

MARRIAGE AND DIVORCE IN KELANTAN, MALAYSIA

By

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DECLARATION

Except where otherwise indicated this thesis is my own work.

January, 1984

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ABSTRACT

This is a study of patterns of marriage and divorce among the Malays in Kelantan. In the area of marriage an attempt has been made to examine the age at first marriage especially among women. In the area of divorce an attempt has been made to examine the various interrelated factors that caused the high divorce rates in the state. Factors associated with the changes in age at first marriage as well as with divorce are examined in the light of dynamic changes over the last three decades.

For the purpose of this study, two main data sets have been employed, namely, the 1974 Malaysian Fertility and Family Survey sub-sample for the Malay female respondents in the state of Kelantan and the 1981 Mukim Jenerih Tujuh Case Study.

It is hoped that findings of this study will give some implications for policy making as well as for future research, especially in the area of nuptiality patterns and fertility levels among the Malays in Kelantan.

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Chapter 1

I N T R O D U C T I O N

1.1 Introduction

Some of the sharpest social changes among the three major ethnic groups (Malays, Chinese and Indians) in Peninsular Malaysia since independence in 1957 (1) are those in the patterns of marriage and divorce among the Malay population (Jones, 1980: 279-292 and Jones, 1981: 255-278). Most of the studies in these areas were, on one hand macro-demographic studies (Smith, 1961; Caldwell, 1963: 20-32; Swee-Hock, 1967: 641-656; Cho, Palmore and Saunders 1968 :732-744; Palmore and Marzuki, 1969: 383-401; Duza and Baldwin, 1977: 35-44; Von Elm and Hirschman, 1979: 877-891; Jones, 1980: 279-292 and 1981: 255-278; Sidhu and Jones, 1981; Kok-Huat, 1981; and Yahya, 1981) and on the other, anthropological case studies (Djamour, 1965; Swift, 1958; Badur, 1963; Firth, 1966; Gordon, 1964: 23-32; Downs, 1967: 107-186; Strange, 1976: 561-571; Kuchiba et al., (eds.) 1979; Wilder, 1982; and Banks, 1983). There have also been similar studies, mainly in the form of graduation exercises, which served as partial fulfilment for the degree of Bachelor of Economics at the University of Malaya (Abdullah, 1979/80; Che Mat, 1979/80;

(1) Peninsular Malaysia at that time was called the Federation of Malaya. Malaysia was formed in 1963 comprising the Federation of Malaya, the other two Borneo states of Sabah and Sarawak, and Singapore. Since then the Federation of Malaya has been called Peninsular Malaysia or West Malaysia. In 1965, Singapore left Malaysia became a separate independent republic.

Mat Saman, 1979/80; Haji Mohammad, 1979/80; Selamat, 1979/80; Ibrahim, 1979/80; and Karim, 1979/80) and also in the form of project papers submitted as partial fulfilment for the degree of Bachelor of Law (Honours) at the same university (Hj.Haron, 1975/76; Md.Nor, 1977/78; and Nik Mahmood, 1978/79). These polarized approaches were also noted by McDonald (1983; and forthcoming).

Most of the macro-demographic studies emphasize the differentials in age at marriage and fertility among the three major ethnic groups. Some of them also examine rural urban differences and the extent to which divorce correlates with the age at marriage and some other social and economic factors. Among them, however, Jones (1980: 279-292 and 1981: 255-278; and Sidhu and Jones, 1981: 161-207) provide an excellent explanation of ethnic as well as regional differences, the dynamics of change and some of the common factors which have affected the changes in patterns of marriage and divorce over the last three decades.

As far as Malay marriage and divorce are concerned, macro-demographic studies which relate to the three main ethnic groups and which separate the approach into rural and urban subdivisions are of relatively limited value. This is not only because the Malay population is large enough to merit a separate study of its own (of the total of 8.8 million in Peninsular Malaysia in 1970, the Malays accounted for 53 per cent), but also because the law and customs governing Malay marriage and divorce differ from state to state. Apart from that, each state has different levels of social and economic development.

For instance, each state has its own administrative unit, the State Islamic Religious Affairs and Malay Customs Council which also looks after marriage and divorce among the Malays. This is necessary because of the differences in the geographical setting and customs of each state. For example, the state of Kelantan in the east coast of Peninsular Malaysia, with its history of geographical isolation, separate dialect, and the strongest degree of Islamic religiosity (see also Roff, (ed.), 1974), is different from the rest of the country, particularly Negeri Sembilan and Johor in the west coast. Negeri Sembilan has a strong Minangkabau influence, while Johor is heavily influenced by Javanese and Buginese customs (Swift, 1958; Badur, 1963; and Chan and Jones, 1983).

Some states, particularly the two east coast states of Kelantan and Trengganu, have lagged very far behind in economic and social development. They were formerly ruled by the Pan Malayan Islamic Party (PMIP), the opposition party which was in power in Kelantan from 1959 to 1978 and in Trengganu from 1959 to 1964. Due to this, the Federal Government, under the Alliance Party, withheld support for development projects for Kelantan and Trengganu during those periods, thus leaving these two states, particularly Kelantan, far behind economically and socially (further details see Sub-section 3.4.1). Even now it is still the poorest if measured by per capita income (see also Ali, 1978).

In view of the diversity of customs, socio-economic and political conditions, there is a need to study particular aspects in each state or region. One interesting phenomenon is marriage and divorce in Kelantan. As recently as in 1975, the age at first marriage among

women was the lowest in Peninsular Malaysia and the divorce rate was the highest not only in Malaysia but also in the world (Jones, 1980: 287, Table 5; and Jones, 1981: 266, Table 3).

Although there are some anthropological case studies (Firth, 1966; Downs, 1967: 107-186; Kuchiba et al. (eds.), 1979: 139-212) on one hand, and some case study graduation exercises (Nik Mahmood, 1978/79; Abdullah, 1979/80; Che Mat, 1979/80; and Mat Saman, 1979/80) on the other, in the area of marriage and divorce in Kelantan, the first group particularly emphasized the kinship structure when looking at the social and economic phenomena of the population concerned and the second group studied the phenomena at a particular point of time. The most important need, however, is to study the various aspects of marriage and divorce in a dynamic context for a longer time period.

Apart from the above arguments, Chan and Jones (1982) point out that the macro-demographic studies provide breadth but not much depth, while the micro studies (anthropological and graduation exercise case studies) provide depth but not much breadth. Caldwell et al., (1982) noted that "In a demographic investigation there can hardly be a micro approach on its own, as this account of preliminary censuses and accompanying small focused surveys indicates, and there should not be a macro approach unsupported by detailed local knowledge". Accordingly the so-called micro-macro mix type of approach will be used for this study.

1.2 Objectives and Scope of the Study

This is a study of patterns of marriage and divorce among the Malays in Kelantan. The main objective is to examine changes in the patterns of marriage and divorce in a society undergoing modernization and to describe the interactions of some of the political, social, economic and cultural factors involved. Specifically, this study is concerned with age at first marriage especially among women.

Kelantan is characterized not only by a high divorce rate but also a high rate of remarriage. Although the rate of divorce has declined considerably lately, the reasons for the decline are still not well understood. Thus, an attempt will be made to analyse the patterns of the decline and the possible demographic, social, economic and legal factors associated with it.

For the purpose of this study, two main data sets are employed, firstly, from a micro study which was conducted in Mukim Jenereh Tujuh (a mukim is similar to a parish) in 1981, and secondly, from a macro study, sub-sample of the 1974 Malaysian Fertility and Family Survey. This sub-sample consists of ever married Malay women in the state of Kelantan. Some related studies in other areas will also be cited for comparison.

The 1970 census recorded that 92 per cent of the total population of Kelantan was made up of the Malay ethnic group (Chander (ed.), 1977: 37, Table 2.5) and as recently as 1981, all the inhabitants in the area of study were Malays except one Chinese family of nine members. Since Malays are Muslim by definition, this study also concerns itself with aspects of marriage and divorce among the Muslims

in Kelantan.

An attempt will be made to analyse changing patterns of marriage and divorce from about a decade before Malayan independence in 1957 until the early 1980's. Likely trends in patterns of marriage, such as age at first marriage, in the near future will also be discussed.

1.3 Sources of Data

There are six sources of data for this study. The main source is field work which was conducted in Mukim Jenereh Tujuh from July to September 1981. This was done using a questionnaire survey and interviewing selected respondents. The questionnaires were divided into two groups, that is, one for ever married males and the other for single males and females aged 16 and over. Except where otherwise indicated in the questionnaire, the ever married women in the mukim were not interviewed. This was particularly due to financial constraints, the relative difficulty of interviewing women in the Kelantan context particularly given the composition of the study team, and the inherent interest in studying marriage and marital dissolution from the male perspective.

The questionnaires for ever married males consisted of several sections, namely, the family background of the household, personal characteristics, history of marriage(s), socio-economic background, situation before marriage, choice of marriage partner, age at the time of first marriage, the arrangement of marriage, activities of husband and wife, attitudes toward divorce and history of divorce for those who had experienced divorce (for more details, see appendix I). The

questionnaires for single males and females consisted of three main sections; personal characteristics, social interactions and engagement, and attitude towards marriage and divorce.

The questionnaires were set in standard Malay but prior to pre-testing each question was discussed in the local Kelantanese dialect with the interviewers. Six interviewers including the writer himself were involved. All of them possessed at least Sijil Pelajaran Malaysia (Malaysian Certificate of Education) and were residents of the area of study. The writer also acted as a supervisor for the others. Before actual interviewing was conducted interviewers were given one day of briefing and another for training in the use of questionnaires.

The method of data collection required no sampling procedures since the total universe consisted of all ever married males and never married males and females aged 16 and over in the study area. Each ever married male was given at least two chances to be interviewed, that is, by a first visit in the morning and a second visit in the afternoon. However, about 5% of the expected ever married male respondents could not be interviewed, mainly due to their absence at the time of interviewers' visits. The total number of respondents interviewed was 168 ever married males, 86 single males and 74 single females.

The second source of information is obtained through in-depth participant observation by the writer, who was brought up in the area of study. As a member of the community on which this study is based, the writer's understanding of the people has helped considerably in preparing this thesis. The writer's experience in attending marriage

ceremonies and witnessing some of the divorce cases in the area has also enhanced the depth of the analysis. Apart from that the author is an acquaintance of the imam (who is appointed by the State Council of Religious Affairs and Malay Customs, and who is responsible for all matters related to marriage, divorce and any other religious activities in the area). The imam was one of the key informants who supplied information readily, especially that which relates to marriage and divorce. In some cases the imam's information was used to verify that given by the respondents.

The third source of data comes from Malaysian Fertility and Family Survey (MFFS) 1974, being part of the World Fertility Survey (WFS). Only the sub-sample for the Kelantan Malay females (hereinafter called 1974 MFFS Kelantan) will be used in this study. The total number of respondents in Kelantan sample was 596 ever married women aged 15-49 years. (For details of sampling procedures and questionnaire, see Chander, et al., 1977).

The fourth source comes from interviews with several key informants, by means of informal discussion on the subjects related to the study. The key informants included not only the imam who had vast experience in the subject, but also the former penghulu (mukim headman) who had been involved in arranging marriages, and some other elderly members of the village. Interviews were also conducted with district kadhi (judge in Muslim matters or affairs, superior to the imam) of Pasir Mas, and the Chief Kadhi of Kelantan. Other information, such as opinions towards implementing the minimum age at marriage and imposing restrictions on polygyny was also solicited from them.

The fifth source, which is mainly secondary data, has been obtained from various institutions in Kelantan. Data on marriages, divorces and revocations from 1948 to 1980, for the whole of Kelantan were taken from the State Syari'ah Court in Kota Bharu, the capital of Kelantan. Details on some of the divorce cases which were obtained by wives through fasah procedures from the Syariah Court in Kota Bharu were also obtained (for fasah, see Chapter 4, page 66). Records of Malay population in the study area were taken from the office of the Majlis Ugama Islam dan Adat Istiaadat Melayu Kelantan (Council for Islamic Religious Affairs and Kelantan Malay Customs) in Kota Bharu.

The sixth source consists of compilation of data and information from books, monographs, journals, technical reports, government documents, conference and seminar proceedings, dissertations, newspapers and other published or unpublished writings. The basic lists of relevant references were chosen from the Population Bibliography Database and the Sociological Abstracts Database which was requested through the POPLINE of the Population Information Program Resource Centre of the Johns Hopkins University.

1.4 Problems and Difficulties

Several problems and difficulties were encountered while carrying out the survey for this study. Among them were :

- 1) The problem of getting true and accurate information from respondents. Some of the respondents were quite old and illiterate, so much so that they had forgotten almost all of the crucial dates in their life, such as those of birth, marriage and divorce. Moreover,

some did not have any written evidence showing all of those events. Although all of them possessed identity cards showing date of birth, in most cases, the respondents revealed that those dates were different from the actual ones. In order to minimise this problem, those dates were cross checked against important historical events that have taken place in the state. For example, to estimate the events that occurred around the beginning of this century, they were related to the period of the Tok Janggut Rebellion in 1915 or with the period of Bah Air Merah (Red Water Floods) in 1926. Events occurring around the middle of the century were related to the period of "Japanese Occupation" in 1942-1945 or to the day of Malayan Independence on 31 August, 1957.

2) The second problem was difficulties in assessing the monthly income of the respondents. Since the majority of the respondents were farmers, tobacco growers and rubber tappers, their sources of income were seasonal. Moreover, most respondents have several sources of income and having limited literacy and arithmetic capability they could hardly account all payments received during the year. However, an attempt was made to calculate all of their important sources of income and the non-monetary sources were converted into monetary value by using current price indices. Estimates were then made by totalling up all the sources for the year and dividing them by twelve. The final results were put into categories of intervals of one hundred dollars. This kind of estimation is still short of being accurate since it was impossible to calculate the value of all income derived from non-saleable items such as coconuts, vegetables, fruit, goats, sheep, chickens, ducks, eggs and so on.

3) The third problem was biased answers. For example, a large number of the respondents who had experienced divorce gave the answer "bad behaviour of wife" as the main reason for divorce. From the experience of another similar research project (1) in which the same question was put to divorced women, the favourite answer was just the reverse. Such differences in perception are, of course, natural between parties on opposite sides in a conflict, but, as a result, the analysis cannot totally rely on the reasons that were given by the respondents. In most cases, an indirect way of analysing them will be employed (see Chapter 4).

4) Some of the respondents were hesitant to answer some of those questions which they considered too personal. For example, when asked about religious activity such as whether they always attended prayer at the mosque or surau (a small prayer house located in every village in the study area), they seemed too shy to say "no" and the usual answer given was "yes, but very rarely". When checked with the imam and surau prayer leaders, it was found that some of them had never attended at all. Similar kind of reaction was also apparent when they were asked some other personal questions.

5) Although some of the couples have their marriages registered in the place of study, it is likely that some may have migrated after marriage and possibly got themselves divorced elsewhere. This situation rendered it difficult to get the exact number of marriages and divorces that occurred in the area of study. No attempt was made

(1) This research project was a sub-sample which was conducted in Kelantan under my own supervision, as part of the Marriage and Divorce Survey, conducted by the Faculty of Economics and Administration, University of Malaya.

to estimate them. However, it was likely that those events were rare and by and large would be compensated by marriages which were contracted outside the area and were later dissolved in the study area.

Although the survey encountered many problems and difficulties, a serious attempt was made to overcome them. Information which is of suspect is verified with respondents' neighbours, the imam and the former penghulu. In view of these checks the degree of inaccuracy in data collected is considered to be relatively insignificant.

1.5 Organization of the Thesis

This thesis has been organized into five chapters. Chapter 1 is the introduction which also covers the objectives and scope of the study, sources of data, their problems and limitations. Chapter 2 discusses the location of the place of study and some of its general background as well as the demographic, social and economic characteristics of the respondents. Chapter 3 mainly describes the changes in the age at first marriage and the various possible factors associated with it. Chapter 4 deals with types of divorce, analysis of divorce rates in Kelantan since 1948, and remarriage. Finally, Chapter 5 is a summary of findings and some of their implications for policy. The implications of this study for further research will also be discussed in this chapter.

Chapter 2

PLACE OF STUDY: GENERAL BACKGROUND AND ITS RESPONDENTS

2.1 Introduction

The first part of this chapter deals with location of Mukim Jenereh Tujuh and some of its general background. The second part discusses some of the demographic, social and economic characteristics of the ever married male respondents and their first wives.

2.2 Location of Mukim Jenereh Tujuh and its general background

The state of Kelantan, situated in the north-eastern end of Peninsular Malaysia, shares its boundary in the north-west with Thailand, the west with Perak, the south with Pahang and the east with Trengganu. The north and the north-east parts are met by South China Sea. With a total area of 5,799.3 square miles (Wong, 1970: 4) and a population (in 1980) of 877,575 (Teik-Huat, 1980: 11), Kelantan is divided into nine administrative districts, namely, Kota Bharu, Tumpat, Pasir Mas, Pasir Puteh, Machang, Tanah Merah, Bachok, Kuala Krai and Ulu Kelantan. Each has its own district office, usually located in the towns on which the respective districts are named, except for the district of Ulu Kelantan, whose district town is Gua Musang (for more details, see Figure 2.1, page 14). Each district is headed by a district officer. The district is divided into several sub-districts, each headed by a penggawa or sub-district headman.

