

## Mis(yar)-Marriages

By

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The first reissue of the revamped *Berita Minggu* on 2nd July 2006 ran 3 full pages covering the practice of *misyar* marriages in Singapore, which is not legally sanctioned by the Registry of Muslim Marriages (ROMM). In *misyar* marriages, the bride gives up her right to receive material provisions from the husband. These material provisions include the four general concerns often associated with the duties of a husband to the wife to provide shelter, sustenance, clothing and security. Based on *fatwas* by the late Saudi lead imam, ibn-Baaz, the rationale for the permissibility of *misyar* marriages is such that it will allow the rich, educated single women to fulfil their matrimonial dreams by removing the pressure of provision on the husbands. In this marriage system, the husbands may visit the wives (or vice versa) as and when the urge for love and affection calls yet live as strangers in any other hour.

While the idea of such system may seem like an attractive short-term arrangement, what are the social implications that may affect the dynamics of the marital institution and in turn the Muslim community?

### The Cure?

Reflecting on the recent trends in marriages and divorces amongst Malay/Muslims in Singapore, where there is a high incidence amongst graduate females and lowly qualified males to remain single, *misyar* marriages could well be seen as a long awaited panacea for these singles. It could also be seen as a window of opportunity for the 'desperate husbands'. However, can *misyar* marriages be integrated into a matrimonial system much entrenched in a culture which has adopted a particularistic interpretation of Muslim legal tradition?

In a seminar that I attended earlier this year a highly-trained and respected social worker unreservedly asserted that in Islam, the position of the wife vis-à-vis the husband in relation to financial matters stands on the statement, "My money is my money but your money is my money!" While this statement is not uncommonly heard of, to be iterated in an assembly of professional helpers from varying cultural background suggests an authoritative validity to it. The traditional role of husbands being the provider for the family seems decreed not only by cultural influences but also a command agreed upon by religious elites, of which if transgressed, would mean invoking Sin.

Traditionally, brides are reminded of their absolute rights for material provision. With *misyar* marriages, the smart, single and financially independent women are held at ransom to give up their rights, just so that they may fulfil a basic aspect of their humanity. It seems that the two matrimonial rulings are resting on opposite ends of the pole.

### **Standing on Two Soles?**

Do most families survive on the sole income of the husbands? Surely that is not the case. In reality, wives do contribute their share of income towards the well being of the family. According to the latest statistics, Malay females' contribution towards household income is the highest across ethnic groups in Singapore.

It is not uncommon that in the course of marriage, the notion of "husbands being the rightful provider and wives being the follower" is drummed by peers, religious elites on podiums, family in-laws, the media through the soap operas, dramas, reality television and bridal magazines. A newly wed couple may have happily agreed to the co-financing of family expenses, mutual respect, equality of status and the sanctity of love at the point of marriage but in the face of adversity and tribulations, the couple may suddenly assert a 'religious' stance. The husband now demands absolute obedience by the wife, and the wife demands to be accorded the '*nafkah*' as decreed by 'religion'. Such 'religiously decreed' demands are hurled relentlessly despite a fore knowledge that the bride may hold a higher academic qualification, thus better career opportunities and better wages. Or that the groom may have to work longer hours in a tough physical environment, so as to match up with the income demands of the family. Surely such defensive measures did not emerge in a vacuum.

### **Mix and Match?**

It is common knowledge to know that pregnancy, abortion, early marriages and divorce amongst Muslim youths are on the rise despite the strict religio-cultural influence perceived to exist in the community. Looking around, the trend in first marriages, often by young couples lasting under five years, has increased in many urban centres globally.

The same trend can be seen here locally across all ethnic groups. The difference, however, is that while most young couples amongst the Chinese for instance gave up their matrimonial vows at the end of five years childless, Muslim couples are likely to have two or three toddlers in the first few years of marriage. These young couples are likely to be under financial and emotional stress to upkeep the family. Living in a pressure cooker, it is more likely that the 'religious obligations' is a convenient instrument in arguments.

Thinking aloud, apart from allowing for the smart, single and financially stable women or the lonely struggling men fulfil their needs for love and affection, with some creativity, the rule may be accessed to address the youthful hormones of young couples. Tweaking the possibilities in the rulings over *misyar* marriage, coupling it with temporary birth control measures would probably help mitigate the high number of unwanted births amongst volatile young couples. Admittedly, it is possible that early marriages may not be eliminated and the number of divorces amongst young couples may continue to rise but at least, without young children factored in, early marriages amongst youths may not necessarily lead to dysfunctional families.

## **Can it Work?**

In reality most families start with a compromise in an ambience of love and affection. Every young person who grows up here knows the cost of living may well be higher than the disposable income brought home at the end of the month. In fact, more than half of Malay/Muslim households live under the national median for household income. Yet, less than half of married Malay/Muslim women are in the workforce. Why so? Is it due to a principled stand that the men should be the ones providing no matter the cost? Or that the men have dictated that the role of the women is at home looking after the kids and cook meals for the family? It cannot be denied that there are many other factors contributing to the family dynamics. But we cannot negate the fact that confusing messages “give all or give none” for the men and “give up all or give up none” for the women – purportedly derived from the ‘religious’ perspective, do contribute to the state of despair.

Surely, marriage as a social contract should be allowed when it exercises the will to set its own perimeters of offer and acceptance. If it has been agreed at the point of solemnisation that the sustenance of the family will be shared in health or in sickness, there is no reason for anyone to incite the phrase “Your money is my money, my money is my money.”

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