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THE CAUSES OF RAMPANT CASES OF DIVORCE AMONG THE MUSLIMS IN BORNO AND YOBE STATE, NIGERIA: SOLUTION FROM THE ISLAMIC PERSPECTIVE

Musa Umar Yakasai¹, Aliyu Salihu²

¹ Department of Islamic Studies, Federal University, Gashua, Yobe State, Nigeria.
Email: umarmusayakasai@yahoo.com

² Department of Islamic Studies, University of Maiduguri, Borno State, Nigeria.
Email: aliyusalihum@gmail.com

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Abstract:

This study investigated the rampant cases of divorce and its consequences in Borno and Yobe States, Nigeria. The cases of divorce women have tremendously increased, and relevant authorities are worried as indecency becomes the order of the day. The study tried to examine the burning issues at hand and proffers workable solutions to the lingering problems. The research explored a structured questionnaire and different forms of analyses were carried out. In addition, descriptive regression and correlation analyses were tested and considered. The findings revealed that Impatience, adultery, misunderstanding, mother-in-law interference and economic hardship drive many husbands to divorce their wives. Based on the findings of the research, it is recommended that a training Centre for marriage counseling should be established to address a lot of marital issues in the society; scholars should embark on rigorous awareness and should be encouraged by the authorities; the Muslim community one should abide by laws and regulations stipulated by Allah Subhanahu Wa Ta ala (SWT) as indicated in the Qur'an and Sunnah.

Keywords:

Divorce, Muslims, Islamic Perceptive

Introduction

Islam enjoys marital relations between spouses and prescribes principles and rules to regulate marriage both as a transaction as well as an institution. Amongst these prescriptions are the rights and obligations of the husband and wife towards each other. The observance of these rights and obligations is obedience to Allah (SWT) and the breach of which constitute not only offending the other partner but also disobedience to Allah (SWT). It is also obvious that some

Muslims do not really understand the intricacies of marriage in Islam especially in relation to women. This is known by the frequency of divorce incidents between couples. Divorce has left indelible marks in the minds of Muslims women in Borno and Yobe States.

Marriage is called "An Nikah" in Arabic and it is expected to be a lifelong contract, which is also a religious duty. One should love and care for his/her spouse. *"And of His Signs is that He has created mates for you from your own kind that you may find peace in them and He has set between you love and mercy. Surely there are Signs in this for those who reflect"* (Qur'an 30:21).

"Marry the loving, childbearing women for I shall have the largest number on the resurrection day" (Sahih Bukhari)

Furthermore, Islam has taken the issue of divorce very serious. This is why we found out that the Qur'an talks about it (divorce) in different chapters and at different times. For instance, in Qur'an Chapter 2, Al-Baqara, Chapter 4, of Al-Nisa'I and Chapter 65 named Al-Talaq (The divorce), these explain how the divorce should take place among couples. There are also many instructions in the Qur'an urging men to treat their women with kindness, justice, and fairness, even in the event of divorce. Therefore, there is a categorical moral admonition to safeguard the women's welfare where divorce becomes inevitable. Hamid and Sunusi (2016) opine that once a man and a woman are tied together in the bunds of matrimony, they are expected to do their utmost for life to honour and uphold the Qur'anic says about their contract pledge. He went further to state that, the full thrust of the Shari'ah is leveled at preventing frequent occurrence of divorce. The laws lay down in this regard are regarded as exit primarily, therefore, as checks not incentives. Ambali (1998), states that Islam prohibits men to breach the contract of marriage by terminating it on baseless grounds. While discussing the rights of women after divorce (Ali, 2003), argues that, when divorce occurs, the wife is expected to be in the matrimonial home during this period while the husband provides for her maintenance although no conjugal relationship is permitted.

In the past, the people in Borno and Yobe States were known for their marital stability even though it existed with a complex of extended family, but recently it has witnessed the increasing rate of divorce and unless serious attention is paid to the issues there is an indication of more rapid instability in the future. (Poonawala, 1996). Marital instability is one of the social problems that is bedeviling our localities especially our customs as well as religious and ethics which proposes marriage at the early stage of life which is expected among other reasons total suppression of premarital sexes. Among the backlash of the current situation is the prevalent disloyalties of children toward their parents, many cases were recorded regarding divorce and Islamic ethics have been eroded. The rate of prostitution is at an alarming rate including abortion and likes. There has been an increasing report on cases of divorce despite numerous publications and seminars on marital issues. But people are still being misinformed about the importance attached to the stability of marriage institution.

