portions whether conditions.

Secondly-Recommendations for families:

- 1- The Palestinian families must give their daughters good opportunities to recognize her fiancé without legal restrictions and allow them to end the engagement in the case of inability of completing the marriage.
- 2- Raising women's awareness to use the conditions of marriage contract in order to protect them from divorce and its consequences.
- 3- The Palestinian families should not to rush of changing the identity card of girls as the fiancé's (husband) family name and waiting of consummation of marriage.
- 4- Changing traditional view of marriage and divorce whether before and after consummation of marriage and providing them psychological supports in order to restore their abilities and different energies.
- 5- Not forcing of divorced women(before marriage consummation)for new marriage , and dealing with them normally without diminution of their humanity.

Thirdly:

Recommendations for legal and women organizations:

- 1- Implementation of advocacy campaigns targeting the official authorities in order to amend the personal status law(family law)and issues immediate decisions to facilities divorce procedures for girls before consummation of marriage to ensure the equal right of their choice of marriage and divorce.
- 2- Urging the official authorities for issue resolution that oblige the executive bodies to not prove the divorce cases before consummation of marriage at the personal status newspaper.
- 3-Undertaking campaigns to raise awareness of families on the necessary of dealing with engagement as promise to marry not marriage and it is legitimate and doesn't violate the religion as protective behavior to avoid negative consequences of divorce(before consummation marriage.).
- 4-Conducting researches and studies of divorced women, social and legal problems and provide recommendations for decision makers.