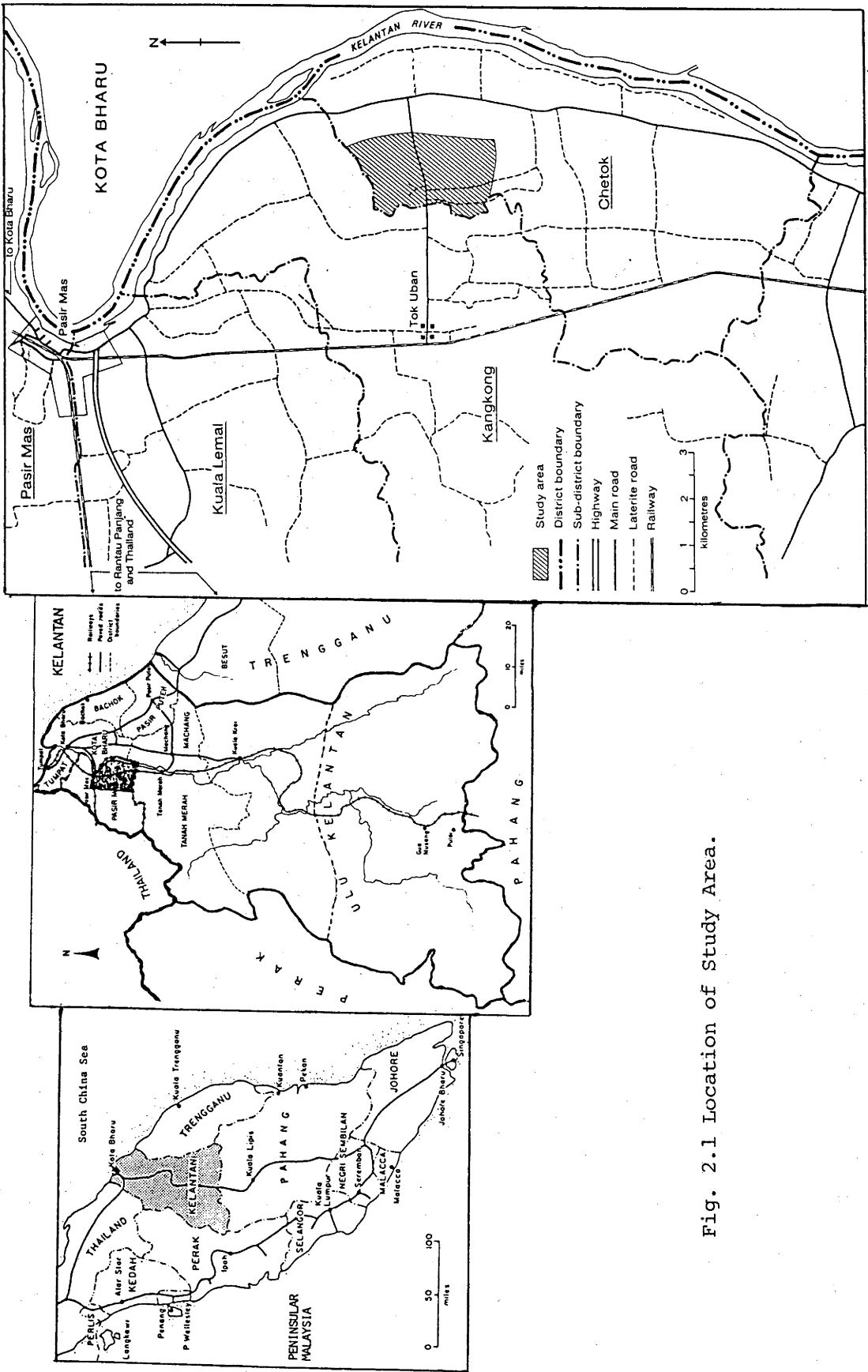


Fig. 2.1 Location of Study Area.

The sub-district is further divided into several mukim, each headed by a penghulu. The penghulu of each mukim is responsible for all administrative matters while the imam is responsible for all matters concerning marriage, divorce and other religious activities in the area. However, it should be noted that in some places the spatial area covered by an imam's official responsibility may not necessarily coincide with that covered by a penghulu's official functions.

Mukim Jenereh Tujuh, on which this research is based, is situated in the sub-district of Chetok in the district of Pasir Mas. It is about 13 kilometers south of Pasir Mas. The mukim consists of seven small villages, namely, Jenereh Tujuh (after which this mukim is named), Kual, Bechah Ketiar, Kubang Chenok, Pangkal Depu, Laka and Kubang Tok Dil. This mukim is bounded to the west and north-west by Mukim Gelam, the south by Mukim Kubang Tembesu and to the east by Mukim Chetok.

Throughout the mukim there are fruit orchards and rubber plantations surrounded by vast paddy fields which separate one mukim from the next. Most houses are either located in the fruit orchards, rubber plantations or beside the paddy fields. Each village in the mukim has at least a gravel road (except for the village of Pangkal Depu) which is passable by motorists only during the dry season but becomes muddy during the Monsoon. These gravel roads are feeder to a tarred main road which passes through the village of Laka, Kubang Chenok and Kual from Tok Uban (a small town about 3 kilometers to the west of the mukim) to the towns of Pasir Mas and Tanah Merah (see figure 2.2, page 16).



Fig. 2.2 Mukim Jenereh Tujuh and Its Environs.

Table 2.1, derived from the annual registration of zakat-fitrah (Muslim tithe payable during the fasting month), shows the Malay population of Mukim Jenereh Tujuh from 1960 to 1981.

Table 2.1

Total Malay Population of Mukim Jenereh Tujuh
1960 - 1981

! Year !	Total Population !!	Year !	Total Population !
! 1960 !	805	!! 1975 !	901
! 1965 !	784	!! 1976 !	923
! 1970 !	777	!! 1977 !	945
! 1971 !	749	!! 1978 !	996
! 1972 !	742	!! 1979 !	1024
! 1973 !	805	!! 1980 !	1040
! 1974 !	850	!! 1981 !	1100

Note : These figures exclude one Chinese family which in 1981 consisted of nine members.

Source : The Council of Religion and Kelantan Malay Customs, registration of zakat-fitrah (tithe) for Mukim Jenereh Tujuh, 1960 - 1981.

It can be seen that during the early 1970's there was a decline in the population of the mukim. However, from 1972 onwards, it increased at an average of about 4 per cent per annum. The trend in the early 1970s, which was probably a continuation of that from the previous decade, could be attributed to the economic difficulties and to the high level of mortality, especially infant, during this period. According to the former penghulu and some village elders, of a number of villagers who migrated out, some eventually did return to the village during the subsequent years. Those who migrated out in

particular had no land and did not have any opportunity to work in the mukim or in the nearby areas. But some were given the opportunity to settle in the FELDA (Federal Land Development Authority) schemes. Many of them went to south Thailand and worked in the rubber estates there.

The high infant mortality rates during this period was probably attributed to the poor health facilities available. For instance, there were no nearby health care services, such as clinics or health centres, except in the distant town of Pasir Mas. But difficulties in transport and communications made such services inaccessible to the villagers in Mukim Jenerih Tujuh.

However, from 1970's onwards the situation changed considerably. It started with the introduction of tobacco cultivation by the MTC (Malayan Tobacco Company) into the area. The company also established two tobacco processing stations in nearby villagers (one in Semubar and the other in Galok, about 3 and 4 kilometers from the mukim respectively). Since then, villagers who had temporarily migrated out realized that they now had the opportunity to cultivate tobacco in the area, while their wives had the opportunity to work in the tobacco processing stations as graders and processors. The majority of them migrated back to the mukim to seize these opportunities.

In 1970 a health subcentre was established in the village of Kangkong about 4 kilometres along the road to Pasir Mas. With the improvement in transport and communication systems the people in the mukim have the opportunity to receive basic medical treatment and nursing services from the centre. At the same time a modern midwifery centre was established in pekan Tok Uban and expectant mothers have

the choice of going to Kangkong Health Centre or to Tok Uban maternity centre for maternity services. The availability of these services has probably contributed to the lowering of infant mortality rates, and this, together with steady fertility rates, and the return of some of the villagers who had migrated out temporarily, may have contributed to the growth of population in the area since 1972.

The total population of the mukim in 1981 is 1100, consisting of 170 households (a household is defined as a group of people living together under one roof and sharing the same meals). Of 168 respondents interviewed, 159 were heads of households.

2.3 Demographic Characteristics of the Respondents

Among the demographic characteristics which will be discussed are; the age of respondents and the period of their first marriage, age at first marriage, marital status, fertility levels of the first wife of the ever married male respondents in the mukim and the ever married women of the 1974 MFFS Kelantan.

2.3.1 Age Groups of Respondents and Period of First Marriage

The ages of the ever married male respondents ranged from 18 years to 72 years. The distribution of respondents by age group and date of first marriage is summarized in Table 2.2. Part (1) of the table shows the age distribution of the respondents and Part (2) the distribution according to the date of first marriage. The main purpose of this study is to examine the effects of social, economic and cultural changes on aspects of marriage and divorce. These changes relate to a certain period regardless of the ages of

respondents, so distribution according to the date of first marriage is preferable and will be frequently used as a controlling variable for further analysis.

Table 2.2

Respondents' Age Group and Year of First Marriage

(1)			(2)		
Age Group	No. of Respondents	%	Year of Marriage	No. of Respondents	%
< 34	69	41	Before 1958	63	38
35-49	49	29	1958-1969	54	32
50 +	50	30	1970-1981	51	30
Total	168	100	Total	168	100

Source : 1981 Mukim Jenereh Tujuh Case Study

The dates of the respondents' first marriage are purposely divided into three time categories, that is, those occurring before 1958, 1958-1969, and 1970-1981. The period before 1957 was the pre-independence period, and the majority of the respondents for this period married in the two decades before 1957. The various aspects of marriage and divorce in this group will be used as an implicit base line for the analysis. The second category covers about a decade after independence and this period corresponds to two short-term development plans (Second Malaya Plan, 1961-1965 and First Malaysia Plan, 1966-1970). During the period covered by the last category (1970-1981), Malaysia experienced two more short-term development plans (Second Malaysia Plan, 1971-1975 and Third Malaysia Plan, 1976-1980). Although the categories correspond to the various periods of the development plans in Malaysia, consideration of their direct

impact on the mukim is beyond the scope of this study. However, some of the social, economic and cultural changes in the area are the result of those plans.

Apart from the above respondents, there were also 86 never married male and 74 never married female respondents of age 16 years and above. Their ages, however, were concentrated at the younger end of the range. Some aspects, particularly the age at first marriage in the near future will be predicted from some of the characteristics of these never married respondents.

2.3.2 Age at First Marriage

The median age at first marriage of the respondents and their first wives are summarized in the Table 2.3. Median ages for both the respondents and their first wives have risen sharply over the period. However, they were still significantly lower than the national ones.

Table 2.3

Median Age at First Marriage of the Respondent
and the Respondent's First Wife

!Year of First! ! Marriage !	! N !	! Responedent's ! ! Age (Median) !	! First Wife's ! ! Age (Median) !
! Before 1958 !	! 63 !	! 17.4 !	! 14.7 !
! 1958-1969 !	! 54 !	! 19.0 !	! 15.7 !
! 1970-1981 !	! 51 !	! 20.6 !	! 17.3 !
! ALL !	! 168 !	! 18.9 !	! 15.6 !

Source: 1981 Mukim Jenerreh Tujuh Case Study

In 1957, 1970 and 1974, the median ages at first marriage among the Malays in Peninsular Malaysia were; 21.1, 24.4 and 25.2 years for males and 17.1, 20.5 and 21.4 years for females respectively (Caldwell, 1963: 26; and Jones, 1981: 265, Table 2).

2.3.3 Marital Status

Of 168 respondents interviewed, 67% were married once, 26% married twice, and 8% married three to nine times. The marital status of the wives at their first and second marriage is summarized in Table 2.4. It can be seen that the majority (92%) of the ever married

Table 2.4.

Wife's Marital Status at the Time of Ever Married Male
Respondents First and Second Marriage (per cent)

! Marital ! Status	! First Marriage ! (N=163)	! Second Marriage ! (N=56)
! Never	!	!
! Married	! 92	! 52
! Divorced	! 7	! 39
! Widowed	! 1	! 9
! Total	! 100	! 100

Source: 1981 Mukim Jenerih Tujuh Case Study

respondents were married to the never married women at the time of their first marriage. Only 7% were married to a divorcee and 1% to a widow. This reflects partly the attitude of the Malays generally who might regard it unusual if a bachelor married a divorcee or widow for his first marriage. The male himself might feel ashamed and his parents and kinsmen might feel inadequate if they could not afford to arrange a never married woman for their son. It might also reflect on

the local community that the parents could not afford to arrange or to bear the expenses of marriage to a never married woman.

But the situation is different for the second and other subsequent marriages. Of the 56 ever married male respondents who had experienced a second marriage, 48% married divorcees or widows. To a certain extent society considers it fair enough for a divorced man or widower to marry a divorcee or widow for his second and subsequent marriages. Furthermore, the parents might not feel ashamed if they could not afford to have their divorced son married to a never married woman for his second and subsequent marriages.

2.3.4 Fertility Levels

In order to get an insight into fertility levels, the figures for children ever born (CEB) and children still living (CSL) for the first wives of the ever married male respondents in Mukim Jenereh Tujuh and for the ever married women respondents in the 1974 MFFS Kelantan, were obtained. These CEB and CSL were controlled by interval since first marriage of the respondents, and they are presented in Table 2.5. The mean numbers of CEB and CSL for both data sets display a similar pattern. For the marital state of 24 years or less, the longer the women had been married, the higher the mean numbers of CEB and CSL. But for the marital durations of 15-24 and 25-34 years, the CEB for both data sets are almost the same, whereas for the marital state of 35 years and over, it increases slightly. For the CSL, however, there are differences between the marital durations of 15-24 and 25-34 years. CSL for these states decreased by one for the respondents' first wives in the mukim, and by a half for the ever married women in

the 1974 MFFS Kelantan. The similarity between the two different data sets is striking, and appears to reflect a sharp decrease in infant and child mortality rates from the late 1940's onwards.

Table 2.5

Wife of the Ever Married Male Respondents in Mukim Jenerreh Tujuh, and Ever Married Women in the 1974 MFFS Kelantan: Mean Number of Children Ever Born (CEB) and Children Still Living (CSL) by Interval Since First Marriage (ISFM)

ISFM (Years)	Mukim Jenerreh Tujuh			1974 MFFS Kelantan		
	N	CEB	CSL	N	CEB	CSL
< 1	11	0.0	0.0	24	0.1	0.1
1 - 2	31	0.3	0.2	56	0.9	0.8
3 - 4	19	1.5	1.3	33	1.7	1.6
5 - 9	22	2.3	2.2	68	2.5	2.4
10 - 14	25	3.8	3.6	95	3.9	3.6
15 - 24	25	5.8	5.5	180	5.5	5.0
25 - 34	15	5.7	4.5	100	5.5	4.5
35 +	20	6.0	4.6	13	5.7	4.8
ALL	168	3.4	3.0	569	4.0	3.5

Sources: 1981 Mukim Jenerreh Tujuh Case Study, and 1974 MFFS Kelantan.

By looking at the marital duration of 35 years or more in which the wives can be considered as having completed their reproductive life span (assuming that the reproductive life span for the women is about 35 years with the age at marriage about 15 years), the completed number of CEB for the wives of ever married male respondents in the mukim is 6.0, and for ever married women in the 1974 MFFS Kelantan is

5.7, while CSL is 4.6 and 4.8 respectively.

2.4 Social Characteristics

Some of the social characteristics which will be discussed here include the level of educational attainment of the ever married male respondents and their first wives, religion and customs, and some of the social activities in the area.

2.4.1 Educational Attainment

The levels of formal educational attainment for ever married male respondents and their first wives are summarized in Table 2.6. It can

Table 2.6.

Level of Educational Attainment of Ever Married Male
Respondents and Their First Wives (Per Cent)

Types of Education	Respondent (N=168)	Respondent's First Wife (N=168)
No Formal Schooling	42	64
1 - 6 Years	35	27
7 - 11 Years	19	10
12 Years and Over	0	0
Religious Education (formal)	4	0
Total	101*	101*

Note: * Total not 100 per cent due to rounding

Source: 1981 Mukim Jenerreh Tujuh Case Study

be seen that the percentages of ever married male respondents and their first wives with no formal education are quite high and the levels of educational attainment for the husbands are comparatively higher than those of wives.

2.4.2 Religion and Customs

All the respondents, as mentioned earlier, are Malays and are Muslim by definition. The Malay way of life is governed by the blend of Hukum Syara' (Islamic Law) and adat (customary law). To a considerable extent there has been no serious conflict between these two systems. At theoretical level, however, it is possible to talk about the distinction between these two sets of demand from which may arise several conflicts inherent in the logic of both systems (Mokhzani, 1972). Hukum Syara' is laid down in the Qur'an and Hadith (the tradition of the Prophet's sayings and doings). The hukum do not change over time; what has been changing is the ways the people interpret the ayat (verses) of the Qur'an and Hadith with regard to their daily life. This may vary from individual to individual and from society to society. Thus, the changes which will be considered in this analysis are not those of the hukum, but the changes in the interpretation of some of the hukum insofar as they affect various aspects of marriage and divorce.

2.4.3 Social Activities

Social activities here refer to any kind of activities in the area which are organised by associations such as political associations, the Teachers and Parents' Association, the Farmers Cooperative Association, the Youth Club and other similar groups. The UMNO (United Malay National Organization, the dominant partner of the National Front Coalition) branch in the mukim was established in 1955. The UMNO did not gain many new members because most of the villagers were strong supporters of the PMIP. This was also true for the whole area in the state constituency in which this mukim is located. For example, since 1959 election, no UMNO candidates were elected. But the UMNO committee members who were relatively wealthy contributed money and provided a piece of land of about 1.2 hectares for the building of a primary school. In 1960, with further donations from the villagers a primary school was built, and began to operate with 6 teachers and 53 pupils. At this time the school was still classified as sekolah rakyat (the people's school) and every teacher was paid only M\$60.00 per month with a yearly increment of M\$5.00. However, in 1968 the school was taken over by the government, and in early 1970's two new modern buildings were built as the number of school children increased. The establishment of the school in the area, coupled with changes in the attitudes and values of the people and improved transport and communication systems, are believed to be factors responsible for the drastic change in the patterns of marriage and divorce as well as in other aspects of life of the people.

After the establishment of the school in the area the school committee was established. The main function of this committee was to look after the welfare of the school and its pupils.

As recently as 1981, there were no other social organizations in the mukim such as farmer or youth organizations, which could help to improve the welfare of the farmers or the youth. It was learned that as a result of the discussions between the writer and two of the villagers (one was an Assistant District Officer in Pasir Mas while the other was a teacher in Kota Bharu), a youth association will be formed very soon.

2.5 Economic Characteristics

Among the economic characteristics which will be discussed here are economic activity, income, and ownership of property (such as land, house, motorcar, motorcycle or scooter, bicycle, radio and television) of the ever married male respondents.

2.5.1 Economic Activity

Most of the respondents are engaged in the agricultural sector and their economic activities are mixed. Of the 101 respondents who are paddy planters, 73 per cent are also tobacco growers, 2 per cent are also rubber tappers and only 25 per cent are paddy planters. Taking the 96 respondents who are tobacco growers, 76 per cent of them are also paddy planters, 14 per cent are also rubber tappers, 7 per cent are also labourers and only the remaining 3 per cent are tobacco growers. Of the 22 respondents who are rubber tappers, 62 per cent of

them are also tobacco growers, 10 per cent are also paddy planters and only 29 per cent are rubber tappers. Apart from that, there are also respondents who work as labourers, volunteer soldiers, teachers, drivers, small-scale shop retailers, businessmen, gardeners, clerks and others (for more details, see Appendix II).

The diversification of the economic activities of the respondents occurred particularly since the introduction of the tobacco growing activities by the MTC (Malayan Tobacco Company). Before that most of the villagers were engaged only in paddy planting and some rubber tapping.

2.5.2 Income

According to the Household Budget Survey of the Federation of Malaya for the year 1957-1958, the average monthly income of the rural Malay households was M\$120.88 (cited in Fisk, E.K., 1964: 96) and at the beginning of the 1960's, Ungku Aziz (1975: 23-27) generalized that the income of a Malay farmer (paddy planter) was in the range of M\$50 to M\$100. Conversations with some of the older villagers indicate that around the time of independence (1957) and at the beginning of 1960's, the average monthly households income in the study area was also in the range of M\$50 to M\$100.

After 1968 the household income in the study area increased considerably. The introduction of tobacco cultivation into the area not only increased the income but also changed the lifestyle of the villagers. This was due to the fact that land in the mukim was very fertile and suitable for tobacco cultivation. From a survey in the

neighbouring village of Galok, which is similar in all aspects to the study area and located only about 4 kilometers to the south-east of the mukim, tobacco cultivation increased the average monthly income of the households by about 79 per cent (Tsubouchi, 1979: 193). Thus, since the main economic activity of the villagers in the study area consisted of paddy planting and supplementary tobacco growing, it could be expected that their incomes also increased substantially. However, since agricultural yields largely depended on the weather, the incomes of the farmers are not regular and are still lower compared to that of volunteer army personnel, teachers, clerks, businessmen and drivers.