Divorce has brought many social ills to the society. Much importance is no longer attached to the marriage institution, people are impatience and do not tolerate one another in marriage institution; the situation has actually brought about dissolution with its attendant problems. Divorce is affecting personal and social life very deeply. It causes stress and makes individual liable to a shattered way of life. It generally puts children at greater risk and exposes them to many kinds of problems. However, most children of divorced do not experience those serious problems. Based on this premise this study examines the causes of rampant cases of divorce among the Muslims in Borno and Yobe States.

Literature Review

This aspect of the paper reviews the work of some scholars who have carried out researches on divorce cases in matrimonial homes, likewise the effects of divorce on children, divorcees and societal implication. Abdal'Ati (1982) states that divorce is the dissolution of (an unhappy) marriage which serves as a preventative measure against the breach of peace in the society. He further mentioned that divorce, though permissible in Islam, is one of the most detestable in the sight of Allah, according to the Prophet (PBUH). Zakariyya (2008), says that a man is expected to be able to handle technically, of controlling his temper, emotions and personal reactions if upset about big or small issues in life, especially in terms of disputes with his wife. The husband should never seek divorce as a first solution to end his daily suffering with his wife. Heffeman et al (1992) argue that divorce among adults signifies the loss of an intimate relationship that also brought security and support. It also signifies a loss of hopes and dreams as well as normal feelings which could result to failure. Although there may be relief over the divorce, being alone also brings fear, anxiety, loneliness, and guilt, especially if there are children involved. Furthermore, the negative impact of the Western world in the African continent, negative impact of movies and a husband who cannot fully bear the family's financial burden find it difficult to control their wives (Daily Trust, 2007). It has been observed that higher ages at marriage are typically thought of as an indicator of female autonomy in Africa; education is positively associated with the occurrence of divorce among women. Adedikun (1988) states that educated women are more likely to embrace new ideas about marriage which at times resulted in divorce. She stresses the point that as the passion of sexual interaction may emerge; spouses may wish to end unexciting marriage in favour of relationship that will provide renewed excitement. She, however, opines that increasing participation of educated women in the labour force may reduce their dependence on men (Q.2:38-54). Jones (2000) observes that there is increasing ages at marriage to a greater degree of self-arrangement of marriages, and that is considered a powerful mechanism of declining divorce rates.

Olaofe (2013), attempts to clear the misconceptions by Muslims and others about the triple pronouncement of Talaq". The main point of her article is that Talaq (Divorce) is strongly condemned by Islam. In case of difficulties within a marriage that the husband and wife cannot solve by themselves, reputable arbitrators or conciliators should be appointed to resolve the matter as prescribed in the Qur'an: "*And if you fear a breach between the two, and then appoint judge from his people and a judge from her people; if they both desire agreement, Allah will effect harmony between them, surely Allah is ever knowing and Acquainted (with all things)*". (Q.4:35). Dol (n.d) mention that, for the divorce to be valid it is necessary that the husband should be sane ('aqil), not a minor (baligh), and be capable of using his own discretion (Mukhtar).

According to Bala (2010), the wife must fully recover from the menses of the regular menstruation and the usual postnatal fluxes, whose maximum time spans are about ten and forty days respectively. He further states that the wife, in addition, must not have intercourse at any time during this period of fresh purity, which covers the whole interim between the monthly courses after recovery and purity, therefore, the wife's state is considered impure and there can be no (acceptable) Sunnah divorce. Under these circumstances, a divorce pronouncement is religiously forbidden but legally valid. Many scholars link divorce and separation to different levels of stress. These perspectives state that family dysfunctions are extremely stressful on children and adults, (Amato, 2000). Numerous studies show that there are lasting psychological effects for adults from divorce. They have been shown to be unhappy and have lower levels of self-esteem. According to Mernissi (1987), the worse of divorce is to pronounce it three times in one stretch. He goes on to say, it is against the Islamic Shari'ah and

invites a number of problems and difficulties for both of the spouses and their respective families including children. Thus, the maintenance of a stable home is the goal of Islam. And so, Islam encourages reconciliation between spouses whenever there is any misunderstanding and this is why even when divorced, the woman is to stay in the man's house during the *iddah* (waiting period) during which she is entitled as of right to accommodation and maintenance at the husband's expense. It is also possible that reconciliation may take place. In any case, ample time is at their disposal to reconsider the whole situation. Divorce will not be resorted while all steps of reconciliation have failed.

