

Dr. Fouzia Azzouz

Unregistered Muslim Marriages in Britain: Avenues for Regulation

ABSTRACT:

The marriage and divorce practices of Muslims in Britain have gained increased scholarly attention in the last decade. The resulting body of literature has shed light on various concerns relating particularly to the widespread nature of unregistered *nikāh* marriages within Muslim communities in Britain. These concerns are about the non-legal nature of these religious marriages and the subsequent loss of marital rights in the eyes of the law which effectively leaves the vulnerable party in such a marriage at a disadvantage in the case of relationship breakdown. A number of contributions in the academic and political spheres have been explicit in identifying the need for reform and regulation on many fronts in order to address these concerns. My research explores the phenomenon of unregistered *nikāh* marriages and the proposals that have been put forward to address it. The premise and rationale for my study is that some form of regulation is necessary, but that further empirical research investigating existing proposals is required in order to identify key actors as well as the most suitable course of action. This is informed by a theoretical position advocating a multiculturalist approach to the accommodation of Muslims and their matrimonial practices which is foregrounded in the notion of legal pluralism as a lived reality, more specifically in the area of family laws.

The study offers a unique contribution to the debate by providing a space for British Muslims to articulate their own views and attitudes on the kind of change and improvement they would like to witness concerning these topics and to steer public and academic debate towards a more practical and solution-guided approach. By undertaking an analysis of a number of prominent proposals, explored first through document analysis and then through interviews with key Muslim stakeholders including Muslim women, Imams, and Sharia council scholars, various possibilities and challenges as well as potential implications of said proposals are identified. Through this, the merits of top-down and community-led approaches are highlighted and, accordingly, a range of actor-specific recommendations for reform and good practice is provided.



Dr. Fouzia Azzouz
University of Bristol

BIO:

Dr. Fouzia Azzouz has completed a PhD at The School of Sociology, Politics, and International Studies at the University of Bristol. Her research focuses on the marriage and divorce practices of Muslims in Britain, examining state accommodation of British Muslims, state-religion relations, multiculturalism, and secularism.