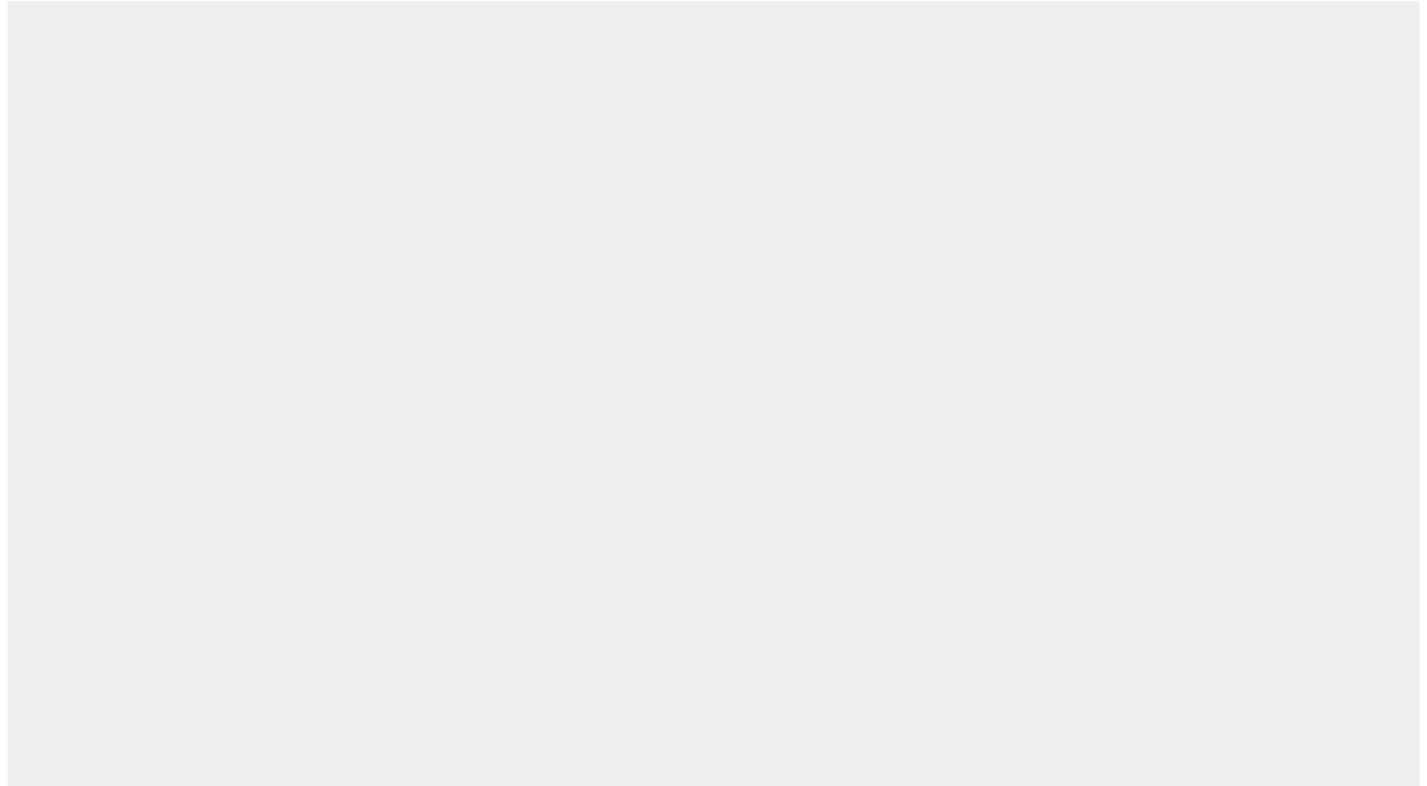


Muslims demand end to instant divorce

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The
May 13 2017, 12:01am, Times



Islamic marriages are not recognised under civil law in Britain, leaving women with little power to defend their interests in court

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A divorce practice that is banned in Pakistan and may be outlawed in India has been described as “really common” among Muslims in the UK, prompting Islamic scholars to call for change.

Some Muslims believe a husband has the right to end an Islamic marriage in an instant simply by repeating the word *talaq*, meaning divorce, three times to his wife. Women cannot use the method, known as “triple talaq”.

The practice is prohibited in Pakistan and is the subject of a Supreme Court case in India, both countries where Islamic marriages are legally recognised. Islamic marriages are not acknowledged under civil law in Britain, leaving women with little power to escape an unhappy or abusive marriage, or to defend their interests in court when a marriage breaks down.

A prominent Islamic scholar in Britain has called on Muslim women to ensure they also register their marriage under civil law to provide legal protection, while campaigners have called for an update to 70-year-old marriage laws to demand the civil registration of all religious marriages.

Church of England, Jewish or Quaker marriages must be registered under the Marriage Act 1949. Those who marry in Islamic, Hindu or Sikh ceremonies are not obliged to do so. The Muslim Women’s Network said “significant numbers” of Muslims in Britain do not register their marriage. Women often face homelessness and a loss of assets after divorce, the group said, adding: “This is especially traumatic when children are involved.”

Qari Asim is imam at the Leeds Makkah mosque and often represents British Muslims. He said women could demand equal divorce rights in a pre-nuptial agreement, but added: “If the marriage was registered in English law, then the talaq doesn’t have much significance and they’d still have to go through the courts. That’s why there is encouragement, in the interest of women and families, that all Islamic marriages are at the same time registered under English law.”

Dr Asim said Islamic law suggests *talaq* should initially be uttered just once, and only spoken a second and third time after cooling-off periods of at least three months.

He said some men say *talaq* thrice in quick succession to demand an instant divorce and added that mosques were trying to discourage it, particularly during wedding preparations.

“It wouldn’t be wrong to say men are abusing that right,” Dr Asim said.

Khola Hasan, a scholar at the Islamic Sharia Council in London, said: “Triple talaq is really common among the Asian community in Britain,” adding that her council deems it invalid.

“The most common scenario is when the husband screams *talaq* three times in a fit of anger and then regrets it. His family will say the divorce is valid; we advise they have three months in which to make a decision.”

Aina Khan, a solicitor at Duncan Lewis, said the Marriage Act was “not fit for purpose in today’s society”. Her campaign, Register Our Marriage, calls for an update so that “all faiths must register their religious ceremonies”.

Supreme Court judges in India are examining whether triple talaq is a cultural, rather than religious, practice, which could lead to it being outlawed.



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