Methodology

The study explores the various methods used in order to analyze the information gathered. These methods are structured questionnaires and oral interviews. The population and sampling techniques are also highlighted. The questionnaire is designed for divorced men and women, in the area of study. The questionnaires contain of six items which focuses on testing the extent of the research topic the aims of gathering information about the causes of rampant cases of divorce among the Muslims in Borno and Yobe State and solution from the Islamic perspective. 250 questionnaires were distributed and Two hundred and ten were returned. However, the nature of the interview is unstructured. In the case; the interview has a free chance to express his/her view. The researcher effort is geared toward collecting relevant information on the topic; the responses of the interview are recorded immediately. The interview schedule is drafted in a way that analysis will be precise and accurate to achieve the aims and objectives. The researcher derived some of the information from the family structure in Islamic textbooks like the Islamic law (Shari'ah), essential of social studies for schools, journals of women in the college of education, encyclopaedia, magazine, and Daily trust. The researcher consulted such materials in order to obtain ultimate information on guideline concerning the topic of research.

Method Of Data Analysis: The information gathered was analyzed using sample percentage, regression and correlation analyses. The percentage is the proportional component and required that information needed to be divided into separate part or groups each with distinct characteristics.

Divorce

Divorce is a word used for the cessation of the marriage contract. There are different ways of bringing a marriage contract to an end. Some are lawful, some are not. Divorce as a last resort, if all effort was not resolved the issue, with that Allah allows divorce through a laid down procedure. As Allah (SWT) states in the (Qur'an 4:130). Talaq is considered in Islam to be a reprehensible means of divorce. The initial declaration of Talaq is a revocable repudiation (*Talaq Raj'ah*) which does not terminate the marriage. The husband can revoke the repudiation at any time during the waiting period (*iddah*) which lasts three full menstrual cycles. The waiting period is intended to give the couple an opportunity for reconciliation, and also a means to ensure that the wife is not pregnant. Resumption of sexual relations automatically retracts the repudiation. The wife retains all her rights during the waiting period. The divorce becomes final when the waiting period expires. This is called a "minor" divorce (*al-baynuna al-sughra*) and the couples can remarry. If the husband repudiates his wife for the third time, it triggers a "major" divorce (*al-baynuna al-kubra*), after which the couple cannot remarry without an intervening consummated marriage to another man. This is known as *Tahlil* or *Nikah Halala*. Making the third pronouncement irrevocable prevents the husband from using repeated declarations and revocations of divorce as a means of pressuring his wife into making financial concessions in order to "purchase her freedom". It also acts as a deterrent to rash repudiations.

Causes of Marriage Dissolution and position of Islam on Divorce

Marriage dissolution increases the rate of incrimination to society in the sense that the offspring of divorces are mostly relegated or denied as a result of divorce. There is a great tendency to join a bad group such as drug addicts, armed robbers, etc. thus slowing down the rapid development, since resources that could be used to boost development is rather channelled to curbs the rate of crime in society.

This can be defined as the dissolution of (an unhappy) marriage. Maintenance of a stable home is the goal of Islam. And so, Islam encourages reconciliation between spouses whenever there is any misunderstanding and this is why even when divorced, Dissolution can be sought for reason of sterility and barrenness. It can further expatiate for instance in case of neglect partner must have deserted for up to three years. Cruelty can be in nature of physical pain or mental agency. In the case of desertion is mostly happen and practice by the Muslims in Borno and Yobe State without knowing its implication. While from the Islamic perspective, Muslim may seek for reconciliation and if not, one of the spouses who have been offended after four (4) Months may seek court order either to cohabit with or to be divorced.

Barrenness

In the Nigerian society, reproduction is one of the vital functions of marriage. Hence when the spouses are faced with childlessness due to barrenness or impotence it creates disharmony and unhappiness in the home which ultimately leads to marriage dissolution. According to Johnson (1988), opined that some mother-in-law turn matrimonial homes into the battleground. In this case, the mother-in-law is the architect the breaking up between husband and wife, in fact, the unnecessary interference of mother-in-laws is might lead to the marriage dissolution.

