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**News**

Rela

Debate of SMS Divorce Rages in Malaysia

CAIRO, February, 9, 2006
(IslamOnline.net & News Agencies) - A long-time controversy on divorces made via mobile messages is raging again in Malaysia, the daily *Star Online* reported on Thursday, February 9.

"It's not morally right to do so in Islam," said Minister in the Prime Minister's Department Dr Abdullah Mohd Zin.

"The SMS divorce is frowned upon, and those who do so should be given a heavy punishment," said Puteri Umno chief Nooraini Ahmad.

She said the regulations should be changed to ensure spouses attend court after they announce their divorce through SMS.

In 2003, the local Shari`ah court accepted the divorce of a couple by an SMS, sending a barrage of protests by politicians and women at large in a country where marriage is believed to be of great sanctity to Muslims.

The East Gombak Syariah lower court ruled that a divorce declared via SMS was valid provided it was verified by the court.

The National Fatwa Council had also declared that SMS divorces were okay.

Offence

Islamic Development Department Director-General Mustafa Abdul Rahman said husbands who do not obtain a permission from the Shari`ah court when they divorce their wives outside the court commit an offence.

"The judge has the right to oversee the arguments of both sides and to help them seek reconciliation," he said.



"It's not morally right to do so in Islam," said Abdullah.

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"It's up to the court to decide whether the marriage could be saved or grant a divorce," Abdul Rahman added.

The 1984 Islamic Family Law Act stipulates that anyone guilty of starting divorce proceedings outside the courtroom without prior permission from the court could be fined up to RM1,000, or be jailed not more than six months or both.

Increasing

Several divorce cases have been made through SMS in Malaysia recently.

Last month, Kamaruddin Ambok, 52, pleaded guilty to committing an offence under section 124 of the Islamic Family Law (Federal Territory) Act 1984, for divorcing his wife Mahani Hussain, 50, through voicemail message outside the Shari`ah court without its permission.

A businesswoman who received an SMS divorce from her husband last year urged the government to repeal the law allowing SMS divorces.

The 33-year-old woman from Taman Maluri said she had an argument with her husband when a friend told her about his intention to marry another woman.

She later received the SMS message that her husband divorced her.

"I later obtained the divorce confirmation certificate from the court," she added.

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