



جہانگیر اسلام گور
JABATAN AGAMA ISLAM SELANGOR

...



***THE DANGER
OF SYNDICATED
MARRIAGE***

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

I sincerely remind all of us to altogether strive to increase our *taqwa* of Allah *Subhaanahu Wa Ta'aala* with the truest of *taqwa* by fulfilling all of

His Commands and
leaving out all of His
prohibitions, as well as
preserving our *'aqeedah*
so that we will always
attain *rahmah* (mercy)
from Allah *Subhaanahu*
Wa Ta'aala.

The *khutbah* today will discuss upon a topic which is: ...



***THE DANGER
OF SYNDICATED
MARRIAGE***

#bahagianpengurusanmasjid

Nikaah (matrimony) is one of the *'ibaadah* (worship) commanded by Allah *Subhaanahu Wa Ta'aala* and it is also from among the main *sunnah* of Prophet Muhammad ﷺ. *Nikaah* is also enjoined as

an effort in maintaining the *silaaturrahm* (ties of kinship) and the lineage of an individual in the future, in addition to establishing a blissful family in this world and the Hereafter.

With pure intention and objectives, the Islamic *Sharee'ah* has stipulated that it is *waajib* (obligatory) for every marriage conducted to fulfill its required *arkaan* (pillars) and *shuroot* (conditions)

so that the main objective of the marriage will coincide with one of the element of *Maqaasid ash-Sharee'ah*, namely “preserving the *nasab* (lineage),” and actually

**implemented in the life of
a family.**

**Therefore, as Muslims,
specifically the residents
in the state of Selangor,
we must be cognizant that
the marriage affairs**

conducted must be in
accordance with the laws
and regulations
stipulated by the religious
authorities so as to
ensure that every *'aqd*
nikaah (marriage
contract) fulfills the

rulings of *Shara'*, for the benefit of the husband, wife, and family members.

Of late, we often hear that more and more Muslims in Malaysia, specifically those in Selangor, have

performed their marriage
contract abroad such as
in Thailand, Indonesia,
India, Pakistan,
Bangladesh and other
nations, where some of
the *'aqd nikaah*
performed had obtained

permission from
entrusted authorities
such as various State
Islamic Religious
Departments in Malaysia,
but sadly there were
marriages conducted
without obtaining

permission beforehand.

Various reasons have been identified as the cause for *nikaah* to be performed abroad, and there are marriages that were performed without

**permission also known as
“syndicated marriage,”
among them:**

**1. Engaging in polygamy
without permission on the
grounds that it is much
easier without going**

**through court
procedures and without
their wives' knowledge,
whereas polygamy is
recommended in building
a wider family network
with love and affection
among family members;**

2. Claiming that *wali nasab* (legal guardian) refused or disagreed in giving consent, while this matter can be resolved by applying for *wali haakim* or *raja* (guardian authorized by His Majesty

Yang di-Pertuan Agong,
the Sultan or Ruler) at
the Lower *Sharee'ah*
Court and it is far more
easier and safer than
long-term adverse
effect;

3. Unmarried couple including those that have become pregnant. Hence, they assume that getting married outside of the country will conceal their shame, while in reality every

sinful deed necessitates
tawbah (repentance)
and readiness to
shoulder the
responsibility with the
birth of the illegitimate
child;

4. Those married to foreign spouse thinking that it is convenient because one does not need permission from those responsible for that foreign spouse, while the registration process for

**unauthorized marriage
consumes a long time
and will usually cause
difficulty in obtaining
visa to continue living
in this country;**

5. Malaysians living abroad due to studies or employment always assume that it is unnecessary to obtain permission from the authority, while various facilities are made

**available in obtaining
consent for marriage.**

**Do we actually realize or
perhaps we just do not
know that there are a
plethora of problems that
will surface due to having**

**unauthorized marriage
contract performed
abroad. Have we
thoroughly pondered
upon its good and bad?
Are we ready to deal with
the marriage registration
process in this country?**

Are we ready to endure the various problems that will usually cause heavy stress within the household? Or do we not care at all with what will happen for as long as our objective is achieved that

some are even willing to
transgress against the
Sharee'ah of Allah
Subhaanahu Wa Ta'aala
and the law of the land! O
Muslims! Think with a
sane mind and a clear
heart and with humility

before wanting to try and pursue it.