Incompatibility

It is another cause of marriage dissolution, when spouses find themselves ultimately incompatible socially, sexually, behaviourally or otherwise might results in the dissolution of the marriage.

In addition, "incompatibility" in behavior such as if one of the partners is a chief with the wizard some found it difficult to pull him/her out of the problem, this leads to marriage dissolution. This is mainly happening to the Muslims in Borno and Yobe. However, under Islamic perspective, it has no huge problem with incompatibility as stated above. However, a woman sought advice as a result of unsatisfactory sexual intercourse. Inability of sexual intercourse brings about divorce where there is no understanding and sexual satisfaction between the couples, each partner continues to find fault of one another. Hence the only way to set each other free from intolerable condition is to seek for divorce.

Misunderstanding

A woman or man may seek divorce from one another after years of marriage because they do not tolerate one another on the ground of constant fight, molestation and lack of adherence to responsibilities of marriage each other.

Adultery

It is another cause of divorce; it is a situation where one of the couples indulges extra marital affairs outside the Home and eventually if the husband or wife can no longer tolerate it. A man seeks for divorce because his wife brings her boyfriend into their matrimonial home.

Economic Hardship

The present economy situation has increased rate of divorce in most Nigerian families when the income of the husband is no longer enough to sustain the spouses and their offspring the result is divorce, particularly when the marriage, has been an unhappy one. Kuppuswamy (1957) has reported cruelty, sexual defects, childlessness, and infidelity as the major causes of divorce. Johnson (1988) diagnosed the causes of divorce as interference and ill-treatment from in-laws and family members, infidelity, economic distress, personal defects, vices, incompatibility, impotence, poor living condition.

General Implication of Divorce to the Society

The following are the causes of rampant cases of divorce in society and its effects and causes Socio-economic and religious uncertain in the country. Children from a broken home are not well catered for educationally, morally, mentally, and physically, they lack proper upbringing and constitute armed robbery, and other dubious minded people in our society. These children instead of contributing to the growth and progress of the nation in all its ramifications, the thing would stand as "a clog in the wheel of progress of the society. Divorce was caused by wife's irritable temperament alone or husband's domineering nature alone. Further, the factors affecting divorce rate are not necessarily the same which contribute to marital failure, since divorce is merely the opening of the doors of escape from failure. It is a symptom of failure in marriage. However, the causes of the disruption of unhappy marriages are described by Baber and some other sociologists (Baber, 1937) have also given the same arguments. In addition, the causes of divorce have imposed in the society at large, for instance, they sometimes constitute a nuisance by the indulging in promiscuous sex which may bear the spread of sexually related disease like, Aids Gonorrhoea dilution, etc. The woman is to stay in the man's house during the iddah which, she is entitled as of a right, to accommodation and maintenance at the husband expense. It is also possible reconciliation may take place. In any case, ample time is at their disposal to reconsider the whole situation. Furthermore, Islam tends to make a realistic and sympathetic view of human affairs and thus stresses on the happiness of both spouses. If a husband and wife cannot live happily together in peace and harmony and are not satisfied with their matrimonial life, in the sense that they have physical, emotional, and sexual problems with each other, the Qur'an prescribes to them divorce only if the problems are severe. Allah says: *But if they disagree and must part, Allah will provide abundance for all from His all-reaching bounty. For Allah is He who cares for all and is wise*" (Q.4:130). Also, the Qur'an States;

"If a wife fears cruelty or desertion on her husband's part, there is no blame on them if they arrange an amicable settlement between themselves, and such settlement is best, even though men's souls are swayed by greed but if ye do good and practice self a restraint, Allah is well acquainted with all that ye do" (Q.4:128).