A family is considered as a unit of production as well as a unit of consumption, in other words, the whole family works together in the fields and consumes the yield (see also Downs, 1967: 155). Since the majority of the respondents are farmers, and since those who are engaged in permanent jobs are not likely to have families engaged in

Table 2.7

Distribution of Monthly Income of the
Ever Married Male Respondents (Per Cent)

Category (M \$)	Percentage (N=168)
100 - 199	11
200 - 299	41
300 - 399	35
400 - 499	7
500 +	6
Total	100

Source: 1981 Mukim Jenerih Tujuh Case Study

the agriculture sector, the income of the respondents can also be considered as the income of the households. This is summarized in Table 2.7. It can be seen that the majority of the respondents (76%) earned an average of M\$200 to M\$399 per month. This range is comparatively higher than the average monthly income of some other rural areas. Abdullah (1979/80: 22, Table 2.8) find that in Kampong Belukar in the district of Machang, 78% of the respondents earned less than M\$200, while Che Mat (1979/80: 9, Table 2.6) find that in Kampong Pengkalan Kubur in the district of Tumpat, 81% of the 111 respondents earned between M\$100 to M\$299. The differences in range of average monthly income between the different studies are due particularly to differences in main economic activity. In Kampong Belukar the majority (62%) of the respondents were paddy planters and rubber tappers (Abdullah, 1979/80: 18), whereas in Kampong Pengkalan Kubur 45% of the respondents were fisherman (Che Mat 1979/80: 9, Table 2.5). It is clear that tobacco cultivation in the mukim contributed significantly to the increase in the income of the villagers.

2.5.3 Land Ownership

Land is an indicator of family wealth. Those who own land are always considered to be relatively richer than those who do not. There are also landless farmers who work on other people's land through the share-cropping system (pawah, in Malay). Table 2.8 shows that about 26% of the respondents are landless. The majority of them (61%) work on land owned by relatively rich respondents, while some work on land owned by absentee landlords. The area of land which is

owned by respondents ranges from less than 1 to 14 acres. The largest proportion (51%) of the respondents own between 1 to 3 acres. The percentage distribution of the acreage and type of land owned by the ever married male respondents is also summarized in Table 2.8. The types of land use are mixed. There are 124 respondents who own land. Of this 11% of the holdings were orchards, 17% rubber plantations, 28% paddy fields, 8% orchards and rubber plantations, 10% orchards and paddy fields, 13% orchards, rubber plantations and paddy fields, and 13% also for only paddy fields.

Table 2.8

Percentage Distribution of Ownership and Types of
Land Owned by Ever Married Male Respondents

Acreage (Acre)	Percentage (N=168)	Types of Land	Percentage (N=168)
No Land	26	Not Applicable	26
< 1	7	Paddy Field	21
1 - 3	51	Rubber Plantation	13
4 - 6	11	Orchard, Rubber Plantation and Paddy Field	10
7 +	6	Rubber Plantation and Paddy Field	10
		Orchard	8
		Orchard and Paddy Field	8
		Orchard and Rubber Plantation	6
Total	101*	Total	100

Note: * Total not 100 per cent due to rounding

Source : 1981 Mukim Jenerih Tujuh Case Study

It is noteworthy here that the size of land holding tends to decrease over time. This is due to the fragmentation of land under the traditional inheritance practice. Subdivision also happens pursuant to divorce proceedings whereby joint property between husband

and wife is divided equally.

Generally, agricultural activities in the area are not intensive. This is probably one of the reasons for the poor yields evident in the range of income of the respondents, and may help to explain why people in the area are always poor. However, the situation after the introduction of the tobacco cultivation has improved considerably.

2.5.4 Housing

Most of the respondents (93%) owned their own houses. There are various types of houses in the mukim. Most are zinc-roofed while others have roofs made of asbestos and claytiles. Almost all have plank walls. House structures differ according to levels of income and the status of the family. Those who earn a relatively high income from permanent jobs are likely to have relatively beautiful houses, complete with modern furniture. If the children are working and earning a reasonably good income they will usually improve their parents' house before they are married and these houses tend to be better off than others in the village.

In general, the overall condition of houses now is much better since the introduction of tobacco cultivation. Pre-independence type of houses with palm-thatched roofs and bamboo-plaited walls (similar to those photographs in Firth, 1966: frontispiece; and Downs, 1967: 137, Figure 38) are almost non-existent in the mukim nowadays.

2.5.5 Ownership of Other Property

Ownership of other property includes motorcars, motorcycles or scooters, bicycles, televisions and radios. Ownership of these kinds of property were very rare in the past, but recently they have increased both in quantity and variety.

Around the year of independence, it was reported that there were only two bicycles in the mukim and none of other items listed above. There were only walking paths linking the villages to a gravel road. This gravel road was tarred by the middle of 1974.

The first transistor radio appeared in the mukim in the middle of 1962, followed by a second one at the end of the year. In early 1960's the number of bicycles increased while three Honda-Cub 50 c.c. motorcycles began to be used in the mukim in 1963. Two of them were bought by primary school teachers while the other by a Chinese retailer in the mukim. In the middle of 1960's, the two walking paths which connected the village of Jenereh Tujuh and Kual to the currently tarred main road were upgraded by gotong royong (village co-operative effort) to a gravel road.

Table 2.9

Percentage Distribution of Ownership of Other Property
by Respondents or Their Families at the Time of Survey

Types of ownership	Percentage (N=168)	Types of Ownership	Percentage (N=168)
Motorcar, Van or Taxi	5	Radio	88
Motorcycle or Scooter	58	Television	11
Bicycle	67		

Source : 1981 Mukim Jenereh Tujuh Case Study

When tobacco cultivation was introduced in 1968, there was a flood of bicycles, motorcycles, radios and a number of television sets. Although there was no electricity supply in the mukim, the villagers used batteries and generators to power their television sets. Table 2.9 shows ownership of this kind of property.

2.6 Conclusion

The demographic, social and economic characteristics of the population in the study area have changed dramatically since Malayan independence in 1957. These changes could be linked to the establishment of a primary school in the area in 1960, the establishment of the health centres in the nearby areas in early 1970's, the introduction of tobacco cultivation in 1968 and general improvements in transport and communication facilities.

Chapter 3

M A R R I A G E

3.1 Introduction

Marriage is a fundamental institution and universal in almost all societies. In a society where sexual relationship without marriage is socially unacceptable or prohibited and contraception is not generally practised, age at marriage plays an important role in affecting fertility as well as population growth (Coale and Tye, 1961: 631-646). It marks the beginning of the period of exposure to the risk of conception in a woman's life cycle stages. Generally, early marriage is accompanied by high fertility and late marriage by low fertility and delayed marriage may result in a reduction in cumulative fertility (McDonald et al., 1980: 81; and Kok-Huat, 1980). Recognition of these relationships has been widespread. Malthus (1921), for example, identifies delayed marriage as one of the main preventive checks for overpopulation. Davis and Blake (1956: 211-235) specifically classified age at entry into sexual unions as one of the "intermediate variables" that affect fertility. Others, such as Ryder (1959: 429), Freedman (1963: 220-234), Coale (1965: 206), Matras (1965: 350-351), Miro and Merterns (1968: 89-117), Palmore and Marzuki (1969: 383-401), Lesthaeghe (1971: 415-432), Cho and Retherford (1973: 163-181), Dixon (1971: 215-233), Mitchell (1971: 481-489), Van De Walle (1975), Smith (1975: 41-82), Hull, Hull and Singarimbun (1977: 3-49), Henry and Piotrow (1979), Von Elm

and Hirschman (1979: 877-891), Mauldin (1980), Jones (1978, and 1980: 272-292), and Kok-Huat (1981, and 1982: 785-798), have also noted that delayed marriage reduced fertility levels.

Demographers have long been concerned with studies of the relationship between age at marriage and fertility, but relatively few have studied the "explanatory variables" which affect the age at marriage (Jones, 1981: 269). In other social science disciplines, such as social anthropology and comparative family sociology, age at marriage has received very little attention (McDonald, 1981: 413). Thus, after reviewing some of the relevant literature on the factors that affect age at marriage the following discussion will be on age at first marriage among the respondents and their first wives, and on some of the possible factors associated with it. However, some other aspects related to marriage will also be discussed.

3.2 Changes in the Patterns of Marriage: A Review

Table 3.1 shows that either by cross-section or by birth cohort, the median age at first marriage among Malay females has increased substantially over the period. The macro-demographic studies which were conducted in Peninsular Malaysia have confirmed that there are several demographic, socio-economic and cultural factors associated with these changes. Among them are: the "marriage squeeze", the expansion of educational opportunities, changing attitudes and values, increasing female labour force participation and urbanization. It should be noted here that although all of these factors will be reviewed separately their effects on marital postponement are actually interrelated and any attempts to isolate them may be misleading.

Table 3.1

Among Malay Females (Cross-section and Cohort)
 Peninsular Malaysia : Median Age at First Marriage (MAFM)

Cross-section *		Birth Cohort **	
Year	MAFM	Year of Birth	MAFM
1947	16.6	1931 - 1935	17.4
1957	17.1	1936 - 1940	17.7
1970	20.5	1941 - 1945	18.1
1974	21.4	1946 - 1950	19.0

Sources: * Jones, 1980: 280, Table 1 [From 1947, 1957, and 1970 Population censuses; and 1974 MFFS]

** General Report of the Population Census - 1980
 (1983: 45, Table, 4.10)

The "marriage squeeze" problems or the disproportion between the sexes at the prime ages of marriage has been cited as one of the contributing factors for the rise in age at marriage among Malay women in Peninsular Malaysia since 1957 (Caldwell, 1963; and Jones, 1980: 279-292). Until at at the prime ages of marriage has been cited as one of the contributing with a substantial decrease in divorce and polygyny rates are partly responsible for a slight increase in age at marriage among Malay women. However, based on the sex ratios for 1970 and 1980, Jones (1980:281-183) finds that in the years to come, "marriage squeeze" problems will no longer be an important factor contributing to a rise in age at marriage. As far as this micro study is concerned, it was found that it is difficult to assess the effect of the "marriage squeeze" on the rise in age at marriage. Furthermore, as Jones (1980: 283) himself noted :

"But [the "marriage squeeze"] effect should not be exaggerated. The rise in age at marriage for men as well as women during this period indicates that the main reasons in the case of women must have been changes in norms about the suitable age at marriage, which were no doubt linked to the fundamental social and economic changes which had occurred in Malaysia since independence."

Thus, "marriage squeeze" will not be examined in this thesis; emphasis will instead be placed on political, social, economic and cultural factors which are related to changes in age at marriage among the respondents.

Educational attainment of a woman can also be considered as an important variable affecting age at first marriage. Past studies have shown an inverse relationship between educational levels of women and age at first marriage. Simon (1974, quoted in Cochrane, 1979: 3) for example, noted that "an increase in income causes an increase in education. And parental education in LDC's [less developed countries] reduces fertility, this much is clear from both cross-national and intracountry cross-sections". One way in which an increase in educational level may lower fertility is by women delaying their marriage because of the longer period they must spend in school. Delayed marriage shortens the period of exposure to the risk of conception and may further reduce their completed fertility. Further evidence can also be found in Tieze and Lauriet (1955: 159-166), Bogue (1969), Mukherjee (1973: 238-249), Cochrane (1979), and Caldwell (1980: 225-255).

In Peninsular Malaysia, a few studies have been conducted regarding the relationship between educational attainment and age at marriage. Based on the West Malaysian Family Survey 1966/67 (WMFS 1966/67), Palmore and Marzuki (1969: 383, Table 2) find that the mean

age at marriage among women aged 35-44 years who have no formal education, one to five years, and six years or more are 17.0, 18.2 and 20.6 years respectively. Similar magnitudes are also found for women aged 15-24 and 25-34 years. By using the same data, Von Elm and Hirschman (1979 : 884, Table 4) also compute the mean age at marriage among women aged 25-44 years by ethnic communities. They find that the average mean age at marriage for the Malay women who have completed primary school or six years' education, seven to eight years, and nine years or more, is 17.3, 21.1, and 21.6 years respectively. Furthermore by using the 1974 Malaysian Fertility and Family Survey, Kok-Huat (1981) also shows that education appears to have the relatively greatest total as well as direct impact on age at first marriage for each ethnic groups, and he also concludes that higher educational attainment is still largely responsible for marriage postponement especially among Malay females.

Changing attitudes and values which are strongly related to economic and social changes, such as income and education, are also important determinants of marriage postponement among Malay women (Jones, 1980: 284). New ideas which can be absorbed from external cultures or can be internally developed may also have an impact on ideal age at marriage and the rate of diffusion will depend largely on the level of education, mass media, communication, population mobility and so forth (Jones, 1980: 284; and McDonald, 1981: 419).

The impact of female labour force participation on the age at marriage is rather a complicated one. Cross-cultural studies have been carried out for most parts of the world (for example, see Kupinsky, ed., 1977). For this review, however, one aspect of female

labour force participation, pre-marital work status, is considered. It was expected that for compelling economic reasons, women who are engaged in income-earning jobs would, on the average, marry late (Nevet, 1965; Smith, 1975; and Kok-Huat, 1981). Von Elm and Hirschman (1979: 883) also stated that:

"Theoretically work experience can postpone marriage of young women for two reasons. Families whose daughters are economically active may not be so eager to lose them from the parental household. Additionally, young women may wish to maintain their independence for a while before settling down to traditional domestic roles, and work provides them with the necessary resources to remain single."

Using the WMFS 1966/67, Von Elm and Hirschman (1979: 883) find that the mean age at marriage for those who never work is 1.6 years lower than those who work outside the home. Using the 1974 MFFS data, Chander et al., (1977: 62, Table 5.8) show that women who are employed prior to their marriage tend to marry later than the non-working ones. Also using the 1974 MFFS data, Kok-Huat (1981) shows that the effects of pre-marital work status and pre-marital work duration on age at first marriage are reasonably large for the Chinese, smaller for the Malays and much less for the Indians.

Generally, women with an urban background tend to marry later than rural women. Palmore and Marzuki's analysis of the WMFS 1966/67 (1969: 387, Table 2) show that the average mean age at first marriage among women aged 35-44 years is 16.7, 18.4 and 19.7 years for those currently resident in rural areas, small towns and metropolitan areas respectively. They also find that women who live in urban areas both before and after marriage married later than in-migrants in urban

areas. The same data set is also used by Von Elm and Hirschman (1979: 881, Table 3) to examine the differentials among women aged 25-44 years. They show that the mean age at marriage is respectively 16.7, 19.7 and 20 years for rural, small town and city areas. From the above evidence, it could be said that urbanization in many ways influences age at marriage among women in Peninsular Malaysia.

3.3 Changes in Age at First Marriage Among the Respondents

Bogue (1969: 316) has shown that marriages in most developing countries are in the early or child marriage categories, having an average median age at first marriage of nineteen years or lower. Davis (1956: 246) has found that the lowest age at first marriage is generally found in the peasant-agricultural countries. Furthermore, Kirk (1966: 572) notes that age at first marriage is low in almost all Muslim countries. These three observations are actually interrelated. The state of Kelantan is the least developed state in a developing country with the majority of the inhabitants mainly engaged in peasant-agricultural activities and who are also Muslim by religion. In view of this, it could be expected that for the Kelantanese in general and the respondents in particular, age at first marriage would be quite low and lower than the national level (for a comparison, see Table 3.1 and Table 3.3).

Table 3.2 shows the median age at first marriage among the respondents as well as the percentage distribution according to various age at first marriage categories. The median age at first marriage for ever married male respondents is 18.9 years. However, when these data are tabulated according to the date of first marriage, an increasing trend is evident. For the period before 1958 the median

age at first marriage was 17.4 years, and it increased to 19.0 years for the period 1958-1969, and to 20.6 years for the period 1970-1981.

Table 3.2

Percentage Distribution of
the Respondent's Age at First Marriage

! Year of	!	!	! 15 or !	!	!	!	!	!
! Marriage	! N	! Median	! Less	! 16 - 17	! 18 - 19	! 20 +	! All	!
!-----!	!-----!	!-----!	!-----!	!-----!	!-----!	!-----!	!-----!	!-----!
! Before 1958	! 63	! 17.4	! 13	! 40	! 22	! 25	! 100	!
! 1958 - 1969	! 54	! 19.0	! 6	! 22	! 30	! 43	! 101*	!
! 1970 - 1981	! 51	! 20.6	! 0	! 2	! 29	! 69	! 100	!
!-----!	!-----!	!-----!	!-----!	!-----!	!-----!	!-----!	!-----!	!-----!
! ALL	! 168	! 18.9	! 7	! 23	! 27	! 44	! 101*	!
!-----!	!-----!	!-----!	!-----!	!-----!	!-----!	!-----!	!-----!	!-----!

Note: * Total percentages not 100 due to rounding.

Source : 1981 Mukim Jenerih Tujuh Case Study

After tabulating into various categories of age at first marriage of each first marriage cohort, it can also be seen that the concentration has changed. For the cohort first married before 1958, the majority of the respondents married at age 16 years and over with a slight concentration at age 16-17 years. For the 1958-1969 cohort, the majority was still at age 16 years and over but the concentration was shifted upwards. For the 1970-1981 cohort, it is clear that the age at which respondents married for the first time shifted to 18 years and over, and a relatively large proportion (69%) married at age 20 years and over.

Similar patterns can also be seen among the respondents' first wives. Table 3.3 shows that for the cohort before 1958 the concentration was at age 15 years or less. For the cohort 1958-1969 the concentration started to spread to age 16-17 years. For the

cohort 1970-1981 the concentration spread much wider and as can be seen, about 37% of the respondents' first wives in this cohort married at age 18-19 years. Similar magnitudes can also be seen for the female respondents of the 1974 MFFS Kelantan, figures from which are indicated in the brackets.

Table 3.3

Percentage Distribution
of Age at Marriage of the Respondent's First Wife

Cohort of First Marriage	N	Median	15 or Less	16-17	18-19	20 +	All Ages
Before 1958	63 (292)	14.7 (14.2)	71 (71)	21 (14)	5 (9)	3 (6)	100 (100)
1958 - 1969	54 (180)	15.7 (15.2)	44 (56)	39 (23)	9 (9)	7 (12)	99* (100)
1970 - 1981	51 (97)	17.3 (16.8)	22 (27)	29 (38)	37 (17)	12 (19)	100 (101*)
ALL	168 (569)	15.6 (14.8)	48 (59)	29 (21)	16 (10)	7 (10)	100 (100)

Notes: Figures in brackets are from 1974 MFFS Kelantan, and

* Total percentages not 100 due to rounding.

Sources: 1981 Mukim Jenereh Tujuh Case Study, and
1974 MFFS Kelantan.

