

Why so many Syrian women get divorced when they move to western countries

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A couple of years ago, I saw a discussion on Facebook of the impact of migration on Arab families. The mainly male writers were arguing that leaving the protection of the homeland has destroyed the fabric of Syrian families and society in the diaspora. They believed it had led Syrian women towards *inhiraf* or “deviation from the true path” as more of them were seeking divorce.

While this phenomenon has been disparaged among Syrians, it has been [celebrated](#) by some western commentators. They saw it as part of the western mission to “save Arab (and Muslim) women” from the Muslim men who oppressed them. This is a clearly reductionist and Orientalist (western-centric) account of the situation.

In her book [Do Muslim Women Need Saving?](#), the Palestinian-American scholar Lila Abu Lughod condemns this western mindset. She maintains it has justified all kinds of western interference in the Arab and Muslim world – including invasion – in the name of rescuing women from Islam.

But many of the refugee women in question have taken advantage of their new lives in western, secular societies to ask for divorce – often from abusive husbands they had to marry as young girls. They had not been forced to marry the men for religious reasons but often because they came from rural backgrounds where patriarchy (and patriarchal interpretations of Islam) were predominant. The personal status laws in most Arab countries also often deprive women of basic rights such as alimony or custody of their children after divorce.

But patriarchal laws are not the main reason for Syrian women’s silence and acceptance of the status quo when in their homeland. The concept of *‘ayb* (shame) rather than the concept of *haram* (religiously forbidden), has often governed these women’s behaviour. For example, while *‘isma* (an additional clause in the marriage contract allowing women to initiate divorce) is permissible in Islam, it is socially frowned upon in most Muslim communities. Women who have such a clause in their marriage contract are often seen as morally and sexually suspect.

Modern mores

A female Arabic-speaking lawyer who helps these Syrian women with their divorces in Germany [is reported as saying](#): “I have never seen so many people from one nationality want to get divorced,” adding, “I’ve never seen a social structure break down like it has among Syrians.”

This is probably due to the fact that many of the families escaping Syria came from [rural areas and from provincial towns](#). Once they escaped the oppressive eyes of their relatives and neighbours, and could initiate a no-fault divorce, they did not hesitate to request such a divorce. They knew their rights would now be protected and their children left in their care.

This phenomenon is not unique to Syrian refugees in Germany. It can also be [observed in Sweden](#),

where Syrian women have been increasingly empowered by the feminist policies of the Swedish government. They also started demanding separation from abusive husbands they had to marry as young girls.

The First [#MiddleEast](#) Women's Conference hosted in [#Damascus](#) University in 1930. More than 300 [#Syrian](#) & Middle Eastern women attended the conference. The main outcome is recommending equal divorce right for both genders (which is traditionally granted to men only) pic.twitter.com/pFwSRUStjw

— Anas AlQaed (@AnasAlQaed) [May 16, 2019](#)

This is not an indictment of refugee women as much as it is an indictment of Syrian society and laws that force women to accept mistreatment. They do so in order to keep a roof over their heads and custody of their children.

The Syrian government itself has seemingly recently realised its laws are problematic and amended the [Syrian Personal Status laws](#) in February 2019. The amendments included more than 60 legal articles. They not only raised the age of marriage, and granted women custody of their children after divorce, but also [gave all Syrian women 'isma](#) - the right to petition for divorce without anyone's permission.

As expected, Syrians were split in their reactions to these amendments, with some welcoming these changes while others seeing them as not going far enough. A third group read these amendments as a pathetic attempt by a regime that had lost legitimacy among large swaths of the population to instrumentalise women's rights in order to rehabilitate itself in the eyes of the west.

By amending these laws, the Assad government is trying to portray itself as a modern and "civilized" regime that protects women's rights against the "backwardness" of what it depicts as Islamically inspired laws. The Assad regime is positioning itself as an enlightened government, one the west does not need to save women from.

Choice and dignity

In the meantime, in Europe where large numbers of Syrians have taken refuge - and away from the opprobrium of patriarchal society - women are taking advantage of laws that grant them equal rights and social norms that do not put the blame on them in the case of divorce, or consider them fallen women if they leave their husbands.

Through recourse to a more sympathetic regime for women, Syrian refugees are demonstrating an agency that is often denied to them by western politicians and many Arab intellectual elites. These laws are not inimical to Islam - feminist interpretations of Islam holds that the religious doctrine [grants women rights](#) - but that these rights are all too often denied by patriarchal interpretations of religion and by Syrian societal norms.

The principles of social justice are equity, access to resources, human rights and participation. And in Sweden and other European countries refugee women increasingly have access to resources and are made aware of their human rights. In her book [Sex and Social Justice](#), the American philosopher and legal scholar Martha Nussbaum sees choice as the centrepiece of her theoretical understanding of justice, and links it to dignity.

Choice and dignity are principles of justice lacking for both women and men in the Arab world, but

especially for women. Hillary Clinton famously said “[women’s rights are human rights](#),” and the condition of women at large is only one manifestation of the lack of respect for human rights (for all) in the Arab world.

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The Conversation

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