Muslims have had no-fault divorce for 1,500 years!

Tuesday 9 April, 2019

We congratulate the Justice Secretary for adopting the Islamic best practice with regard to divorce

Today the Justice Secretary announced that the UK Government is proposing legislation to allow no-fault divorces. This is welcome news. Currently, according to the law on divorce in England and Wales, with its historical roots in the Old and New Testaments, divorce cannot take place unless and until one of the parties is proven to be at fault or alternatively both parties have lived separately for two years with mutual consent. The original definition of 'fault' was adultery but then it was expanded to cover many other reasons.

Islamic law is based on the commandments of the Holy Quran and the Holy Prophet Muhammad's (*s*) interpretation of those commandments. Although the Holy Quran clearly *disapproves* of divorce because of the impact it has on those divorcing and their children, it *allows* it. Despite disapproving it, then, Islam takes a radically different approach. In Islam, divorce depends on the affirmative answer to a simple question: do both, or does even just one of the parties want to end the marriage? There need be no 'fault' on part of either party. There are two famous examples of this.

This first one, recorded in authentic history, involves the Holy Prophet himself. When the daughter of al-Jawn was brought in as a bride to the Messenger of Allah (*s*) and he came close to her, she said: "I seek refuge with Allah from you". So, he said to her: "You have sought refuge with One Who is great; go back to your family". ***Here. a woman is asking the Holy Prophet Muhammad himself for a 'no fault' divorce and it is granted.***

The second records an episode during the lifetime of the Prophet Muhammad (*s*) when he was approached by the wife of a companion of his, Thabit bin Qais. She told the Prophet that she could not find any defects in Thabit's character or religion, but she could not bear to live with him. The Prophet asked if she was willing to return a garden Thabit had given to her as a marital gift or *Mehr,* upon which she replied that she was. She agreed to this and she was allowed to divorce Thabit. It is worth adding that on marriage a husband has to settle a part of his estate on his wife to make her financially independent.

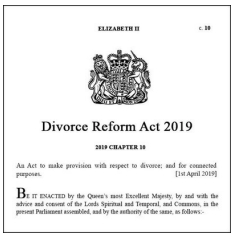
This shows that 'no fault' divorce has been a part of Islam for 1,500 years. We welcome the Justice Secretary's decision to adopt the Islamic best practice in this regard.

The Ahmadiyya Association for the Propagation of Islam (*Ahmadiyya Anjuman Isha?at Islam*) was established in Lahore in 1914 to promote the informed understanding of Islam in the West. In the UK it operated the Shah Jehan Mosque in Woking until the early 1960s. Its new headquarters is at *Dar-us-Salaam*, 15 Stanley Avenue, Wembley, HA0 4JQ, UK. In 1924, in Berlin, it built the first mosque in Continental Europe of the modern era. The German Government recognises the Berlin Mosque as part of the German national heritage. From its European and other centres around the world this organisation has taught that Islam promotes peace, harmony and mutual respect between all communities and nationalities.

- **Submissions in 2016 to UK Parliament Inquiries:**
  - *Countering Extremism*
    - Our submission: pdf • html
  - *Sharia Councils:*
    - Our submission: pdf • html

.

Media:


ELIZABETH II c. 10

Divorce Reform Act 2019

2019 CHAPTER 10

An Act to make provision with respect to divorce; and for connected purposes. [1st April 2019]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the authority of the same, as follows:-

Related Sectors:

Charities & non-profits :: Government :: Lifestyle & Relationships :: Opinion Article :: Public Sector & Legal ::

Related Keywords:

No-Fault Divorce :: Law :: Islam :: Muslims :: Lahore Ahmadiyya Movement ::

Scan Me:

Company Contact:

The Ahmadiyya Anjuman Ishaat Islam Lahore (United Kingdom)

T. 07976 312618
E. info@aaiil.uk
W. https://www.aaiil.uk

Additional Contact(s):
PRESIDENT AAIIL(UK)
Tel: 01793 740670
E-mail: President@aaiil.uk
Website: http://www.virtualmosque.co.uk

View Online

Additional Assets:

Newsroom: Visit our Newsroom for all the latest stories:
https://www.aaiiluk.pressat.co.uk