Sada et' al (2004), when divorce occurs, the man has the option to reclaim his wife to the exclusion of all men within the period of iddah (waiting period). If after the iddah, the couple could not reconcile the wife leaves the matrimonial home and the husband loses his right of automatic recall. A new suitor, as well as the former husband, may make fresh marriage proposals which the woman is absolutely free to accept or reject. After the third talaq, however, he loses this option of return of the wife and he cannot remarry the wife until she consummated the marriage with another husband and the new husband willingly divorces her. The Qur'an States;

"The divorce is twice, after that, either you retain her on reasonable terms or release her with kindness. And it is not lawful for you (men) to take back (from your

wives) any of your Mahr(bridal money given by husband to his wife at the time of marriage) which you have given them, except when both parties fear that they would be unable to keep the limits ordained by Allah (e.g to deal with each on a fair basis) then there is no sin on either of them if she gives back (the Mahr or a part of it) for her Al khul (divorce). These are the limits ordained by Allah, do not transgress the limits ordained by Allah, then such are the Zalimun (wrong-doers)” (Q.2:229).

Divorce is regarded as a moral, self-correcting and self - restricting act. Some men, however, ignore these rules in the Islamic law of divorce due to negative influences and lack of proper Islamic knowledge and practices. The Shari'ah provision works towards reducing and checking divorces between the period of menstruation and purity; there is a high possibility of reconciliation even though some men do not understand the wisdom behind the Sunnah divorce. Abdal'Ati explains the virtues or reason of the Sunnah divorce in the following ways: Firstly, divorce during menstruation is called by the Qur'an hurt; its term is a difficult time of fatigue depression, irritability, and tension, etc. Much of this is due to the wife physical condition, which makes her sexually both unserious and undesirable, and also to the husband's unfulfilled needs. Intercourse is forbidden during all such times of impurity. All these factors may lead some parties to act hastily and misjudged each other. It is required; therefore, that they wait for these periodical difficulties to pass and then act if they must under normal conditions. Secondly, when the wife enters her period of purity, she is usefully fresh and pleasantly, compensable, desirous and desirable, more considerate and responsive. She has not only the capacity but also the opportunity to strengthen the marriage tie and command the husband's love of compassion and devotion (Abdal'ati, 1982). However, if in spite of this there is a desire to dissolve the marriage; it will be, presumably, for some serious reasons other than passing fatigue, momentary depression or casual unfulfillment (Abdal'ati, 1982).

Halilu (2006), stated that a number of factors could be responsible for this recent proliferation of divorces (*talaqs*) which has resulted in so many broken homes and shattered families. According to him, lack of proper Islamic education is one big factor. Other factors include lack of fear of Allah, selfishness, hard-heartedness, callousness, uncompromising attitude as well as the devastating effect of Western culture and tradition on Muslim marriages. He continues saying that the inability to handle the pressures of marriage an escapist attitude is a major factor. Anger is another dangerous factor. He accuses parents, families, elders and the wider community as they adopt an unusual attitude and hardly bring any pressure on the warring couple to come together and solve their differences. He points out that to save marriages, Islam has actually permitted the speaking of "White lies" (laying capable of keeping the couple together) if that will bring about some degree of reconciliation in the couple. He concludes by giving some solutions to the problem such as large-scale educational programs on matrimonial matters. Spiritual programs that contribute towards Allah's consciousness and fear of accountability are absolutely imperative and need to be increased in the minds of the people. Attitudes and conduct (Islahe-Nafs) according to him are an urgent need. A decadent lifestyle and Western values have to be shunned and spurned (Halilu, 2006).

Results

The finding reveals that the causes almost touch the various aspects of our variables; the categories indicate the age of respondents shows some level of experienced individuals as shown below:

Table 1

<i>Age of the respondents</i>	<i>Frequency</i>	<i>Percentile</i>
20-30	31	31%
31-45	72	34.4%
46-55	80	38.1%
56-70	27	13%
Total	120	100

The modal age of the respondents indicates the age of those are in the situation which shown the 46-55 represent the 38.1 percent followed by 31-45 which represent 34.4 percent and 31 percent which are in the range of 20-30 respectively. In this case, the above table indicates the respondent's age categories.

Table 2

<i>Marital Status</i>	<i>Frequency</i>	<i>Percentile</i>
Single	10	4.7%
Married	50	24%
Divorced/Widow	150	71.3%

The above table 2 shows the marital status of the respondents, 24 percent of the population respondents is married people and 71.3 percent are divorced and widows, that to say the majority of the respondents are the people that this problem directly affected them and in better position to state the problem as indicated in the variables.