It can be concluded from Tables 3.2 and 3.3 that, among other things, age at first marriage among males is higher than among their female counterparts, and both show a substantially increasing trend with time, particularly from the period after Malayan independence in 1957. These changes are believed to have a strong link with the basic social and economic changes which occurred in the study area as well as

in the state of Kelantan as a whole.

3.4 Possible Reasons for Change in Age at First Marriage

It is believed that there are several interrelated and multi-dimensional factors which affect changes in age at first marriage among women in Kelantan. They can be classified into at least four broad categories, namely; political, social, economic and legal, the last being very much related to the Islamic Marriage Law. It is also believed that the changes in age at first marriage among women must have a close relationship with the changes in attitudes and values of the people towards later marriage, which are no doubt linked to a complex web of the above factors. Thus, no attempt could be made to single out any one of them.

3.4.1 Political Factors

Before embarking on an explanation of the factors closely related to the changes in age at first marriage, it is worth discussing some political aspects which may help to explain why age at first marriage among women in Kelantan is low and is the lowest when compared to other states in Peninsular Malaysia (for a comparison, see Jones, 1981: 226, Table 3). As mentioned earlier, Kelantan is one of the states which was ruled by the opposition party, the PMIP, for 18 years (1959-1978). During this period, the state had a slow social and economic growth. Being the poorest state in Peninsular Malaysia, its natural resources were scarce, and what was available was sometimes misappropriated and not fully exploited. (For a lengthy discussion on the social and economic malaise of the state, see Ali, 1978).

Under the PMIP Government, Kelantan did not receive adequate federal grant for its social and economic development projects. The ruling state government on the other hand refused to accept some of the development projects offered by the Federal Government (Mohammad, 1974: 43). Relationships between the two were never good and some discriminatory measures were probably taken by the federal government against Kelantan. This was implied in a speech which was delivered by late Tun Hj.Ab.Razak in a by election campaign in Kelantan in 1968 (at this time he was the Deputy Prime Minister of Malaysia). He said:

"It is said that we of the Alliance Party harbor ill-will against the people of Kelantan, and that we refuse to help this state to progress from its backward condition. This is not true. We have only the best of intentions towards all the people of Kelantan and all the Malay people. There is nothing that we would like more than to be able to help you. But, alas, as things now stand we cannot. I shall be completely frank and sincere [ikhlas dan jujur] with you. We cannot help you until you turn the PMIP out of power in this state and elect an Alliance Party government in its place. The reasons is simple: we cannot help you until you enable us to help you. We can only help those who help us. We can only provide projects to those who vote for us. This is sincere talk. Those are our terms and that is our offer" (cited in Kessler, 1978: 224).

Further evidence can also be found in the provision of budgets for the Third Malaysia Plan 1976-1980. For example, in 1970, although the population of the state of Pahang was 4.9% of the total population of Malaysia, it received 11.1% of the total federal budget. In contrast, the state of Kelantan with its total population of 6.6% received only 5.5% of the same budget. (For the actual figures of the total population of all states in Malaysia, and the budget allocations under the Third Malaysia Plan, see Chander, ed., 1977: 40, Table 2.9 and Malaysia, 1976: Appendix 1 respectively). The main objective of the Third Malaysia Plan was to eradicate poverty (Malaysia, 1976: 2),

and yet Kelantan which was the poorest state in Malaysia received a lesser proportion of the budget.

Politics have also influenced the law governing marriage and divorce in Kelantan. Although various aspects of marriage and divorce are looked after by the Kelantan Islamic Religious Affairs and Malay Customs Council, the actual law making process is in the hands of the state government. As far as age at first marriage is concerned, either because of the attitudes of the religious officials, most of whom strongly supported PMIP, or the PMIP members themselves, or both, there were no minimum ages at first marriage for women or men stated in the Syari'ah Courts and Muslim Matrimonial Causes Enactment, 1966. This was unlike other states, such as Johor, where the minimum ages at first marriage are 16 and 18 years for women and men respectively (although at younger ages marriage could also be solemnised provided that the couples had already attained puberty and permission had been given by the kadhi) (Hj.Mohammad, 1979: 31). The attitudes of the PMIP members against the enactment of the minimum age at marriage could still be seen when the National Front Government tabled the new Islamic Family Law for the state in 1983. The government suggested that the minimum ages at first marriage for women and men should be 16 and 18 years respectively, but the majority of the PMIP members including the leader of the opposition, strongly voiced opinions against them (NST 1983, April 4: 17).

In conclusion, it can be seen that political factors, in one way or the other, influence the level of social and economic development as well as family law. These factors can be considered as having strong indirect relationships with the changes in age at first

marriage among women in the state.

3.4.2 Social Factors

There are also some social factors which could influence directly or indirectly changes in age at first marriage among women. The level of educational attainment is one such factor. In fact, the levels of educational attainment not only affect changes in age at first marriage, but also help to change attitudes and values of people towards ideal age at first marriage, the process of choosing a marriage partner and social interactions before marriage.

The level of educational attainment referred to in this analysis is the number of years respondents spent in formal schooling. In Malaysia a child begins schooling at 7 years of age. The first six years is primary education followed by three years in lower secondary. After this the child has to sit for an examination, called Sijil Rendah Pelajaran or Lower Certificate of Education (SRP) before he could go for another two years of secondary education. After two years in secondary school there is another examination, called Sijil Pelajaran Malaysia or Malaysian Certificate of Education (SPM). On passing this examination at a certain standard the pupil continues for two years before sitting for Sijil Tinggi Pelajaran Malaysia or Malaysian High School Certificate (STPM). Entrance to a university is usually determined by the result of this examination.

The relationship between the changes in age at first marriage and educational attainment can be seen through the length of time each respondent spent in school. Generally, the longer the time spent in schooling, the higher the age at first marriage. Presumably the time

spent to acquire higher education may be considered as an alternative to early marriage. This is evident from the data in Table 3.4. Based on that table, it can be said that levels of educational attainment have a strong relationship with age at first marriage. The median age at first marriage among respondents with no schooling is the lowest, and as the level of educational attainment increases, the median age at first marriage also increases. Since the value of the mean is not much different from the median, a robust statistic, the analysis of variance, is also done for the 1974 MFFS Kelantan.

Table 3.4

Median Age at First Marriage by Level of Educational Attainment of the Respondents

Level of Educational Attainment	MFFS 1974*		Husband**		Wife**	
	N	Median	N	Median	N	Median
No Schooling	297	14.2	71	17.3	107	14.9
1 - 6 Years	232	15.3	59	19.8	45	16.6
7 Years and Above	40	17.5	38	20.5	16	17.8
ALL	569	14.3	168	18.9	168	15.6

Source: 1) * 1974 MFFS Kelantan

2) ** 1981 Mukim Jenerih Tujuh Case Study

The relationship between the levels of educational attainment and age at first marriage is highly significant ($P < 0.0001$; Degrees of freedom of 2 and 566; and $F=16.86$). That is to say, as the educational attainment of the respondents increases their age at first marriage also increases. It is believed that, although the data from the mukim are too few to allow this kind of analysis, the values of

medians corresponding to the various levels of educational attainment of the respondents, presented in Table 3.4, would be enough to confirm the above relationship.

Table 3.5

Level of Educational Attainment of the Respondents
by Cohort of First Marriage (Per Cent)

Cohort of First Marriage	N	No Schooling	1 to 6 Years	7 Years and over	All Levels
Before 1958	292	80	19	1	100
1958 - 1969	180	30	63	7	100
1970 - 1974	97	10	66	24	100
ALL	569	52	41	7	100

Source: 1974 MFFS Kelantan

Table 3.5 summarizes the percentage distribution of the respondents by various possible levels of educational attainment and by cohort of first marriage. As stated in Table 3.3, the median age at first marriage among the respondents in the cohort first married before 1958 is 14.2 years. This can be considered quite low because at this age women can be considered as just having attained their puberty. When a woman has experienced her first menstruation, she is customarily considered to have attained puberty and be eligible for marriage.

Looking at the levels of educational attainment for this cohort, the majority (80%) have no formal education. It would be expected that this situation reflected to a large extent the availability of schooling opportunities to them. Before Malayan independence, there

were only a few primary schools in the state, and furthermore, most of them were located in distant district towns such as Kota Bharu and Pasir Puteh. There were only two secondary schools, both located in Kota Bharu town. The establishment of schools at this time was to serve the needs of the aristocrats and other people who were usually resident in the towns or in the nearby areas. The majority of people who lived in the rural areas were really poor and, lacking transport facilities, they had no opportunity to send their children to school.

After independence and until the early 1960's, the situation was slightly improved. The establishment of primary schools spread out to all the district towns, and even to some other small towns within the districts, although with very poor facilities and lacking qualified teachers. But secondary schools were only established in the district towns, such as Pasir Puteh, Pasir Mas, Machang and Kuala Krai. At this time, the majority of people started to have the opportunity to send their children to primary school, but since most lived in the rural areas and some quite far from the district towns, with almost no public transport, they could not send their children to secondary school. Apart from that, in order to go to secondary school, pupils had to pass a special examination, after six years in primary school. Having poor school facilities, and few qualified teachers, particularly in schools in small towns within the districts, only very few pupils were able to get through to secondary school. Even if the pupils passed the special examination, some of them were still unable to go to secondary school, because some parents could not afford the financial costs for their schooling. This situation is evident in the data. For the first marriage cohort between 1958-1969, about 63% of the respondents have primary education (1-6 years), whereas only 7%

have secondary education, usually lower secondary education (7-9 years).

Again, the situation for the cohort first married between 1970 and 1974 was better than for the cohort before. In this period, Malaysia had experienced three development plans, that is, the First and Second Malaya Plans (1958-1965), and the First Malaysia Plan (1966-1970). Although discriminated against, Kelantanese felt the results of those plans, especially the First Malaysian Plan. In the late 1960's and early 1970's, the establishment of primary schools spread out even to the villages in the rural areas. Some were built by the government while others by the people themselves. Secondary schools and particularly lower secondary schools were also established in some of the small towns within the districts. The availability of schools, the improvements in public transport, and a slight improvement in the standard of living of the people, coupled with nine years of free education which was introduced in 1965, gave respondents in this cohort a greater opportunity to have primary as well as secondary education as evident from the data on the increase in the levels of educational attainment.

The above discussion is quite general, because the explanation is sought for the situation in the whole state. It cannot be denied that the timing of change was different from place to place within the state, but even so some of the common causal factors are believed to interact in a quite similar manner.

Table 3.6

Percentage Distribution of
Educational Attainment of the Respondent's First Wife

Year of Marriage	N	No Formal Education	Education 1-6 Yrs	Education 7-11 Yrs	All Levels
Before 1958	63	100	00	00	100
1958 - 1969	54	63	33	4	100
1970 - 1981	51	20	53	28	101*
ALL	168	64	27	10	101*

Note: * Total percentages not 100 due to rounding.

Source : 1981 Mukim Jenereh Tujuh Case Study

Table 3.6 shows the level of educational attainment among the respondents' first wives in Mukim Jenereh Tujuh. For the cohort of first married before 1958, all the respondents' first wives have no formal education at all. This is particularly due to the fact that, before independence, there were no schools available for them. Those in the towns of Kota Bharu and Pasir Puteh were far from the village, and it was almost impossible for girls in the village to go there.

Just after independence the situation for Mukim Jenereh Tujuh was slightly improved. A primary school was established in Tok Uban. A laterite road was built connecting the town of Pasir Mas and Tanah Merah. A jalan kampung (somewhat bigger than a walking path) connected this road and passed through the Mukim to Tok Uban was also upgraded to a gravel road. Although there were no public transport services at this time, at least the gravel road could be used by the children in the mukim to go to school in Tok Uban. This gave children in the mukim the opportunity to go to school but it was reported that

very few of them were enrolled at first. In 1960, as was mentioned earlier, a sekolah rakyat was established in the mukim and it provided the children in the mukim with at least primary education. However, at the beginning of the establishment of this school, some of the parents, particularly those who strongly supported the PMIP, refused to send their children because the school was built with the efforts of UMNO committee members in the mukim. But a few years later this tension mellowed. In 1965 a lower secondary school was established in Tok Uban.

Table 3.6 shows about 33% of the wives in the marriage cohort 1958-1969 have primary education. This is particularly related to the availability of the school which was established in Tok Uban. For those who belong to this cohort, the school in the mukim was not yet established when they went to primary school. Some of them originated from the mukim and had their primary education in Tok Uban, and some others were from other villages and had been educated elsewhere.

Women in the marriage cohort 1970-1981, if they came from the mukim or the nearest areas, would have every opportunity to get primary education either in the mukim or in Tok Uban. At the time when they were supposed to finish primary school the nearest lower secondary school was already available. The gravel road which connects the mukim to Tok Uban was upgraded by the government to a laterite road. In fact in the middle of 1974 this road was tarred. Several walking paths in the mukim were also upgraded to gravel roads. Tobacco cultivation was introduced to the mukim in 1968, and as was discussed in Chapter 2, this contributed significantly to the increase in household income. Consequently, people began to own various means

of transportation, such as bicycles and motorcycles, hence there was an increase in the means of transportation for the children to go to school. Yet there are still 20% of the wives in this cohort who did not receive at least primary education as well as lower secondary education. There could be two reasons for this: firstly, they could be victims of parents who were still biased with regard to education for girls. Secondly, they could be wives who originated from areas with no school facilities at the time when they were supposed to go to school.

Table 3.7

Percentage Distribution of
Educational Attainment of the Ever Married Male Respondents

Year of Marriage	N	No Formal Education	Education 1-6 Yrs	Education 7-11 Yrs	All Levels
Before 1958	63	84	6 (10)	00	100
1958 - 1969	54	33	56	11	100
1970 - 1981	51	00	49	51	100
ALL	168	42	35 (4)	19	100

Note * Figures in brackets are for formal religious education.

Source : 1981 Mukim Jenereh Tujuh Case Study

Comparing Tables 3.6 and 3.7, it is found that the levels of educational attainment of the husbands are somewhat higher than those of wives. This situation may be partly due to the attitudes and values of the parents. At the beginning of the realization that education was important, the attitudes of the parents towards

education were somewhat biased. That is to say, education was only important for boys. This could be seen from the highest level of educational attainment achieved by children who originated from the mukim but now work and live outside the area. The seven who have achieved university education were all boys.

The biased attitude towards education for males was particularly due to the fact that when a male matured and got married, almost all of the family responsibilities were customarily placed in his hands. However, when a girl got married she was expected to be a housewife only. These attitudes and values are embedded in an old saying: "Setinggi mana pun anak perempuan itu belajar, tetapi akhirnya ke dapur jua", which literally means "no matter how high a woman achieves in education, she would finally end up being a housewife only".

Apart from that, a girl is always considered as physically weaker than a boy. Thus, to some parents it was almost impossible to send their daughters for schooling in Tok Uban if they had to walk to school.

3.4.3 Economic Factors

Among economic factors which will be considered here are employment and female labour force participation. The prospects for working may be a reason for marriageable age women to delay their marriage.

Since the end of the 1970's the MTC (Malayan Tobacco Company) has introduced tobacco cultivation into Kelantan. The inland areas, particularly in the districts of Kota Bharu, Tumpat, Pasir Mas, Pasir

Puteh and Bachok are found to be very fertile and suitable for tobacco cultivation. The MTC has also established several tobacco processing stations in these areas. Since the mid-1970's, some other private entrepreneurs have also established several processing stations particularly in the areas not covered by the MTC. For example, along the road from the town of Pasir Mas to the district border of Tanah Merah, approximately 16 kilometers, there are two stations which belong to the MTC and three to private entrepreneurs.

As discussed in Chapter 2, tobacco cultivation has increased the income of the villagers quite significantly. The increase not only changed the lifestyle and living condition of the people, but can also be considered as an improvement in the capability of the villagers to send their children in school. For example, as income increases, the possession of vehicles, such as bicycles and motorcycles, also increases. This newly acquired means of transportation, along with that of roads gives children better access to school, particularly to the secondary school in Tok Uban. Apart from that, more people began to own radio and television sets through which they now become more exposed to the government's campaign on the importance of education. To a certain extent this has changed the general attitudes and values of parents towards education.

The establishment of tobacco processing stations, particularly the stations in Semubar and Galok, and the one which was established in the mukim by a private entrepreneur in the late 1970's, provided opportunity for most women particularly those of marriageable ages to work as processers and graders. Of those women who could not continue with lower secondary education or who had failed in SRP, SPM, and STPM

examinations while the parents could not afford to send them to private school, almost all work in these stations. Those with higher education, such as SPM or STPM, work as clerks or checkers. Some of them work just to save enough money to be able to pay for another examination, some to get money for re-schooling in a private school, and some others probably work for sometime until they get married. All the above factors, in one way or the other, may have contributed to delayed marriage.

3.5 Likely Trends in Age at First Marriage in the Near Future

Recently, political, social and economic conditions of Kelantan have changed dramatically. 1978 marked the turning point with regard to social and economic development of the state. With the return of the National Front Government to rule the state, the Federal Government initiated social and economic progress in the state in line with those of other states, with an allocation of about M\$2.85 billion dollars for development projects in the state (Malaysia, 1981 : Appendix A). The projects include improvement and building of new roads, electricity supply, schools, hospitals, and other basic necessities. Since the majority of the people are engaged in farming and are living in rural areas, this sector is given priority. In order to assist the poor, several new land development schemes for landless poor were set up. Thus, since the National Front Government took over from the PMIP social and economic conditions of the people started to improve and are expected to improve substantially in the near future.

As far as the mukim is concerned, since the end of the 1970's, economic, infrastructural facilities and social conditions have also been improved. A privately owned tobacco processing station was established in the mukim and this contributed significantly to the improvement in the income of the villagers. The gravel roads which connect several villages to the tarred main road were also improved by the government. There is also a good chance of electricity supply coming to the mukim very soon. Bus services connecting the town of Tok Uban and passing through the mukim to the town of Pasir Mas began to operate in the late 1970's. Apart from that, a number of "kereta prebet sapu" (pirate taxis) are now available for services to Tok Uban, Pasir Mas and Tanah Merah. As was argued before, all these improvements may have a strong relationship with the improvement in educational attainment of the people which in turn has influenced the increase in age at first marriage. Thus, with an intensive program for economic, infrastructural and social development of the area, it could be expected that the people will become more and more educated and consequently age at first marriage will continue to rise.

Equal weight is now given to education for both boys and girls. It was found that at the time of the survey, all the children of both sexes (except for one handicapped boy), who were of primary school-going age, were in school. Almost all children who have finished their primary school continued on to secondary school, usually at Tok Uban (this school was upgraded to a secondary school in the middle of the 1970's).

Since the early 1970's, there have been many private secondary schools established in Kelantan which offer SRP, SPM and STPM classes, particularly to those who failed to gain admission to government schools. There are at least five in Kota Bharu, two in Pasir Mas, and one each in the towns of Machang, Kuala Krai, Tanah Merah and Pasir Puteh. In the study area, many of those who failed in their SRP, SPM or STPM examinations and did not have the opportunity to remain in government schools due to age restrictions, and some of those who want to improve their examination results sought admission to private schools, particularly the ones in Pasir Mas.

