



# Muslim Family Law Hub

Strengthening families. Enriching communities.

## Checklist for Muslim women to consider before marriage

### Islamic marriage contract:

- Understand the concept of Mahr (dower or Maskavi) and negotiate a fair amount
- Discuss including a delegated right of divorce (talaq tafwid) in the contract

### Legal considerations:

- Decide between an Islamic marriage only or both Islamic and civil marriage
- Understand the implications of marrying in or out of community of property
- Consider the legal status of Muslim marriages in South Africa

### Financial rights:

- Understand your right to separate property in Islamic law
- Discuss expectations regarding nafaqah (maintenance) from your husband
- Consider how to protect any assets you bring into the marriage

### Future planning:

- Discuss views on polygyny and consider including relevant clauses in the marriage contract
- Understand the concept of iddah and its implications for divorce

### Divorce considerations:

- Understand different types of Islamic divorce (nikāh, faskh, khula'). Learn about your rights in case of divorce, including mu'tah (consolatory gift) and submitting claims for arrears maintenance.