I also would like to clarify that among the danger of conducting unauthorized *nikaah* abroad or syndicated marriage are;

1. The marriage registration process will consume a long time for it involves documentation and proceedings for re-registration, which requires verification from the Court and it gets

more complicated if documents provided are inadequate or forged;

2. If the marriage is not registered, then there will be no valid Marriage Certificate and we must realize that Marriage

Certificate is vital in our lives as husbands and wives. Without it, we will be unable to register our children's birth as we would normally do, hence causing the status of citizenship and

**legitimation to be
unascertained. Matters
regarding medical
treatment and
educational affairs also
will become problematic
if one does not have
citizenship status;**

3. One will face problem when renewing visa to continue living in this country that in the end one is forced to travel in and out of the country, which will require high financial cost;

5. Estate management will also be affected because the relevant party will be unable to produce recognized marriage documentation;

6. Various claims in court such as divorce, legitimation of children, alimony, child custody, rights of polygamous wives, marital wealth, and others cannot be pursued if one fails to

produce recognized
Marriage Certificate.

6. It must also be
remembered that the most
painful matter is when the
court finds the *nikaah*
conducted abroad is

invalid for not having
fulfilled the rulings of
Shara', hence the
marriage will be
dissolved.

The *fiqhi* maxim states:

الأصلُ في الأُبْضَاعِ النَّحْرِيُّ

“In principle, intimacy is prohibited.”

7. Legal action in accordance with the Islamic Family Law Enactment (Selangor) 2003 can be imposed for marriage without permission, which is punishable with a

RM1000 fine or six-month imprisonment or both, if found guilty. Among the offenses that will be imposed with fines are Section 124 for polygamy without consent, Section 40 for unauthorized

**marriage contract,
Section 31 for late
marriage registration,
and Section 134 for
complicity in
conducting the
marriage.**

Realizing upon the reality of the danger in unauthorized marriage conducted abroad or syndicated marriage, it is *waajib* upon the Muslims to take the following lessons:

1. *Nikaah* must be done according to the *Shara'* rulings and all rules that have been stipulated by the ruler, for the sake of family life with *mawaddah* (affection), *rahmah*, *sakeenah* (tranquility),

and always attaining the
pleasure of Allah
Subhaanahu Wa Ta'aala.

2. Marriage that is
conducted by not
adhering to the law will

**cause various problems
and incur loss upon
many parties especially
the husband and the
wife, for not possessing
valid Marriage
Certificate.**

3. The laws enacted are not meant to impose difficulties upon anyone, moreover the main purpose for the Islamic Family Law Enactment (Selangor) 2003 to be

**enforced is to preserve
the welfare of the wife
and children in the
years to come.**


“And of His signs is that He created for you from yourselves mates that you may find tranquility in them; and He placed between you affection

***and mercy. Indeed in
that are signs for a
people who give
thought.”***


(ar-Room 30:21)



**THE SECOND
KHUTBAH**



Let us altogether strive to have the *taqwa* of Allah *Subhaanahu Wa Ta'aala* by increasing our obedience towards Him and avoiding acts of disobedience and abominable deeds.




O Allah, grant us guidance in performing the five obligatory prayers in congregation, fulfilling *zakaat* through Selangor *Zakaat* Board (LZS), making endowment (*waqf*)




through *Perbadanan Wakaf Selangor* (Selangor Endowment Corporation) and giving away our wealth (*infaaq*) through *Tabung Infak Jariah Umat Islam Selangor* (TIJARI, Selangor Continuous Charity for Muslims Fund),




