# ****An Analysis of *Misyar* Marriage and Its Implications:****

# ****A Case of Abuse in the United Kingdom****

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**ENGL 1102**

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May 9, 2025

**Recently, I encountered a troubling case on YouTube involving a Muslim woman in the United Kingdom, referred to under the alias "Aisha", who publicly disclosed her experiences of abuse and abandonment in a marriage arrangement known as *misyar*. Her husband, a public Muslim *da‘wah* figure, has since denied the existence of the marriage altogether (Behind Veils, 2025), leaving her in a vulnerable legal and emotional state. This disturbing situation prompted me to investigate *misyar* marriages more closely, particularly in terms of their legal, social, and ethical dimensions within Islamic law and practice. *Misyar* marriage is a legally recognized form of marriage in certain Islamic legal traditions, but it deviates significantly from the typical expectations of marital life. It is characterized by the woman's voluntary renunciation of her rights to cohabitation, maintenance, and accommodation—rights that are otherwise guaranteed in a traditional Islamic marriage (Welchman, 2007, p. 103). The arrangement is often framed as a flexible solution for individuals who, for various reasons, cannot enter a full-time marriage. These include men who are already married or women seeking companionship without the burdens of domestic responsibility. However, the implications of such arrangements, especially for women, can be deeply problematic. In Aisha’s case, the absence of traditional marital documentation and responsibilities made it easier for her husband to deny the marriage’s legitimacy altogether. Since *misyar* marriages are often conducted informally or privately, with minimal legal oversight, the burden of proof falls heavily on the woman if a dispute arises. This raises significant questions about the efficacy of *misyar* marriages in protecting the rights and dignity of women. Historically, Islamic jurisprudence has emphasized the contractual nature of marriage, but the terms and enforcement of that contract vary depending on interpretation and context. As Khadduri (1978) notes, the modernist interpretation of Islamic marriage law tries to adapt traditional concepts to contemporary social realities while maintaining the core values of mutual respect and responsibility (p. 215). Yet, *misyar* marriage represents a sharp departure from these ideals, often privileging male convenience over female protection. Furthermore, as Welchman (2007) elaborates, *misyar* marriages have been critiqued by many Muslim feminists and legal reformers for their potential to facilitate exploitation. They can be easily used as loopholes to circumvent both religious obligations and civil protections (p. 104). In the Arab legal context, there has been little consensus on how to reform or regulate such marriages effectively. The absence of accountability mechanisms leaves women, particularly those in vulnerable situations like Aisha, exposed to emotional harm, abandonment, and even physical abuse. This case also sheds light on broader patterns of gender inequality within some Muslim communities. As Keddie (1990) argues, the historical subjugation of women in Muslim societies has often been justified under the guise of religious tradition, despite significant efforts toward reform and reinterpretation in the modern era (p. 91). Practices like *misyar* marriage demonstrate how patriarchal norms can be repackaged within legal frameworks, making them harder to challenge without appearing to question religious authority itself. The case of Aisha, then, is not merely about one woman’s suffering, it reflects a deeper structural issue within some interpretations of Islamic family law. While *misyar* marriage may appear lawful on the surface, its practical effects can undermine the very principles of justice, mutual support, and protection that Islamic marriage is meant to uphold. Reforming such practices requires both legal restructuring and a broader cultural shift that re-centers the dignity and rights of women in marital relationships.**

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