Table 3.8

Level of Educational Attainment : Single Male and Female
Respondents Aged 16 and Over (Per Cent)

! Level of Educational ! Attainment	! Single Males ! (N=86)	! Single Females ! (N=74)
! No Formal Schooling	! 5	! 10
! 1 - 6 Years	! 12	! 10
! 7 - 11 Years	! 69	! 74
! 12 Years and Over	! 15	! 7
! Total	! 101*	! 101*

Note: * Total not 100 per cent due to rounding

Source: 1981 Mukim Jenereh Tujuh Case Study

The levels of educational attainment of the single male and female respondents are summarized in Table 3.8. The majority of them have at least seven years of education and the proportion of females to males are almost equal. Most of them are still attending school either in government or in private schools. It is expected that their level of educational attainment will increase at least a little before they get married. Even if it does not increase, the majority of them

already have at least seven years education, with the concentration spread towards the upper limit. This would probably be enough to cause their age at first marriage to be higher than those of ever married male respondents and their wives summarized in Table 3.4 above.

For the whole state, the level of educational attainment has improved and is expected to improve further. The improvement since the year of Malayan independence can be seen from Table 3.9.

Table 3.9

Kelantan Malays: Highest Level of Schooling Completed
by 15-19, 20-24 and 25-29 Age Groups, by Sex, 1957 and 1970
(Per Cent of the Total Males and Females, and Age Group Respectively)

		1 - 6 Years		7 - 9 Years		10 Years +	
Year	Age-Groups	Males	Females	Males	Females	Males	Females
1957	15-19	53.5	31.1	13.8	3.4	3.5	0.7
	20-24	42.7	13.2	7.3	1.0	3.7	0.3
	25-29	32.1	5.7	3.8	0.4	2.6	0.1
1970	15-19	41.1	46.0	28.6	22.4	18.2	10.5
	20-24	58.5	53.6	12.1	7.5	13.5	6.2
	25-29	59.4	42.7	6.5	2.4	8.4	2.0

Sources: Population Census - 1957, Report No.10, State of Kelantan (1959: 40, Table 10A); Basic Population Tables, Part VIII, Kelantan (1976: 97-99, Table 2.9); and Age Distribution, 1970 - Population and Housing Census of Malaysia (1973: 157, Table 12).

As recently as 1983, there were 336 primary schools and 62 government and semi-government secondary schools in Kelantan (Kelantan, Department Education, 1983). The primary schools were spread out all over the state. Secondary schools, particularly lower secondary were also spread much wider than before. The establishment

of those schools coupled with the improvement in socio-economic status of the people provide an opportunity to attain nine years universal education for almost all Kelantanese. The government's secondary and upper secondary schools have also been expanded. As well as this, the availability of private secondary and upper secondary schools has also given an extra opportunity for children to obtain higher education. It is expected that the enrolment in secondary schools will increase in the near future as it did at the beginning of the 1980's. In 1980, the number of enrolment for the SPM examination in the government schools was 9,909 and it increased to 11,002 in 1982 (Kelantan, Department of Education, 1983: 3). Thus, the age at first marriage is also expected to increase in line with the increase in the level of educational attainment. However, the magnitude of the increase is yet to be determined.

Chapter 4

D I V O R C E

4.1 Introduction

Divorce is an institution which is closely related to marriage. Although the most fundamental principle behind marriage is permanency, it is, however, an ideal that has not always been easily achieved. Among the Malays, particularly in Kelantan, a marriage is not a mere process of establishing a home and the building up of a person's roots. More importantly, it further strengthens the ties between the families of both husband and wife. Solidarity between a husband and a wife is often absent and subsequently enmity between the couple and between their respective families crops up despite efforts made to prevent such negative relationships. It is logical, however, that such a strained relationship between husbands and wives and their immediate families should not be prolonged. The likely solution in these circumstances is divorce. This chapter discusses the types of divorces as practised by the Muslims in Kelantan. Further, the analysis will be centred on divorce rates in Kelantan. Some of the demographic, social, economic, and legal factors related to high divorce rates as well as the trend in the last three decades will also be analysed. The last part of this Chapter concerns re-marriage after divorce.

4.2 Types of Divorce as Practiced by Muslims in Kelantan

Talak, Taklik, Fasah and Kholo' are among the forms of divorce practiced by Muslims in Kelantan. A person who may not be entitled to a particular form of divorce may be entitled to another. Among these forms, however, talak is the most common not only in Kelantan but in Malaysia as a whole (Jabatan Perdana Menteri, 1975: lampiran 4; Nik Mahmood, 1978: 11; and Jones, 1981: 259).

Talak is a pronouncement of the phrase "I divorce you". A husband may pronounce one, two or three talak (severally or jointly) to his wife at any place and time, and for whatever reason, provided that it is carried out according to Islamic Law (Hukum Syara'). If, for example, a husband divorces his wife with one or two talak, by saying, "I divorce you with one talak" or "I divorce you with two talak", these are "revocable divorces". However, when he divorces his wife with triple talak, or with one talak but for the third time, these are "irrevocable divorces". Any other declarations which are implied, and with the intention that the husband divorces his wife are considered as divorce by one talak. For example, when the husband says "I have released you" or "go back to your family", this may also be a divorce or may not be so. The verdict depends on his intention. If his intention is to divorce his wife it is considered as a divorce by one talak.

For a "revocable divorce", a husband may revoke (rujuk) the divorce provided that the wife is still in the eddah period. Eddah is the grace period immediately after the divorce which a woman has to undergo before she could remarry another person. When a woman is not subject to menstruation and is not pregnant at the time of divorce,

the duration of eddah is three months. But for a death of a husband it is four months and ten days (Ibrahim, 1978: 225). A divorced woman is not permitted to remarry another person during this period. On the other hand the husband is quite free to marry irrespective of the eddah period. If after the eddah period the husband decides to return to his former wife a remarriage is required. However, for an "irrevocable divorce" (i.e. divorce with three talak or the third time divorce pronouncement), the husband is not permitted to remarry the wife unless the wife has legally "consummated marriage" with another man and has been divorced and has completed her eddah period for the latter marriage.

Taklik, or divorce under stipulation is another kind of divorce which is also practiced in Kelantan. The form of taklik varies from state to state. In Kelantan, a man when marrying is allowed to impose stipulation or conditions at the time of contracting his marriage. The form of taklik prescribed in Kelantan is as follows :

"Herewith, I son of of Kampong (village) declare that should I leave my wife daughter of for a period of four months or more, either on my own will or by force or if a person who acts as my agent or I, fail to provide maintenance for her for the period mentioned above whereas she has been faithful to me, or if I have assaulted her physically or have caused a loss in her self-respect or damaged her property or

.....

In the event that a complaint is lodged to the Kadhi and should the latter or the Council of Justice finds the complaint legitimate, and if an amount of \$1.00 is tendered by her on my behalf to the kadhi, she is thereupon divorced by one talak"

(Kelantan Syari'ah Court, taklik form, translated by the Writer).

Another form of divorce is fasah or divorce by a decree of dissolution. Section 71 of the Syari'ah Courts and Muslim Matrimonial Causes Enactment, 1966 (Kelantan, 1974: 31) provides that a married woman may apply by suit to the court of a kadhi for a decree of dissolution of marriage, fasah, in accordance with Islamic Law (Hukum Syara'). If for example, a wife who becomes aware that her husband is suffering from impotence, insanity, leprosy or elephantiasis, or the husband is unable to maintain her, she has the option of repudiating the marriage through fasah (Ibrahim, 1978: 219). The wife may apply to a kadhi for a decree of dissolution. The kadhi will send a notice to the husband, and examine whether the complaint is legitimate, and if so, the husband is advised to divorce his wife.

The last form is kholo' or divorce at wife's request. The wife requests a divorce from the husband by offering compensation either in the form of money or property to him. The divorce is effected by means of appropriate words, written or spoken by two parties or their respective agents (Ibrahim, 1978: 216). When the husband has agreed or accepted the compensation, he has to pronounce the divorce by talak. This is an "irrevocable divorce". But the couple is allowed to remarry again at any time provided that the talak which is pronounced is not a triple talak or is not a divorce with one talak for the third time, or is not the third talak. But if it is, in order to remarry again to this wife, the normal procedures for "irrevocable divorce" apply.

At a glance, it could be said that the husbands and wives have almost equal rights with regard to divorce. But, in the widely practised divorce by talak, the power of divorce always lies in the

husband's hands. Even if the grounds are unjust or unreasonable it is still valid. For other forms of divorce, however, there are some difficulties on the wife's part for she has to go through several legal procedures to obtain a divorce.

Should a wife desire a divorce from her husband she could induce it by making her relationship with her husband unpleasant. She could, for instance, spread malicious stories about her husband, refuse to obey him publicly or do just about everything to enrage her husband so that eventually the husband will be put to shame. The end to this all would most likely lead to a divorce (see also Swift, 1963: 268-294).

However, it is always considered immoral if a wife were to ask for or claim a divorce from her husband. But in most cases, if the husband were to know that his wife is filing for a divorce with the kadhi he would be put in a position of great embarrassment. Should the husband know that his wife is going to do so he would normally exercise divorce beforehand by pronouncing the talak or by dispatching a certificate of divorce by talak to his wife. This is evident from several cases in which the wives requested divorce through the Syari'ah Court in Kota Bharu, but the husbands pronounced divorce by talak just before the court sat in session.

Regarding divorce, it seems that the husbands in particular or the Muslims in Kelantan in general, do not quite understand its conditions. Although Islam permits divorce, it must be carried out thoughtfully, and not according to the whims and fancies of the husband. Divorce can only be administered on completely justifiable grounds and only after all attempts to find a solution have been exhausted. Divorce is never encouraged in Islamic teachings. This is

implied in the following hadith :

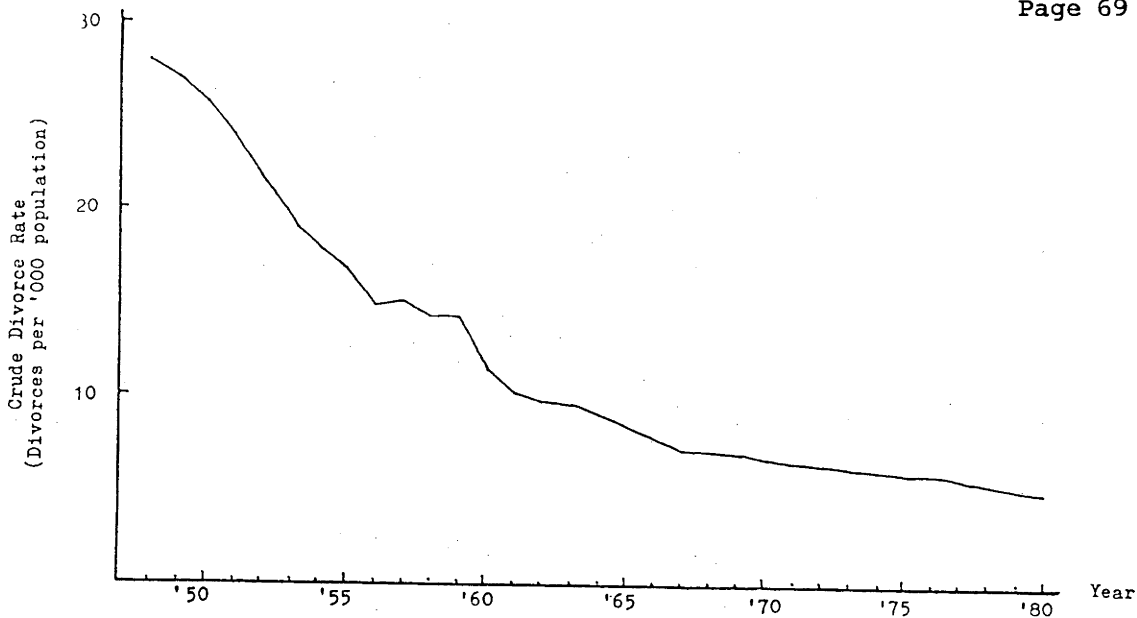
- a. "The most detestable of all things permitted by God is Al-Talaq" (Muslim, 1976: 756),
- b. "God dislikes men and women who frequently change their partners in the act of intercourse ", and
- c. "The curse of Allah be upon men and women who frequently use divorce in order to satisfy their lusts".

(b.and c., quoted in Abdullah, 1979/80:104, Writer's translation).

If the Muslims in Kelantan had observed and understood the implication of these hadith, the rate of divorce in Kelantan would have been negligible. But as it is, the reverse has been established.

4.3 Divorce Rates in Kelantan, 1948-1980.

The best rate that could be calculated for which data are available is the Crude Divorce Rate (divorces per thousand population). Figure 4.1 shows the Crude Divorce Rates among Muslims in Kelantan between 1948 and 1980. In order to minimize the annual fluctuations and highlight the trend, the data are smoothed in the form of three-year moving averages. It would appear that the sharpest decline in divorce rates in Kelantan occurred in the period from the end of 1940's (for which data are available) to the mid-1950's. At the end of the 1950's, the rates fluctuate. The rates show a sharp decline again in the early 1960's, and continue to decline steadily until recently.



Sources: Kelantan Syari'ah Court (number of divorces); 1957 Population Census, Report No.10, State of Kelantan (1959:1-2, Table 1); 1970 Population and Housing Census-Community Groups (1972: 57, Table 2); and 1980 Population and Housing Census of Malaysia, Preliminary Field Count Summary (1980:14, Table 4).

Fig. 4.1 Malay Population in Kelantan: Crude Divorce Rates, 1948-1980

4.4 Possible Reasons for High Divorce Rates in Kelantan

and the Declining Trend.

There are several interrelated reasons which may help to explain the high divorce rates in Kelantan. In order to simplify the analysis, they are divided into four broad categories, namely; demographic, social, economic and legal. Changes in these factors have presumably caused, to a considerable extent, a decline in the divorce rate in Kelantan. In the discussion which follows there may be an overlap in considering these factors separately, but this is inevitable since divorce itself, in reality, is caused by a multitude of interrelated factors.

Table 4.1

Probability of First Marriage Ending With Divorce by Marriage Duration

Marriage Duration (Months) (H)	No. of Marriages at Risk of Divorce (N)	No. Terminating with Divorce (D)	Probability of Divorce (Q)	Probability of Survival (P)	Cumulative Probability of Marriage Survival (S)	Probability Density (F)	Hazard Rate (Y)
0	566.0	52	0.0919	0.9081	0.9081	0.0153	0.0160
6	512.0	45	0.0879	0.9121	0.8283	0.0133	0.0153
12	465.0	40	0.0860	0.9140	0.7571	0.0059	0.0075
24	422.5	31	0.0734	0.9266	0.7015	0.0046	0.0063
36	389.5	7	0.0180	0.9820	0.6889	0.0011	0.0015
48	379.0	5	0.0132	0.9868	0.6798	0.0008	0.0011
60 +	203.5	35	0.1720	0.8280	0.5629	**	**

Notes: 1. Method for calculation is adopted from Hull and Nie, 1979: Chapter 2, pp. 26-44.

2. ** These calculations for the last interval are meaningless.

3. N is the number of marriages at risk of divorce. It is computed as the number of marriages entering the interval minus 1/2 of those withdrawn (widowhood) during that interval.

4. Q is an estimate of probability of divorcing in a given interval, computed as the number of divorces in the interval divided by the number of marriages exposed to the risk of divorce.

5. P is the probability of marriage survival in a given interval and is computed as $P_i = 1 - Q_i$

6. S is the estimate of the cumulative marriage survival rate at the end of an interval and is obtained by multiplying the probabilities of survival up through the present interval. For example, $0.9081 \times 0.9121 \times 0.9140 = 0.7571$.

7. F is the estimated probability per unit time of divorce in the ith interval and is computed as $F = \frac{Si-1 \times Qi}{Hi}$

8. Y is an estimate of the probability per unit time that a marriage

which has survived to the beginning of a given Interval will end with divorce within that interval.

It is computed as the number of divorces per unit time in the interval, divided by the average number of marriage survivors at the mid-point of the interval:

$$Y_i = \frac{2Q_i}{Hi (1 + Pi)}$$

Source: 1974 MFFS Kelantan

4.4.1 Demographic Reasons.

Duration of marriage and age at first marriage are among the demographic aspects which will be considered in the analysis. The duration of marriage which will be considered here is that of the first marriage only. Based on the 1974 MFFS Kelantan data a probability table was computed. Table 4.1 shows the probability of first marriage ending with divorce by marriage duration. Column (Q) shows that this probability is highest within the first six months of marriage. As the duration of marriage increases, this probability decreases. The reverse situation can be seen for the probability of marriage survival as shown in column (P). The longer the marriage duration, the higher the probability of marriage survival. It should be noted that the values of (Q) and (P) in the last row are probabilities of an open ended marriage duration (60 months and over). If the calculation is extended with an equal length of duration and for a longer duration, the values of (Q) would be increasingly smaller and less than the value for the duration of 48 to 60 months. The reverse applies for the values of (P). Column (S) shows the cumulative probability of marriage survival at the end of each interval. As can be seen, this probability decreases as the duration of marriage increases.

The probability density (F) is an estimate of probability of divorce within one month in each interval of duration. It can also be seen that during the first six months duration, this probability is the highest and it decreases as the duration increases.

The hazard rate (Y) is an estimate of the probability per month in each duration that a marriage which has survived to the beginning of the duration interval will end with divorce within that interval. It is also the highest for the first six months of marriage and it decreases as the duration increases.

It can be seen from Table 4.1 that, among other things, the probability of a first marriage ending in a divorce, either (F) or (Y), is high during the first 36 months of marriage. The highest is during the first six months of marriage, and it is almost as high during the subsequent six months. For the duration of 12 to 24 months, the probability is somewhat lower than that of the duration of 6 to 12 months, while for the duration of 24 to 36 months it is somewhat lower than that of the duration of 12 to 24 months.

Jones (1981 : 263) notes that a low age at first marriage is one of the factors which contributes to high divorce rates, particularly in the four states of Kelantan, Trengganu, Kedah and Perlis. He observes the relationship between age at first marriage and divorce and finds that divorce rates tend to decrease as age at first marriage increases. Using some empirical data this finding will be further supported.

Generally, age at first marriage has a negative relationship with divorce. It is most probable that the inverse relationship between age at first marriage and divorce rate is strongly related to immaturity of the young married couple. When a couple marries at a younger age, as did the majority of the respondents, their levels of

educational attainment are relatively low while some have no formal education at all. They could be considered as immature in handling family affairs. Apart from that, younger couples tend to depend financially on their parents or in-laws for their household expenditures. This gives the latter the right to interfere in the couple's household and domestic affairs. Sometimes this only complicates the matter and even worsen the problem and could also lead to divorce.

As the educational attainment increases, the age at first marriage also increases. This has been discussed in detail in Chapter 3. Highly educated couples can be considered as more mature, socially and economically, being more exposed to modern life styles either through mass-media or while schooling. With a relatively higher education, the couple usually have more opportunity to work in income earning jobs such as permanent jobs in the public or private sectors. This opportunity may have led the couple to be more independent in their decision making since they are not financially tied to their parents.

Thus, as age at first marriage increases, the couple becomes more mature and more independent, and the probability of marriage ending with divorce would diminish. Table 4.2 shows the probability of marriage ending with divorce, controlling for duration of marriage and age at first marriage of the respondents.