Table 3 Logit Regression: Reason For Divorce

Variables	Main-effect	Full-model (Sig)	Remark
Adultery reason	.001	(.014) .001	Accepted as
Economic hardship	.021	(-.241) -.241	Rejected as reason
Incompatibilities	.045	(.025) .003	Accepted as reason
Impatient	.075	(.010) .004	Accepted as reason
Misunderstanding reason	.036	(.143) .024	Accepted as
Mother-in-law	.020	(.036) .022	Accepted as reason

The study tried and investigated the purpose and reason for rampant divorce among the society, as indicated above the reasons are many, however, the regression analysis indicates a certain level of accepting and rejecting of a reason as shown above, the result reveals that lack of patience, adultery, incompatibility, interference of mother-in-law and misunderstanding among the spouse are the major genesis for rampant divorce cases in the society.

Table 4 Matrix Correlation

Variables	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Gender	1								
Age	.571 *	1							
Marital Status	.001	.891 ***	1						
Adultery	.023	.721 **	.762**	1					
Economic hardship	.671 **	.231	.621**	.234	1				
Incompatibilities	.501 *	.342	.542**	.342	.341	1			
Impatient	.714 **	.512*	.611**	.231	.423	.421	1		
Misunderstanding	.021	.324	.421	.451	.412	.031	.021	1	
Mother-in-law	.004	.132	.521*	.215	.043	.056	.051	.652	1

Matrix correlation in table 4, reveals the relationship between two and more variables rectangular. The matrix correlation used to predict the sample of correlation squared between the resulted based correlation coefficients as stated by (Olson and Mossman, 2001). In Table 4 above, in the first column shows the variables of gender is correlated with age and economic hardship with a significant level of 0.671, and lack of patient with age at the level of 0.714 which indicates as reason under the age that is supported in table 2 of the frequency analysis. In this study is clearly indicated that the age of divorcee and widow are in between 31-55 as revealed in table 1, and its significance level is 0.891. However, the married man and women have been shown one of the reasons of their rampant divorce is adultery 0.762, Economic hardship 0.621, lack of patient and their mother-in-law interference in the marriage life leads to rampant divorce in the society. Surprisingly, as predicted a positive and strong correlation between the Misunderstanding and mother-in-law with 0.652, apparently lead to the dissolution of marriage.

Discussion

In a general note, the research finding identifies frequency and percentile based on the generated data. In table 1 the age of respondents indicated the participation of all groups of ages participated. And the categories of 46-55 ages indicate the high percentage as shown in table 1. The marital status of the respondents shows divorce women and married respondents have a huge percentage whilst single has less percentage that was included to have their perception on the issues of rampant divorce as future husbands/wives and married men and women can predict causes of divorce. However, table 3 indicates the reason for divorce which shows the adultery, incompatibilities of spouse, Impatient, Misunderstanding and Mother-in-law interference were the main reason for divorce while the regression rejected Economic hardship as a reason but indicates different result in the correlation as shown the correlation coefficients between Economic hardship and Gender as well as Marital as stated by (Olson and Mossman, 2001). Perhaps, it is also hypothesized that the variables were also considered acceptable in regression except for Economic hardship while correlation shows the economic hardship as part of the problem.

Conclusion and Recommendation

The aim of the study was to investigate the rampant cases of divorce in Borno and Yobe State Nigeria, the research was carried out with the huge number of experienced people who were suffering and agitating the unfairness and lack of listening to each other. The study used structured questionnaires, Two hundred and ten questionnaires were analysed and the descriptive, regression and correlation results were analysed and the same results are displaying as the same

scenario of the research. The findings reveal the main purpose of the rampant cases of divorce is lack of patient, adultery cases with men and women as a spouse, interference of mother-in-law and Economic hardship were all part of the cases of rampant divorce in the Borno and Yobe State, Nigeria.

Recommendation

1. Islamic Training Centre for divorce and marriage reconciliation and counseling should be established to address a lot of marital issues in a society based on Shariah principles.
2. That the awareness should propagate by scholars living in the society and be encouraged them by the authorities and title holder to minimize the level of divorce if not of eliminating in totality in the society;
3. As Muslim, you should abide by laws and regulations stipulated by Allah SWT as indicated in the Qur'an and Sunnah in terms of capital punishment prescribed.

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