

Divorce granted by a Court of Law in a Non Muslim Country♦

- 13.1 If the Judge of the court in a Non Muslim state, is a Muslim and takes into consideration the conditions laid down by the Shariah, he will be deemed as a substitute to a Muslim authority and his verdict concerning annulment of Nikah (Marriage) would be valid.
- 13.2 In Non Muslim states where administration has not provide Shariah Qaza System, it is incumbent upon the Muslim of such countries to set up Darul Qaza, Shariah Panchayat etc in consultation with the authorities and take their disputes to these institutions for adjudication.
- 13.3 Talaq (Divorce) is the most abominable among the valid acts. Extreme care should be taken for compromise/reconciliation and try to avoid Talaq or Khula (Dissolution of Marriage).
- 13.4 If in a Non Muslim country husband is compelled to go to a court of law for divorce, the court judgment would be deemed as final but the husband should also pronounce the divorce.
- 13.5 If in a Non Muslim country a Non Muslim judge on the petition from a wife for dissolution of marriage pronounces the judgment in her favour with the consent of her husband, the verdict would be valid otherwise it will have no credibility in the eyes of the Shariah. In such a case, the wife should either seek Khula from her husband, or turn to Darul Qaza for the annulment of the marriage.

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