

Selected Issues in Family Law

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EDITED BY

NORA A. HAK



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ISSUES IN ELOPED MARRIAGE (KAWIN LARI) AMONG MUSLIMS IN MALAYSIA

By

Noraini Md. Hashim

Introduction

*Kahwin lari*¹ is a common phenomenon involving both monogamous and polygamous marriages. This polemic issue has occurred among the Malays (mainly among the followers of *Shāfi'ī* sect) since a long time ago and still continues,² although law has been legislated to control the number of the incidences. The most frequented place where the marriage takes place is in Southern Thailand that is Narathiwat, Patani, Satun, Songkhla and Yala.³ With the increasing number of the legal and illegal Indonesian immigrants who are married to Malaysians, Indonesia at present has also become a target place to marry.⁴

¹*Kahwin lari* is used interchangeably with the term runaway marriage or marriage without consent.

² Johari Shawal, "200 Nikah di Selatan Thailand sebulan." *Mingguan Malaysia*, 8 July, 2007, 13. It was reported that nearly 200 Malaysian couples married in Southern Thailand in early 2007 as to compared to 100 couples in year 2006 (a hundred percent increased). The targeted areas are Sadao, Klongget dan Padang Besar.

³ See appendix C for location of the provinces in Southern Thailand where marriages take place.

⁴Countries namely India, Philippines, Pakistan, Vietnam and Kampuchea are also regularly visited for this purpose.
