

**RIGHTS OF MUSLIM WOMEN AFTER DIVORCE IN
MALAYSIA AND RELATED ISSUES**

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Submitted in Partial Fulfillment of the Requirements for the
Bachelor in Legal Studies (Hons)

**Universiti Teknologi MARA
Faculty of Law**

October 2010

The students/authors confirm that the work submitted is their own and that appropriate credit has been given where reference has been made to the work of others.

ABSTRACT

This research paper examines the current law on Islamic Family Law governing the rights of Muslim women after divorce, its enforcement and the related issues as applicable in Malaysia. As Islamic Law is expected to contribute to the efficacy and adequacy of the law of the right of women, this study is based on library researches and interviews. The researches analyse the rights of Muslim women after divorce in two categories which are financial and non - financial rights. For financial rights, the rights are *nqfkah*, *mahr/maskahwin*, *mut'ah* and *harta sepencarian* while the later type is the right for *hadhanah* which determined in the main statute, Islamic Family Law Act (Federal Territory) 1984 and other State Enactments. This study also includes the problems on enforcement with regards to the non - compliance of the court order and the related issues on the Syariah Court system which consist of the issue of delayed cases. The study clarifies on the rights available for Muslim women after divorce not only with reference to the relevant statutes but also from the expert's opinion. The current laws which were provided by the authorities not clear enough as to the certain controversial issues on the rights of the Muslim women and the study will look at the court's approach based on the decided cases. The study also reveals on the problems of delayed cases occurred in Syariah Court and comes with the solutions and recommendations for this difficulty. The ambiguity on certain matters as to the rights of women after divorce proved that there are loopholes (*lacuna*) in our Islamic Family Law and opportunity to improve this law.

ACKNOWLEDGEMENT

This research project has been carried out by a team which included Farahdilah binti Ghazali, Haryani binti Jaaffar, Hawa Darlida binti Abd Azis, Sharifah Lina Hafizah binti Syed Anuar and Umami Sharmimi binti Harun. Our contribution to this project paper has been gathered its information and been compiled into a proper report.

We wish to record our appreciation for the help given by many people. Without their assistance, this study would not be completed. Our utmost appreciation goes to our supervisor Puan Ibtisam @ Ilyana binti Illias for her guidance, endless support, devotion and financial support which have contributed significantly to the completion of this project paper.

We also grateful for the information we received from few expert persons we had interviewed. Especially to Tuan Shamsuddin bin Hussin, a Shah Alam Syariah High Court Judge and also similar gratitude goes to Puan Rozlya binti Muin, an Assistant Director of *Bahagian Sokongan Keluarga* Shah Alam Syariah High Court. Beside that, we also want to thank to Encik Muhamad Saiful Azlimi bin Mokhtar an Assistant Director (*Syariah*) of the Legal Aid Department in Shah Alam, Associate Professor Dr. Najibah binti Mohd Zain a lecturer at Department of Islamic Law, Ahmad Ibrahim Kulliyah of Laws, International Islamic University Malaysia and Associate Professor Dr. Raihanah binti Haji Abdullah a lecturer at Department of Islamic Studies, University Malaya for providing us very useful and beneficial information pertaining to our research and also supplying us with several articles which really helpful in enhancing our research report.

Our personal gratitude goes to our parents and families for giving inspiration and encouragement which has provided us with moral support and strength and also to all persons involved directly or indirectly due to the completion of this project paper.

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