TABLE 4.2

Probability of First Marriage Ending with Divorce by Age at First Marriage (AFM) by Duration of Marriage (DOM)

AFM (Years)	DOM (Months)	No. of Marriages at Risk of Divorce	Probability of Divorce (Q)	Probability of Marriage Survival (P)	Cumulative Probability of Marriage Survival (S)	Probability Density (F)	Hazard Rate (Y)
(X)	(H)	(N)	(Q)	(P)	(S)	(F)	(Y)
15 or Less	0	333.0	0.2042	0.7958	0.7958	0.0170	0.0190
	12	263.5	0.0987	0.9013	0.7173	0.0065	0.0086
	24	236.0	0.1271	0.8729	0.6261	0.0019	0.0028
	72 +	113.0	0.1858	0.8142	0.5097	**	**
16 - 17	0	117.5	0.1191	0.8809	0.8809	0.0099	0.0106
	12	102.5	0.0780	0.9220	0.8121	0.0057	0.0068
	24	94.0	0.0745	0.9255	0.7516	0.0013	0.0016
	72 +	46.0	0.1087	0.8913	0.6699	**	**
18 or Over	0	115.5	0.1299	0.8701	0.8701	0.0108	0.0116
	12	99.0	0.0606	0.9394	0.8174	0.0044	0.0052
	24	89.0	0.1236	0.8764	0.7164	0.0021	0.0027
	72 +	39.5	0.1013	0.8987	0.6438	**	**
All Ages	0	566.0	0.1714	0.8286	0.8286	0.0143	0.0156
	12	465.0	0.0860	0.9140	0.7573	0.0059	0.0075
	24	419.0	0.1146	0.8854	0.6706	0.0018	0.0025
	72 +	198.0	0.1511	0.8489	0.5692	**	**

Notes: See Table 4.1.

Source: 1974 MFFS Kelantan.

It appears that of all categories of age at first marriage, the hazard rate (Y) is highest during the first twelve months of marriage, and as the duration increases, the rate decreases. The hazard rates for those whose age at first marriage is 15 years or less are compared with those whose age at first marriage is 16-17 years. It is clear that the rates for the latter group are lower than that of the first group. In order to see whether the difference observed in the patterns of divorce of the two groups are statistically significant, Log-rank test procedure has been employed. (For details of the procedure see Kalbfleisch and Prentice, 1980: 16-19; Anderson, et al., 1980: 212-214; and Elandt-Johnson, et al., 1980: 258-260). The test indicates that these two groups differ significantly in the patterns of divorce (the observed chi-square value is 5.904, which is significant at 5 per cent level).

For the category age at first marriage of 18 years and over, the hazard rate for the duration of 12 to 24 months is lower than the respective rate in the category of 16 to 17 years. But, although the rates for the duration of 0 to 12 and 24 to 72 months for the category of 18 years and over are somewhat higher than the respective rates in the category of 16 to 17 years, they are still lower than that of respective rates in the category of 15 years or less. The Log-rank test indicates that the difference in the patterns of divorce between the categories of 16 to 17 years and 18 years or over is not significant (observed chi-square value = 0.096). However, when comparing the category of 15 years or less with that of 16 years and over, the difference is significant at 1% level (observed chi-square

value = 8.225).

Thus, it can be said that the hazard rate is highest among respondents whose age at first marriage is 15 years or less. As the age at first marriage increases the hazard rates tend to decrease. While the differences in the patterns of divorce between the categories of age at first marriage of 15 years or less and 16-17 years, and between the categories of 15 years or less and 16 years or over are statistically significant.

One of the factors related to low age at first marriage is adolescent sterility. As seen in Table 4.1, the probability of a first marriage ending with divorce is relatively higher during the first few years, particularly during the first year after marriage. About 45, 63 and 78 percent of the divorces occurred during the first 12, 24 and 36 months duration of marriage respectively. Generally the age at first marriage of the respondents is relatively quite low. Since they are quite young they could not conceive immediately after marriage.

Table 4.3 shows that for both sets of data, the majority of divorces occurred prior to the birth of the first child. Most of these divorcees, however, remarried later on and it is found that they do have children in their second and subsequent marriages. The 1974 MFFS Kelantan data indicate that out of 140 divorcees who have no children in their first marriage, 132 (94%) of them later remarried for the second time and nearly all of them did have from one to ten children in their second or other subsequent marriages. The remaining 6% were still divorced at the time the survey was carried out. Thus, it is clear that, even though the majority of the women whose first

marriage ended with divorce did not have any children during their first marriage, they did have children in other subsequent marriage(s).

Table 4.3

First Marriage Ended with Divorce by Children Ever Born (CEB)
(Per Cent)

CEB (persons)	1974 MFFS Kelantan Divorces (N=216)	Mukim Jenereh Tujuh * Divorces (N=56)
0	65	63
1	21	25
2-8	14	12
Total	100	100

Note: * Respondents' first wives, including 5 persons who are not first married women.

Sources: 1974 MFFS Kelantan, and
1981 Mukim Jenereh Tujuh Case Study

It can be argued here that there are fewer constraints on the occurrence of divorce when there are no children involved; should a newly married couple quarrel and decide to seek divorce, the state of not having any children facilitates it. If the couples were to have children, then divorce would normally be given a second thought, as may be seen in an old Malay saying which literally means, "When you have a child, think twice before you divorce".

In conclusion, it could be said that the absence of children in the first marriage, mainly because of adolescent sterility, which is strongly related to low age at first marriage, seems to facilitate divorce. In a village study in the district of Bachok in Kelantan, Firth (1966: 35-37) notes that "childlessness" is the most important

factor for divorce. The term "childlessness" was used by Firth as a synonym for "adolescent sterility". Perhaps the concept of "childlessness" as used by Firth needs to be redefined. Only after a woman has lived throughout most of her reproductive period, and has been unable to conceive any child during this period, would the concept of childlessness be appropriate.

4.4.2 Social Reasons.

Among the social reasons which will be considered here is education. Table 4.4 shows the probability of first marriage ending with divorce, controlling for the level of educational attainment and duration of first marriage. It appears that, for all categories of educational attainment the hazard rates (Y) are highest for the first 12 months of marriage. As duration of marriage increases the hazard rate decreases. Similar trends can be seen for the cumulative probability of marriage survival (S). When we compare the hazard rate (Y) at each respective duration of marriage between different levels of educational attainment, it is clear that the higher the level of educational attainment of the respondents, the lower is the value of the hazard rate. Similar magnitudes can also be seen for the values of (S). In other words, it could be said that the higher the educational level of the respondents, the lower is the probability of a marriage ending in a divorce and the higher is the cumulative probability of marriage survival at the end of each interval (S). The Log-rank test also indicates a significant difference in the patterns of divorce. For example, when comparing the category of no formal

Table 4.4

Probability of First Marriage Ending with Divorce by Level of Educational by Duration of Marriage (DOM)

Level of Educational Attainment (X)	DOM (Months) (H)	No. of Marriages at Risk of Divorce (N)	Probability of Divorce (Q)	Probability of Marriage Survival (P)	Cumulative Probability of Marriage Survival (S)	Probability Density (F)	Hazard Rate (Y)
No Formal Education	0	295.0	0.2407	0.7593	0.7593	0.0201	0.0228
	12	221.0	0.1176	0.8824	0.6700	0.0074	0.0104
	24	191.0	0.1728	0.8272	0.5542	0.0024	0.0039
	72 +	90.0	0.2667	0.7333	0.4064	**	**
1 to 6 years	0	231.0	0.0996	0.9004	0.9004	0.0083	0.0087
	12	207.0	0.0628	0.9372	0.8439	0.0047	0.0054
	24	192.5	0.0727	0.9273	0.7825	0.0013	0.0016
	72 +	91.0	0.0549	0.9451	0.7395	**	**
7 years and Over	0	40.0	0.0750	0.9250	0.9250	0.0063	0.0065
	12	37.0	0.0270	0.9730	0.9000	0.0021	0.0023
	24	35.5	0.0282	0.9718	0.8746	0.0005	0.0006
	72 +	17.5	0.0571	0.9429	0.8247	**	**
All Levels	0	566.0	0.1714	0.8286	0.8286	0.0143	0.0156
	12	465.0	0.0860	0.9140	0.7573	0.0059	0.0075
	24	419.0	0.1146	0.8854	0.6706	0.0018	0.0025
	72 +	198.5	0.1511	0.8489	0.5692	**	**

Notes: See Table 4.1.

Source: 1974 MFFS Kelantan.

education with that of 1 to 6 years of education, the observed value of chi-square is 35.516, thus, the difference is significant at 1% level.

Education is believed to affect divorce in at least two ways. Firstly, as discussed earlier, as women tend to reach higher levels of education than before, age at first marriage tends to increase. Consequently as age at first marriage increases, the proportion of marriages which end with divorce decreases. Secondly, as the level of educational attainment improves, there is a tendency for the process and procedure of marriage to change. In "traditional" times, when most people had no formal education, a marriage was always "completely arranged". Courtship before marriage was something unheard of. But as educational attainment increases it seems that there is a shift away from a "completely arranged" marriage of the traditional type to a personal choice marriage.

For respondents in the mukim, 93% of those married in 1957 and earlier, and 71% of those married in the period from 1958 to 1969 reported that their first marriage was "completely arranged". Most of them claimed that they had not met their spouses prior to marriage. As a comparison, most of the respondents in the first marriage cohort between 1971 and 1981, with a relatively higher education, explained that theirs was also an "arranged marriage" but they themselves chose their partners with the blessing of their parents, and having known or seen each other prior to marriage.

Generally, in Kelantan there are two kinds of marriage process. In the first, which is very relevant to the "older generation", that is, for most respondents in the cohort of first marriage before 1958, and to some extent the respondents in the early period of the cohort between 1958 to 1969, the next of kin seeks and determines his children's marriage partner. When a boy reaches an "appropriate" age, his parents usually take the initiative of finding a partner for him. On finding a suitable girl, the next marriage procedure involves a "matchmaker" or "enquirer" whose task is to find out whether the girl is still eligible. If so, then further arrangements are made for the actual wedding and marriage ceremony to take place. Significantly, neither of the marriage partners is consulted in any way whatsoever regarding the selection of the spouse. Most likely the only time that they first meet each other is on the wedding night itself.

The second kind is more relevant to the "new generation", that is, for some respondents in the first marriage cohort between 1958 to 1969, and for almost all respondents in the cohort of first marriage between the years 1970 to 1981, it starts with the boy himself indicating to his parents, or asking someone else to tell his parents that he is interested in marrying a particular girl of his choice. Usually the boy himself, before he indicates this, has already made prior arrangement with the girl, and the chances are that they had been courting each other all along. Then an "enquirer" is sent by his parents to propose to the girl's parents. If accepted, the normal procedure for marriage will follow suit.

The survey of the mukim indicates that the procedures of marriage and the elements within the procedures have been changing over time. For example, in most cases, of the first kind, the proposal comes before the engagement ceremony. But in the latter, the proposal has already been made by the couples involved perhaps without even first consulting their respective parents. However, other ceremonial functions related to the marriage and the wedding itself, such as the engagement, the feast and the reception of the daughter-in-law take place as in the traditional kind of marriage. Generally, the higher the socio-economic status of the family concerned, the bigger will be the wedding feast and the value of the mas-kahwin (1).

The main contrast between the "completely arranged" and the "personal choice" marriage is that, in the former there is no prior meeting between marriage partners, whereas in the latter marriage partners have known each other and they themselves choose their own marriage partner.

Education is believed to be the main reason behind the shift from the first to the second kind of marriage. Educated males normally do not want their marriage to be contracted to unknown females. In the mukim, of the seven most educated (i.e. up to the university level), four have been married and only one of these marriages can be rightly called a "completely arranged" marriage while the other three are not. In the latter kind of marriage the grooms chose their own brides. Likewise most of the respondents who have at least 7 years of

(1) Mas-kahwin is an amount of money in cash given by the groom or by groom's parents to the bride. This money customarily cannot be used by other people without the permission of the bride herself.

education reported that they themselves chose their own partner. The trend has been that as educational attainment increases, the power of choosing a marriage partner shifts from parents to educated children. This factor, together with the increase in age at first marriage, may help to explain the declining trend in divorce rates in Kelantan over the last three decades.

Although the above discussions confirmed that the age at first marriage and educational level have an inverse relationship with divorce, it is believed that there may be some other factors, such as the influence of "modern era" (zaman moden), which also contribute to the change, particularly in the area of divorce. It is especially hard to separate the effect of more education in recent times from the more general effect of "changing times".

Table 4.5 shows the hazard rates for the combined age at first marriage and level of educational attainment controlling for the duration and cohort of first marriage of the respondents. Comparing the categories of no formal education and 1 to 6 years of education within each category of age at first marriage, a declining trend in hazard rates for each respective duration of marriage is clear. The reverse is evident for the values of the cumulative probability of marriage survival. Similar trends can be seen when the categories of age at first marriage of 15 years or less and 16 years or more are compared by controlling for the same level of educational attainment. (Cells e. in the table, figures are too small and this probably distorted some of the trends).

Table 4.5

Cumulative Probability of Marriage Survival (CPMS) and Probability of Marriage Ending with Divorce (Hazard Rate) by Level of Educational Attainment by Duration of Marriage (DOM) by Age at First Marriage by Cohort of First Marriage

Cohort of first Marriage	Age at first Marriage (Years)	DOM (Months)	Level of Educational Attainment				All Levels *	
			No Formal Education		1 to 6 Years Education			
			CPMS	Hazard Rate	CPMS	Hazard Rate	CPMS	Hazard Rate
1957 and before	15 or Less	0	a. (N=166.5) 0.7273	0.0267	b. (N=39) 0.8462	0.0139	c. (N=206.5) 0.7433	0.0245
		12	0.6208	0.0128	0.7949	0.0052	0.6507	0.0111
		24	0.5290	0.0033	0.7179	0.0021	0.5623	0.0030
		72+	0.3544	**	0.6222	**	0.4017	**
	16 or More	0	d. (N=64.5) 0.8140	0.0171	e. (N=16) 0.9375	0.0054	f. (N=83.5) 0.8443	0.0141
		12	0.7817	0.0034	0.8125	0.0119	0.7950	0.0050
		24	0.6628	0.0034	0.7500	0.0017	0.6924	0.0029
		72+	0.5086	**	0.7500	**	0.5730	**
	All Ages	0	g. (N=231) 0.7489	0.0239	h. (N=55) 0.8727	0.0113	i. (N=290) 0.7724	0.0214
		12	0.6652	0.0099	0.8000	0.0072	0.6920	0.0091
		24	0.5660	0.0034	0.7273	0.0020	0.5995	0.0030
		72+	0.3954	**	0.6580	**	0.4489	**
1958 - 1974	15 or Less	0	j. (N=30) 0.8000	0.0185	k. (N=84.5) 0.8935	0.0094	l. (N=126.5) 0.8814	0.0105
		12	0.7000	0.0111	0.8458	0.0046	0.8258	0.0054
		24	0.4677	0.0083	0.7858	0.0015	0.7301	0.0026
		72+	0.4044	**	0.7620	**	0.6987	**
	16 or More	0	m. (N=34) 0.7941	0.0172	n. (N=91.5) 0.9235	0.0066	o. (N=149.5) 0.8930	0.0094
		12	0.6765	0.0098	0.8685	0.0051	0.8258	0.0065
		24	0.5562	0.0025	0.8129	0.0014	0.7576	0.0018
		72+	0.4977	**	0.7689	**	0.7040	**
	All Ages	0	p. (N=64) 0.7969	0.0188	q. (N=176) 0.9091	0.0079	r. (N=276) 0.8877	0.0099
		12	0.6875	0.0123	0.8576	0.0049	0.8258	0.0060
		24	0.5136	0.0060	0.7999	0.0015	0.7449	0.0021
		72+	0.4532	**	0.7656	**	0.7015	**

otes: * Including education of 7 years or more; other notes, See Table 4.1.

ource: 1974 MFFS Kelantan.

Considering the independent effect of each factor, when other factors are controlled: changes in the levels of educational attainment from no formal education to 1 to 6 years of education, changes in age at first marriage from 15 years or less to 16 years or more, and changes in the cohort of first marriage from 1957 and before to 1958 to 1974 lead to a considerably decrease in hazard rate, while the cumulative probability of marriage survival (CPMS) increases substantially.

Considering the combined change of all categories : changes in the levels of educational attainment from no formal education to 1 to 6 years of education, changes in age at first marriage from 15 years or less to 16 years or more, and changes in the cohort of first marriage from 1957 and before to 1958 to 1974, cells (a.) and (n.) in the table, the hazard rates in respective duration showing a substantial decreasing trend, while the cumulative probability of marriage survival (CPMS) increases substantially. The observed value of chi-square of the Log-rank test between these two cells is 23.057, thus, the difference in the patterns of divorce is significant at 1% level.

On comparing the cells (b.) and (k.), in which the two categories of age at first marriage and the two categories of the level of educational attainment are the same but of different cohorts of first marriage (1957 and before and 1958 to 1974), it can be seen that the hazard rates in the more recent cohort decrease considerably, while the cumulative probability of marriage survival (CPMS) shows an increasing trend. (Probably due to small number of respondents in

each group, the observed value of chi-square of the Log-rank test (0.948) indicates that the difference in the patterns of divorce between these two cells is statistically not significant). Similar magnitudes can be seen when we compare the cells (e.) and (n.) in Appendix III, in which age at first marriage of 16 years or more, the level of educational attainment of 1 to 6 years, and the cohorts of first marriage of 1965 and before and 1966 to 1974 are controlled. These trends could be attributed to at least two reasons. Firstly, the levels of educational attainment and age at first marriage in the latter cohort were more concentrated towards the upper limit when compared with those of the former cohort. Secondly, it could be attributed to the change of time period, whereby the cohort of first marriage of 1957 and before, belonged to the pre-independence period, while the second cohort belonged to the post-independence or relatively "modern" period.

4.4.3 Economic Reasons

The higher divorce rates in Kelantan in the "past" were partly caused by instability in the homes of the people besieged by economic problems. The imam of the mukim, the district kadhi of Pasir Mas, and the Chief Kadhi of Kelantan, in separate interviews, explained that the main reason for requesting divorce in general is due to financial problem, the husband being unable to fulfill his financial obligations (nafkah) towards the wife and children.

Table 4.6 shows various reasons given by the wives for requesting divorce from the Syari'ah Court in Kota Bharu, from 1975 to 1980. In most cases, there is more than one reason for divorce, but the most

commonly cited is economic, mainly the failure on the part of the husband to provide sustenance to his wife and children (reason No.1) This reason in fact overlaps with reason No.3 in which the wife states that the husband is away from home without sending any news or sustenance.

Table 4.6

Reasons for Requesting Divorce : Cases From Syari'ah Court
in Kota Bharu, 1975 - 1980 (Per Cent)

Reasons	N=106
1. Husband does not fulfill his financial obligations towards his charges, the wife and the children	68
2. Husbands' cruelty	28
3. Husband goes away without sending any news and sustenance	27
4. Husband polygynously married, unfair, and the wife cannot tolerate it	14
5. Husband gambles or drinks	8
6. Husband keeps another woman/unfaithful	5
7. Problems arises because of stepchildren.	4
8. Petty quarrels	4
9. Husband is sexually very weak/excessive.	3
10. Others (husband is in jail, forced to be a prostitute, jealousy, sickness, and involment of parents or in-laws).	22

Note: Total percentages not 100, because more than one reasons is commonly given by the wife.