**and to the orphans through
Darul Ehsan Islamic
Foundation (YIDE).**



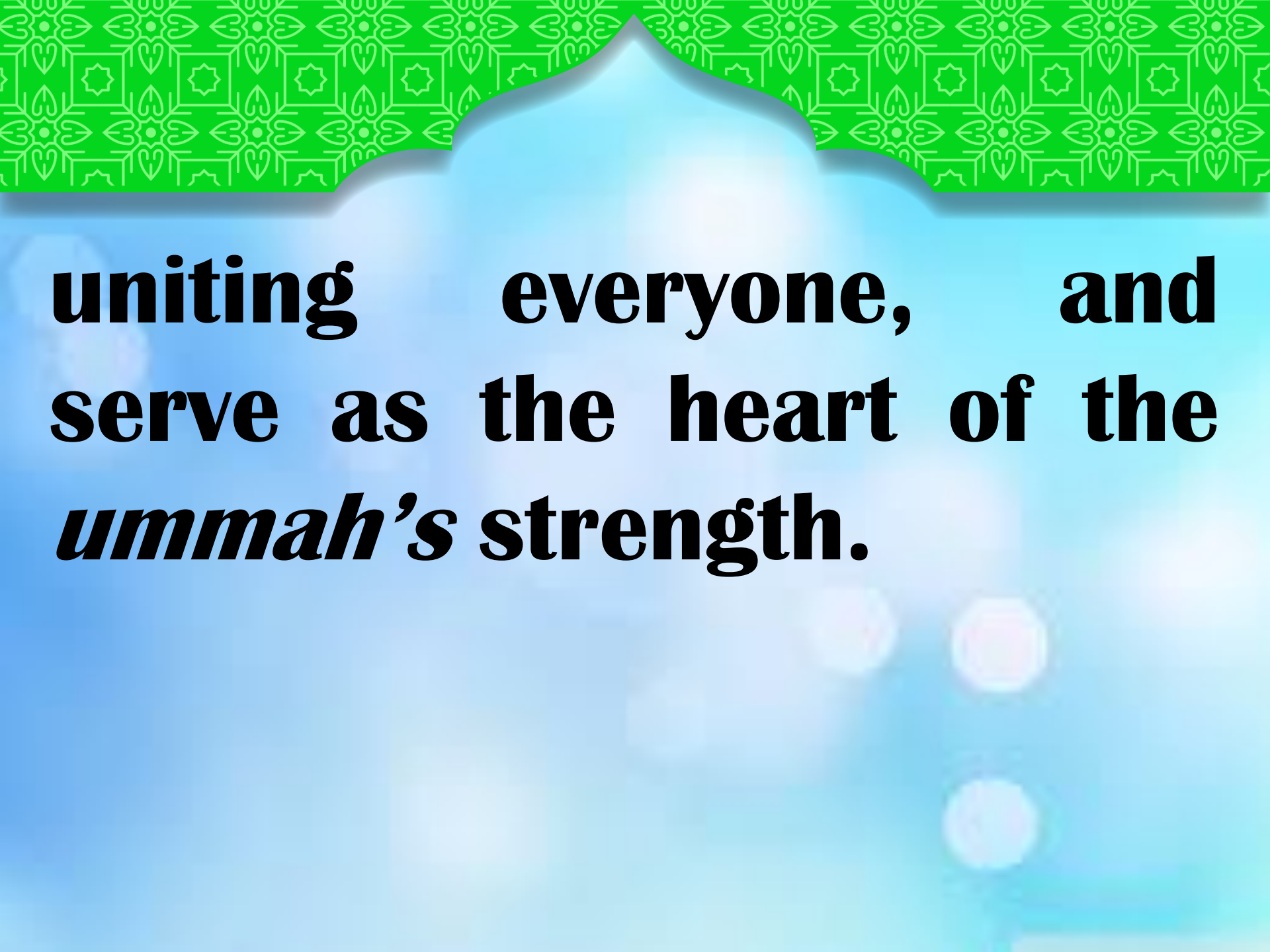
**Make us among Your slaves
that fulfills the *amaanah*.
Strengthen our *imaan* so that
we avoid treachery, protect us
from becoming among those
that neglect their
responsibilities, and protect**



**our state and nation from
destruction due to bribery.
Render the duty to lead our
country upon Your slaves
whom are trustworthy and
honest, as well as firm and
courageous in upholding**



**the truth and executing
justice according to the
Sharee'ah. O Allah, make the
masaajid and *suraus* in the
state of Selangor as Your
peaceful homes,**



**uniting everyone, and
serve as the heart of the
ummah's strength.**



**ILUSTRASI INI
DISEDIAKAN OLEH**

**unit khutbah
bahagian pengurusan masjid**