Source: Syari'ah Court, Kota Bharu.

The financial reason still holds true for most divorce cases in the period 1975-1980. This period is the beginning of intensive economic and social development of the state. As a result there has been a general uplift in income levels and standard of living, particularly with the introduction of tobacco cultivation in the districts. With all these improvements, divorce rates have gone down to a certain extent. But, if one looks at the economic and social conditions before the introduction of tobacco cultivation, then

economic reasons appear to be more acceptable as an explanation. Previously, the majority of Kelantanese worked as rubber tappers, paddy planters and fishermen. The very nature of these kinds of occupations does not provide an adequate and steady source of income to meet family expenditures. Apart from that, rubber tapping and paddy planting are not very productive. There are two main reasons for this; either the cultivated plots are too small to be economically productive, or the produce has to be shared with the landlords under the pawah system. As for the fishermen, they would have to depend on the middlemen to get credit during the monsoon season. Repayment, normally with a high interest rate, is supposed to be made after the season is over. In addition they all have some other common problems, namely, price instability and exploitation from middlemen.

With this kind of poor economic situation and the lack of alternative form of occupation during the difficult period, it is hardly surprising that divorce rates among the Muslims in Kelantan are among the highest in the country and unmatched in most parts of the world.

4.4.4 Legal Aspects

Among the legal aspects which will be considered here are the law on minimum age at marriage, rulings governing polygynous marriage, and some of the administrative problems related to divorce. Before 1983, there was no minimum age at marriage enacted in the state's Muslim Marriage and Divorce Law. The age of menarche or puberty is considered as the minimum one for marriage. Thus, it is the social

and economic circumstances that determine the timing of marriage but not the legal requirements. It is believed that if the minimum age of marriage was imposed at a certain pre-determined level this could probably delay the age at first marriage to a greater extent than it used to be, and the divorce rate could probably be further reduced.

To some extent polygynous marriage, which was relatively quite common in the "traditional era", partly contributes to the high divorce rate in Kelantan (see also Nik Mahmood, 1978/79: 39-40). The Islamic Law (Hukum Syara') allows a Muslim man to marry more than one wife but not more than four concurrently, provided that the husband treats all the wives equally (Ibrahim, 1977: 30; Nik Mahmood, 1978/79: 39). But in most cases, the first wife is not able to tolerate polygynous marriage and she would normally instigate divorce proceedings against her husband.

Among the ever married male respondents in the mukim, 11 of them had experienced polygynous marriage. Eight of them had contracted such a marriage before Malayan independence in 1957. Seven of them reported that they divorced the first wife while the other one stated that he divorced the second wife and went back to the first wife. This was mainly because he already had three children with the first wife when he married the second one. The remaining three who currently practise this kind of marriage are persons who can be considered as relatively rich. Partly because of their strong economic dependence on their husbands, and partly because of the fact that they already had children before the husbands took the second wife, the first wives do not instigate divorce from their husbands. However, their neighbours reported that they are always quarrelling

with their husbands but the quarrels do not end with divorce.

The incidence of polygynous marriages is higher in Kelantan than elsewhere in Malaysia. Even so, although polygynous marriage is believed to have an effect on divorce, it has never been commonly enough practised in Kelantan to have been the cause of a very high proportion of divorces. Divorce is simply much more common than polygynous marriage. During the time when polygynous marriage was relatively quite common, the level of educational attainment of the people was very low, and most of the people had no formal education. To a large extent, the people concerned did not quite understand the second part of the provision for polygynous marriage, that is, a polygynous husband must treat all his wives equally and fairly in all respects. But this obligation in normal practice cannot be easily fulfilled and it alone, by right, should be the deterrence against polygynous marriage. Perhaps this particular point should be emphasised by the Institution of Islamic Law in Kelantan in order to prevent people from practicing polygyny "blindly". But over the years the actual cases of polygynous marriage have decreased quite considerably, partly due to increase in the level of education of the people. Consequently divorces associated with polygynous marriage have also declined.

There is a close tie between the legal aspects of Muslim marriage and divorce in Kelantan and the administrative system related to it. The system requires that every marriage and divorce be registered with the imam of each mukim. Every registration is to be accompanied by a fee, 50% of which goes as commission to the imam. Prior to the mid-1970's this commission was all that the imam received since he did

not receive any salary like he does now. Presently an imam enjoys two sources of income; one, the monthly salary paid for by the government; the other, the commission derived from registering marriage and divorce. As for the latter, the registration fee for a divorce by talak under section 68 of the Kelantan Syari'ah Court and the Matrimonial Causes Enactment of 1966 is M\$10 plus an additional M\$2 for the issue of a divorce certificate (Kelantan, 1974: 30; Nik Mahmood, 1978/79: Appendix D). Of this, M\$6 goes to the syari'ah court in the respective districts or to the state's syari'ah court.

This commission system could lead to abuses. The possibility of this happening is very tempting, especially for the senior imam, because for every certificate issued for a divorce by talak he gets a 50% commission. If, as a result of his patient and kind counselling which he is supposed to perform as part of his duty, the estranged couple decides not to go ahead with a divorce, the imam will get nothing. But, as the senior imam of Mukim Jenereh Tujuh commented, not every imam would abuse such power for the sake of gaining the commission. According to the Chief Kadhi of Kelantan, most senior imam perform their counselling duties painstakingly before approving and registering divorce. Nevertheless, if a senior imam chooses to grant divorce just for the sake of the commission, there is nothing in the system that could stop him from doing so.

4.5 Re-marriage

In Kelantan generally, social values prohibit extra marital relationships and divorcees and widows are allowed to remarry once the eddah period is completed. Since many women were married at a young age and divorce occurred frequently during the first few years after marriage (see Table 4.1), it could be expected that most divorcees remarry after divorce.

Table 4.7

Duration of Period Between Divorce and Subsequent Marriage
(Per Cent)

! Duration ! (Months) !	! First Divorce to ! ! Second Marriage !	! Second Divorce to ! ! Third Marriage !	! Third Divorce to ! ! Fourth Marriage !
! !	! N=194 !	! N=83 !	! N=29 !
! 0 - 6 !	! 33 !	! 23 !	! 24 !
! 6 - 12 !	! 26 !	! 30 !	! 45 !
! 12 - 24 !	! 24 !	! 27 !	! 14 !
! 24 - 36 !	! 9 !	! 11 !	! 10 !
! 36 + !	! 9 !	! 10 !	! 7 !
! Total !	! 101* !	! 101* !	! 100 !

Note: * Total percentages not 100 due to rounding.

Source: 1974 MFFS Kelantan.

Table 4.7 shows the duration of period between divorce and the next re-marriage. (Figures for widows are too small for consideration). Of the 216 women whose first marriage ended with divorce, 194 were remarried (i.e. married for the second time). Of the 194 who were remarried, 91 were again divorced, and 83 of them were remarried for the second time (the third marriage). Of these 83 cases, 35 were again divorced, and 29 were remarried for the third time (the fourth marriage).

It appears that more than 50% of those whose first marriage ended with divorce were remarried within one year after divorce. In fact, about 80% did so within the first two years after divorce. A similar length of "waiting period" (for the want of better term, "waiting period" is used for the duration between divorce and next re-marriage) applies for the duration between second divorce to third marriage, and for third divorce to fourth marriage.

In other words, it can be said that the "waiting period" between divorce and the next re-marriage does not last very long for the large proportion of divorced women. The majority of the first divorces(80%) were remarried within the first two years after divorce. Even for the subsequent divorces and re-marriages, the "waiting periods" for the majority of them were never more than two years.

Chapter 5

C O N C L U S I O N

5.1 Summary of Findings and Some Policy Implications

This study has examined changes in the patterns of marriage and divorce among the Malays of Kelantan. It has been based on two main data sets, the 1974 MFFS Kelantan and data collected by field work method of participant observation and key informant interviews in Mukim Jenerih Tujuh.

It has been established that age at first marriage among Malay women and men has increased substantially over the last three decades in Peninsular Malaysia. However, the median age at first marriage among women in Kelantan is still the lowest when compared to that of other states.

There are several factors associated with changes in age at first marriage among women in Kelantan. The main one is the improvement in educational attainment which has been brought about by the general improvement in socio-economic condition of the people which affect people's perception of the appropriate age at first marriage among women. Educational attainment has quite a strong positive relationship with age at first marriage, that is to say, the higher is the educational attainment of the women, the higher will be the age at first marriage (see Chapter 3, Table 3.4, page 49). Easy accessibility to schools and changes in attitude and values of the

parents towards education, especially for females, mean that greater number of people become more educated than they were before. The availability of primary school in Mukim Jenereh Tujuh together with changes in attitude and values of the parents towards education especially for the girls, provide universal primary education for the children in the mukim.

This further improvement in the general level of education has been further intensified by social and economic developments of the state, particularly after the 1970's. The most noteworthy increase is in the income levels of the people particularly after the introduction of tobacco cultivation. Further improvement in road communication means greater access to schools within the mukim as well as outside it.

But, on the whole, it is not the educational attainment per se that affects the change in age at first marriage; there are other factors as well. In particular, the involvement of women especially those in the marriageable ages in paid employment such as in several tobacco processing stations contributes to marriage delay. Some women, particularly those who had failed in several examinations (SRP, SPM or STPM) work just to get some money to re-sit these examinations or repeat some schooling while some others may be working for sometime before they get married.

It has been noted that economic development in Kelantan has been left far behind compared to other states due to political reasons. Kelantan was ruled by the PMIP, the opposition party, for 18 years (1959-1978). During this time, the central government withheld support for development projects in the state. This, coupled with

scarcity of productive resources, had left Kelantan far behind socially and economically. Since socio-economic development plays an important role in affecting age at first marriage, the previous retarded economic performance of the state helps to explain the low age at first marriage among Kelantanese women especially before the 1970's.

1978 marked the turning point with regard to social and economic development of the state with the return of the National Front government to power. Since then, intensive social and economic development have been initiated. As a result, more educational facilities as well as infrastructural facilities have been established. The younger generation are therefore more assured of at least being educated till the secondary level. Since it is most likely that the age at first marriage among women in Kelantan has not yet achieved its maximum level, the expected further improvement in social and economic condition of the state would have a further impact in delaying age at first marriage among women in the near future.

The divorce rate among Malays in Kelantan shows a substantial decline over the last three decades. There are several interrelated reasons which may help to explain the high rates as well as the declining trend over the period.

Generally, divorce is found to occur more frequently within the first two years of marriage (see Sub-section 4.4.1, Chapter 4). For instance, during the periods before independence and until the end of 1960's this phenomenon, to a considerable extent, was attributed to two factors; firstly, most marriages were arranged, and secondly, age at first marriage was very low. The arrangement of marriage among

young couples tended to create a certain extent of instability in the newly married household. For instance, the newly married couples always depend on their parents or in-laws in their decision making processes. Sometimes the involvement of parents or in-laws complicates the relationship between husband and wife. Furthermore, the couples probably found it very difficult to be compatible with each other since many of them had never known each other before they were married.

Age at first marriage is found to have an inverse relationship with divorce, that is to say, divorces occur frequently among those respondents whose age at first marriage was relatively quite low. Being very young, it could not be expected for the newly married couple to conceive immediately after marriage because they are still in the period of adolescent sterility. The fact of adolescent sterility is considered to facilitate divorce during that period since the situation of marriage with no children or no living children provides no obstacle for divorce. As the age at first marriage increases and the trend of marriage shifts from arranged marriage to personal choice marriage, the divorce rate decreases (see Table 4.2, Chapter 4).

Level of educational attainment also seemed to have a strong inverse relationship with divorce (see Sub-section 4.4.2, Chapter 4). The proportion of marriages ending with divorce is highest for the respondents who have no formal education. As the level of educational attainment increases, the proportion of marriages ending with divorce decreases. This inverse relationship could be seen as operating in at least two dimensions. Firstly, the increase in the level of

educational attainment increases the age at first marriage which further reduces the rate of divorce. Secondly, as educational attainment increases, there is a shift from traditional "completely arranged" to "personal choice" marriages. There is thus a shift in the power of decision making with respect to marriage from the parents to the educated children. Since the former type of marriage is considered to be less stable, it helps to explain the high divorce rates in the "past". The declining trend of divorce since the last three decades is partly explained by the increase in the latter type of marriage.

The general economic condition also affects divorce in certain ways. Its rate seemed to be relatively high when the economic situation of the state was very poor, that is, during the period before Malayan independence. After independence, the First Malaysian Plan projects came into force, bringing many changes. But the most important was the introduction of tobacco cultivation into several districts. Consequently during the period after this, the divorce rate went down. This is understandable because at the time when the economic condition was poor it could be expected that many of the husbands could not afford to maintain their financial obligations towards their families. As a result quite a number of marriages ended with divorce due to financial reason. But as the general economic situation improves, divorce rates declines.

The legal factor is generally considered to have minimal impact on the change in age at first marriage and divorce. Before early 1983, there was no minimum age at first marriage being imposed on the Malays in Kelantan. It was only in early 1983 that the new Family

Bill was passed, which set the minimum age at first marriage to 18 years for men and 16 years for women. But the introduction of this legislation came too late, hence, was of limited value. The reason is that, by this time the normal ages at first marriage for men and women -- especially around the beginning of 1970's and until early 1980's -- were already well above the legislated minimum (see Table 3.2 and 3.3, Chapter 3; see also Abdullah, 1979/80: 82, Table 4.2; and Che Mat, 1979/80; 30, Table 4.2).

Regarding polygyny, the introduction of provisions to tighten polygynous marriage as tabled for the 1983 Family Bill could also be considered as too late. That is not only because divorces associated with polygynous marriages are quite small in proportion, but nowadays, this kind of marriage is relatively uncommon.

While it is feasible that age at first marriage could be raised and divorce rates could be reduced by stricter laws, the main remedy is to educate the people. Perhaps it can be suggested here that certain legal requirements regarding compulsory education be reviewed by the government. Hence schooling should be made compulsory right up to the secondary level. As government intensifies its social and economic development, education should be given top priority. It has been proven in the study that as the level of education increases, age at first marriage increases while divorce rate decreases. If people of marriageable age could be persuaded to spend more time schooling, particularly up to the secondary level, then there is a less likelihood of them getting married at a younger age. By the extension of the same argument, if they were required by law to attend secondary education, then the law for minimum age for first marriage would

become unnecessary.

A further recommendation concerns the roles of senior imam. Perhaps they should be further trained in advanced methods of pre-marital, marital, pre-divorce and post divorce counselling. In addition to this their salary or allowances should also be revised to a certain reasonable level in order to ensure that they do not abuse their power just to gain commission derived from registration of marriage and divorce.

5.2 Implications of this study for further research

As far as fertility is concerned, this study gives some insights into the "explanatory variables" that affect some of the "intermediate variables", namely, age at first marriage and divorce as well their change over time. As already noted, the rise in age at first marriage lowers fertility by reducing the time span of exposure to the risk of conception in a woman's life cycle. In addition to this, the high divorce rate also help to lessen the period at risk. Thus, as divorce and polygyny rates decline, they, in turn, work in an opposite direction with regard to fertility (Jones, 1980: 292; and Swee-Hock, 1967: 649). In addition, there are some other "intermediate variables" that affect fertility, such as postpartum amenorrhea, breastfeeding, the use of contraception, frequency of intercourse, period of instability before divorce, frequency of remarriage(s), childlessness and others (see Davis and Blake, 1956; 211-235), need to be determined. Presumably, a reasonable large sample, which allows the so-called "multi co-variate analysis", and an intensive participant observation type of approach of the population concerned, may help to determine their relative impact on fertility levels.

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APPENDIX I

QUESTIONNAIRE (TRANSLATION)

A SURVEY OF MARRIAGE AND DIVORCE

AREA CODE

--	--

NO. OF HOUSEHOLD

--	--

NAME OF HEAD OF HOUSEHOLD:-----

ADDRESS:-----

! VISITS !	! DATE !	! REMARKS !
! 1 !	! !	! !
! 2 !	! !	! !

Che Hashim Hassan
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INDIVIDUAL ENQUIRY LIST (Ever Married Males).

1. PERIOD BEFORE MARRIAGE

(Data obtained from Q.101 to be filled in history of marriage table)

101. How many times have you been married? times

102. Do you possess a marriage certificate or any other documents that shows the date of your marriage?

- a). Yes (date).....(proceed to Q. 104)
- b). No

103. Do you know the date of your first marriage?

- a). Yes (date).....
- b). No

(If no, relate the time of marriage with historical events, such as Tok Janggut Rebellion in 1915, "Red Water Floods" in 1926, Japanese Occupation in 1942-1945 and Malayan Independence in 1957)

Estimated date of marriage:.....

104. What was your age at the time of your first marriage?

Age:.....(years)(Months)

105. Have you ever practiced polygyny?

- a). Yes
- b). No (proceed to Q. 107)

106. How many wives did you marry at one time?

No. of Wives:.....

107. If the wife or wives is not at the place of interview please ask:

Does your wife at present live here?

- a.) Yes
- b.) No
- c.) Away temporarily
- d.) others.....(specify).

108. Where were you born?

- a.) In this village
- b.) In another village in this mukim
- c.) In another mukim
- d.) In another sub-district
- e.) In another district
- f.) In another state
- g.) In another country

109. Were your parents alive at the time of your marriage?

- a.) Yes
- b.) Only father was alive
- c.) Only mother was alive
- d.) Both dead
- e.) Not known/No Answer

HISTORY OF MARRIAGE - 1
(For Ever Married Males Only)

No. of Marriage	Date of Marriage	Age at Marriage	Age of wife	Wife's Marital Status *	Types of Divorce	Current position **	Duration of marriage proceeded	Date of marriage ended	No. of Children Born and Dead ***
1									Born J= L= P= Dead J= L= P=
2									Born J= L= P= Dead J= L= P=
3									Born J= L= P= Dead J= L= P=
4									Born J= L= P= Dead J= L= P=
5									Born J= L= P= Dead J= L= P=
6									Born J= L= P= Dead J= L= P=

Notes: * BK for single, J for widowed, ** ML for Still Continuing, HP for seperated, *** J = Total, L = Male,
C for divorced. C for divorced, B for widower. P = Female

Affix another form if the respondents married more than 6 times

HISTORY OF MARRIAGE - 2

(To be filled if the current wife of the respondent is not his first wife)

-Seek the permission from the husband before interview his wife-

No. of Marriage	Date of Marriage	Age at Marriage	Age of husband	Husband Marital Status *	Types of Divorce	Current position **	Duration of marriage proceeded	Date of marriage ended	No. of Children Born and Dead ***
1									Born J= L= P= Dead J= L= P=
2									Born J= L= P= Dead J= L= P=
3									Born J= L= P= Dead J= L= P=
4									Born J= L= P= Dead J= L= P=
5									Born J= L= P= Dead J= L= P=
6									Born J= L= P= Dead J= L= P=

Notes: * BK for single, J for widowed, ** ML for Still Continuing, HP for seperated, *** J = Total, L = Male,
C for divorced. C For divorced, B for widower. P = Female

110. Were your parents still married when you were first married?
 a.) Yes
 b.) No
 c.) Separately but not divorced
 d.) Not Known
111. Were you still under supervision of your parents at the time of your first marriage?
 a.) Yes
 b.) Lived on my own
 c.) Under the care of father
 d.) Under the care of mother
 e.) Under the care of others.....(specify)
112. How many children did you have from your marriage?
 Actual No. of children:.....

2. SOCIO-ECONOMIC BACKGROUND

201. Occupation?.....
202. Highest level of educational attainment?

.....
 Years in school:.....
 Types of school:.....

203. Income of members of household

Source of income	Estimated value per year
1.	M\$.....
2.	
3.	
4.	
5.	
6. Others	
Total	

203. Ownership of place of residence
 a.) Own property
 b.) Rented
 c.) Company
 d.) Others(specify)

205. Do you own any land?
 a.) Yes
 b.) No (proceed to Q. 208)

206. How many acres of land do you own?(acres)

207. Category of land?
 a.) Orchard
 b.) Rubber plantation
 c.) Paddy field
 d.) Others (state).....(specify)
208. Other property ownership? (tick where appropriate).
 Car/van/lorry
 Motorcycle/scooter
 Bicycle
 Radio
 Tv - Black and white
 Colour
 Refrigerator
 Fan
 Sewing Machine
 Others(specify)
209. What are the types of goods or property bought this year?
 (Do not record if the value is less than M\$50)

<u>Types of goods/properties</u>	<u>value</u>
.....	
.....	
.....	
.....	
.....	
.....	
.....	
210. What was the main source of income used to purchase
 above items?

 If more than one sources: (specify)

211. Have you ever:
 a.) Strike lottery/ the four digit/ toto
 b.) Any contribution from any party:
 Specify from whom.....
 why

3. PERIOD BEFORE MARRIAGE.

301. Were the youths (boys and girls) allowed to mix freely at the
 time just before you got married?
 a.) Absolutely Not
 b.) Allowed but very difficult
 c.) Allowed but not in the form of couples
 d.) Allowed to mix individually but with certain limitations
 e.) Rather freely
 f.) Others (specify).....
302. In your opinion do the youths of today mix more freely
 as compared with old days (that is, at the time when you
 were still an adolescent)?

- a.) More freely now
- b.) Very much freely now
- c.) The same (proceed to Q. 304)
- d.) More freely before (proceed to Q. 304)
- e.) Others (specify)

303. In your opinion why do today's youths mix more freely?
 Reasons.....

304. During your adolescence how did a girl/woman get to know her
 future husband?

4. CHOOSING A PARTNER

401. Do you have any family ties with your first wife?
 a.) Yes
 b.) No (if no, proceed to Q. 403)

402. What is the relationship?
 a.) First Cousin
 b.) First Cousin's child
 c.) Second Cousin
 d.) Others (specify)

403. What is your opinion regarding choosing a marriage partner?
 a.) It is better to choose from within your extended family.
 b.) It is better to choose an outsider
 c.) Not sure/uncertain
 Reasons:.....

404. What is the priority that should be given in choosing
 a marriage partner?
 1.)..... 2.
 3.).....

405. What was your first wife's level of educational attainment?
 a.) Never attended school
 b.) Primary school
 c.) Lower secondary school
 d.) Secondary School
 e.) Upper secondary school
 f.) Religious primary school
 g.) Religious secondary school
 h.) Others (specify)

406. Was your wife working before marriage?
 a.) Yes (state the job)
 b.) No
 c. Not known/no answer

407. After your marriage, did your wife continue to work?

- a.) Yes (specify the job)
 - b.) No
 - c.) Not applicable
 - d.) Not known/No answer
408. What was your family's social status compared with that of your wife at the time of your first marriage?
- a.) Almost similar
 - b.) Husband's family is higher
 - c.) Wife's family is higher
 - d.) Not known/No answer
409. What was your family's social status in the village as a whole when you were initially married?
- a.) High
 - b.) Usual/average
 - c.) Low
 - d.) Not known/No answer
410. What was your family's wealth status, compared to that of your wife's family at the time of your first marriage?
- a.) Almost similar
 - b.) Husband's family much higher
 - c.) Wife's family much higher
 - d.) Not known/No answer
411. Who chose your partner?
- a.) Own choice with parent's blessing
 - b.) Own choice without parent's blessing
 - c.) Parents
 - d.) Relatives (specify)
 - e.) Others (specify)
 - f.) Not known/No answer
412. Which do you feel brings more happiness?
- a.) Your own choice
 - b.) Your parent's choice
 - c.) Not sure/Uncertain (proceed to Q. 414)
 - d.) Not known/No answer (proceed to Q. 414)
413. Why do you feel this is so?
-
-
414. From the following marriage examples, which according to your opinion, will there be a possibility of a happy or unhappy marriage?
- a.) Husband more than 20 years older than the wife
Happy/Unhappy, reasons:.....
 - b.) Living together with the husband's parents
Happy/Unhappy, reasons:.....
 - c.) Living together with the husband's parents
Happy/Unhappy, reasons:.....
 - d.) Child living together with a stepfather
Happy/Unhappy, reasons:.....
 - e.) Child living together with a stepmother
Happy/Unhappy, reasons:.....

- f.) Both husband and wife of a different race
Happy/Unhappy, reasons:.....
- g.) Wife's level of educational attainment is much higher than
that of the husband's
Happy/Unhappy, reasons:.....
- h.) Husband's polygynous marriage
Happy/Unhappy, reasons:.....

415. Are you and your first wife from the same village?
- a.) From the same village
 - b.) Different villages but within this mukim
 - c.) Different mukim
 - d.) Different sub-districts
 - e.) Different districts
 - f.) Different states
 - g.) From different countries (specify).....

5. AGE AT TIME OF MARRIAGE

501. What was the normal age at marriage for boys and girls at the
time your first married?
Boys:..... years
Girls:..... years
502. In your opinion, was your age at marriage higher/ lower than
the normal?
a.) Higher
b.) Lower (proceed to Q. 504)
c.) Normal
503. Why was your age at marriage at that time higher than normal?
Reasons:.....
504. Why was your age at marriage at that time lower than normal?
Reasons:.....
505. In your opinion, what is the age for boys and girls
considered too young to be married?
Boys: years Girls: years
506. In your opinion at what age is a woman and a man
considered as :
"an old maid"
"An old bachelor"

6. MARRIAGE CEREMONY (FIRST MARRIAGE)

601. List the types of ceremonies you underwent during your first
marriage?

<u>Ceremony</u>	<u>Duration before marriage</u>
-----	-----
-----	-----
-----	-----

602. How much was the mas-kahwin (marriage payment) for your first wife? M\$.....
603. What was the total amount of your marriage gifts? M\$.....
604. What was the price of a medium-size cow at the time of your first married? M\$.....
605. How long were you engaged?
 a.).....years; months
 b.) Married immediately
 c.) Not known/no answer
606. In your opinion what is the best duration of engagement?
years; months
607. What were the functions carried out during your first marriage ceremony?

608. What was the total expenditure for the above functions?
 M\$.....
609. Who paid all expenditures?

610. What was the main source of money for the functions?
611. Was it necessary to carry out all the above functions?
 Yes/ No

(If not, specify the types and reasons)

<u>Types</u>	<u>Reasons</u>
.....	
.....	
.....	

7. LIFE AS HUSBAND AND WIFE

701. After the first marriage ceremony, when did you started living together with your wife?
 a.) immediately
 b.) years; months
 c.) Never lived together (proceed to Q.703)
 d.) Not known/No answer
702. In whose house did you live with your wife for the first time?
 a.) Your own house
 b.) Your parents' house
 c.) Your in-laws' house
 d.) Others (specify)
703. What were the reasons for not living together with your wife?

704. How long after living together was your first child born?

- a.) Did not have any child
- b.) months; years
- c.) Expecting the first child (specify) months
- d.) Not known/No answer

705. Who makes the decisions in the following cases?

Items	Husband	Wife	Husband and Wife	Parents	In-Laws
a. Everyday Expenditure					
b. Purchasing expensive goods					
c. Purchasing of land					
d. Buying a house					
e. Family Planning					

706. Do you practice family planning?

- a.) Yes
- b.) No
- c.) No answer

707. When you buy property, under whose name is it registered?

- a.) Husband
- b.) Wife
- c.) Husband and wife
- d.) Others (specify)

708. During your leisure time do you ever carry out activities together with your wife?

- a.) Yes
- b.) No
- c.) Not Known/No answer

If yes, What are those activities?

.....

709. Do you always watch the following entertainments?

Types of Entertainment	Frequency *	Alone	With Your Wife
a. Movies/Films			
b. Malay shadow play			
c. Mak Yong (tradition folk theatre)			
d. Dikir Barat			
e. Others (specify)			

* Degree of frequency

- | | |
|------------------------|--------------------------|
| 1. Once a week or more | 4. Never at all |
| 2. Once a month | 5. Not known / No answer |
| 3. Once a year/rarely | |

710. Are your parents still alive?

- a.) Yes
- b.) Only mother still alive
- c.) Only father still alive
- d.) Not known/No answer

711. Are your in-laws still alive?

- a.) Yes
- b.) Only mother in-law still alive
- c.) Only father in-law still alive
- d.) Not known/No answer

712. How often do you visit your parents and in-laws each year?

- a.) Parents times *mark "0" for none
- b.) In-laws times and " - " for not applicable

713. Distances of your parents' and in-laws' houses from your house

- a.) Parents' house miles
- b.) In-laws' house miles
- * mark " - " for not applicable
- < 1 for less than one miles

714. Which is closer: your relationship with your parents or with your in-laws?

- a.) With parents
- b.) With in-laws
- c.) Almost equal
- d.) Not known/No answer

715. Do you and your wife always perform your dawn prayers at the mosque/surau (a small prayer house located in each village in the mukim)

- a.) Yes b.) No c.) Very rarely d.) Not known/No answer

716. Do you always listen to religious talks/lectures?

- a.) Yes b.) No c.) Very rarely d.) Not known/No answer

717. Do you always perform prayers together (jemaah) with your wife?

- a.) Yes b.) No c.) Very rarely d.) Not known/No answer

718. Do you always force your children to perform prayers?

- a.) Yes b.) No c.) Very rarely d.) Not known/No Answer
- e.) Not applicable

719. Does your children perform prayers out of your insistance or is it out of their own awareness?

- a.) By force
- b.) Of their own awareness
- c.) Not sure/Not certain
- d.) Not known/No answer
- e.) Not applicable

8. ATTITUDE TOWARDS DIVORCE

801. In your opinion should a wife claim a divorce under the following circumstances, that is, if the husband is:

Circumstances	Yes	No	Not Sure
a. Drunkard/an addict/a gambler			
b. Always cruel			
c. Imprisoned for more than 5 years			
d. A womanizer			
e. Having two wives			
f. Sexually very weak			
g. Keeping another woman/Unfaithful			
h. Leaves home for more than 3 months without informing his wife			
i. Faced with the situation where his wife likes another man			
j. Not providing maintenance to the wife			
k. Faced with the situation where his wife is not accepted by his family			

802. Should a husband divorce his wife in the following circumstances:

Circumstances	Yes	No	Not Sure
a. A barren/infertile wife			
b. A bad wife			
c. A husband wishes to marry again but not financially capable of having two wives			
d. The husband is hated by the wife's family			
e. A wife who cannot carry out her wifely duties because of sickness			
f. Husband and wife always quarelling			
g. Husband disturbed by his stepchildren			
h. A wife who likes another man			
i. A wife who leaves home for more than 3 months without her husband's consent			
j. A wife who always mismanage her household duties			
k. A wife who is a gambler and an addict			

803. If a person here seeks a divorce, from whom does he seek advice?
 a).(name/authority)
 b). Does not seek any advice
804. In this society is divorce considered something normal or something shunned upon?
 a.) Normal b.) Not good but a necessity
 c.) Shunned upon d.) Not known/No answer
805. Do you agree with the following attitude, that is, "it is better to be divorced than to be polygynously married"?
 a.) Agree b.) Do not agree
806. What is your opinion concerning polygyny in this society?
 a.) Good, reasons
 b.) Not good, reasons
 c.) Not known/No answer
807. Is it necessary for a widow to marry as soon as possible after the completion of her "eddah" period?
 a.) Yes b.) No
 c.) Depends on age d.) Not known/No answer
808. At approximately what age is it not necessary for a divorcee to remarry?
 a.) On reaching her menopause period
 b.) Age years
 c.) No age limitation
 d.) Not known/No answer

QUESTIONNAIRE FOR RESPONDENT WHO HAD EXPERIENCED DIVORCE

9. HISTORY OF DIVORCE

901. Was your first divorce the result of your never living with your wife?
 a.) Yes
 b.) No (proceed to Q. 903)
902. Which type of divorce was it?
 a.) Talak
 b.) Kholo'
 c.) Fasah
 d.) Taklik
903. Why did the divorce take place?
 Reasons: 1.
 2.
 3.
 4.
 5.
904. Who was more keen for divorce?
 a.) Husband b.) Wife c.) Both

905. Where did the divorce took place?
 a.) In front of a kadhi
 b.) In front of an imam
 c.) Between husband and wife only
906. Who paid the divorce payments?
 a.) Husband b.) Wife c.) Both d.) Others
907. After the divorce who moved out of the house?
 a.) Husband b.) Wife c.) Both
908. Where did you moved to?
 or Where did your wife moved to?.....
909. After the divorce who looked after the children?
 a.) Husband b.) Wife
 c.) Others (specify).....
 d.) Not applicable (proceed to Q. 912)
910. Who supported the children who lived with other people?
 a.) Husband b.) Wife
 c.) Others (specify)
 d.) Not applicable
911. How long was maintenance given? years
912. Who is supporting them now?

913. How was the joint property divided?

914. What was your economic position at the time of divorce?
 a.) Good
 b.) Not so good
 c.) Bad
 d.) Others (specify).....
 e.) Not known/No answer
915. Were you and your wife usually sick during your marriage?
 a.) Yes
 b.) No
 c.) Not sure/Uncertain
 d.) Not known/No answer
916. Did your first wife usually mismanage her household duties?
 a.) Yes
 b.) No
 c.) Not sure/Uncertain
 d.) Not known/No answer
917. Was your first divorce due to economic difficulties?
 a.) Yes
 b.) No
 c.) Not sure/Uncertain
 d.) Not known/No answer

918. Did you ever seek any advice from other people before the divorce?
a.) Yes, from whom(specify)
b.) No (proceed to Q. 920)
919. What advice did you receive?
a.) Towards reconciliation
b.) Towards divorce
c.) Did not give anything meaningful
d.) Not known/No answer
920. Before the divorce were you and your wife always apart or separated for a long period?
a.) Yes, period:.....(years)(months)
b.) No
c.) Not known/No answer
921. Did you remarry after the divorce?
a.) Yes
b.) No
c.) Not known/No answer
922. Were you acquainted with your second wife before the divorce?
a.) Yes
b.) No
c.) No answer
923. Did your new wife (the second one) influence your divorce with the first one?
a.) Yes
b.) No
c.) Not known/No answer

THE END

APPENDIX IIEconomic Activity and Occupational Status of the
Ever Married Male Respondents (Per Cent)

Activity/Status	Per Cent
1. Paddy Planter and Tobacco Grower	43.5
2. Paddy Planter	14.9
3. Rubber Tapper and Tobacco Grower	7.7
4. Labourer	4.8
5. Voluntary Army Personnel	4.2
6. Labourer and Tobacco Grower	4.2
7. Rubber Tapper	3.6
8. Teacher	2.4
9. Driver	2.4
10. Tobacco Grower	1.8
11. Small-shop retailer	1.8
12. Small businessman	1.8
13. Paddy Planter and Rubber Tapper	1.2
14. Gardener	1.2
15. Clerk	1.2
16. Others	3.6
Total	100.3 *

Note: * total not 100 due to rounding

Source: 1981 Mukim Jenereh Tujuh Case Study

APPENDIX III

Cumulative Probability of Marriage Survival (CPMS) and Probability of Marriage Ending with Divorce (Hazard Rate) by Level of Educational Attainment by Duration of Marriage (DOM) by Age at First Marriage by Cohort of First Marriage

Cohort of first Marriage	Age at first Marriage (Years)	DOM (Months)	Level of Educational Attainment				All Levels *	
			No Formal Education		1 to 6 Years Education			
			CPMS	Hazard Rate	CPMS	Hazard Rate	CPMS	Hazard Rate
			a.		b.		c.	
			(N=191.5)		(N=87.5)		(N=283)	
	15 or Less	0	0.7285	0.0262	0.8857	0.0101	0.7774	0.0209
		12	0.6233	0.0130	0.8397	0.0044	0.6920	0.0097
		24	0.5225	0.0037	0.7702	0.0018	0.6024	0.0029
		72+	0.3603	**	0.7249	**	0.4735	**
			d.		e.		f.	
			(N=85.5)		(N=44)		(N=134.5)	
1965 and before	16 or More	0	0.8012	0.0184	0.8864	0.0100	0.8364	0.0148
		12	0.7409	0.0065	0.8182	0.0067	0.7759	0.0063
		24	0.6016	0.0043	0.7721	0.0012	0.6740	0.0029
		72+	0.4836	**	0.6838	**	0.5568	**
			g.		h.		i.	
			(N=277)		(N=131.5)		(N=417.5)	
	All Ages	0	0.7509	0.0237	0.8859	0.0101	0.7964	0.0189
		12	0.6593	0.0108	0.8325	0.0052	0.7189	0.0085
		24	0.5469	0.0039	0.7708	0.0016	0.6254	0.0029
		72+	0.3963	**	0.7109	**	0.4999	**
			j.		k.		l.	
			(N=5) @		(N=36)		(N=50)	
	15 or Less	0			0.8661	0.0124	0.9000	0.0088
		12			0.8056	0.0056	0.8600	0.0038
		24			0.7500	0.0015	0.7600	0.0026
		72+			0.6964	**	0.7210	**
			m.		n.		o.	
			(N=13)		(N=63.5)		(N=98.5)	
1966 - 1974	16 or More	0	0.8462	0.0139	0.9528	0.0040	0.9289	0.0061
		12	0.7692	0.0079	0.8892	0.0057	0.8677	0.0057
		24	0.7692	0.0000	0.8251	0.0016	0.8160	0.0013
		72+	0.6294	**	0.8251	**	0.7954	**
			p.		q.		r.	
			(N=18)		(N=99.5)		(N=148.5)	
	All Ages	0	0.8889	0.0098	0.9196	0.0070	0.9192	0.0070
		12	0.8333	0.0054	0.8590	0.0057	0.8651	0.0051
		24	0.6667	0.0046	0.7980	0.0015	0.7970	0.0017
		72+	0.5641	**	0.7778	**	0.7700	**

Notes: * Including education of 7 years or more; @ less than 10 cases; and other notes: See Table 4.1.

Source: 1974 MFPS Kelantan.