

## The Concept of Polygamy

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According to strict interpretation of the Quran, Islam allows only one wife for every Muslim male. However, under certain exceptional conditions, men are allowed to marry more than one and up to a maximum of four wives. It should be noted that Islam puts certain conditions on those who marry more than one and these conditions are often difficult to fulfill, since a man would be doing injustice to his wives, if he failed to meet those conditions. For example, the Quran says: And if you fear that you cannot act justly toward orphans, then marry such women as seem good to you but if you fear that you will not do justice between them, then marry one only. In another verse, the Quran says: You will never be able to do justice among women.

**2. Situations Where Polygamy Should Be Allowed**

- ◆ The wife is suffering from a serious disease
- ◆ The wife is proved to be barren
- ◆ The wife is of unsound mind
- ◆ The wife has reached an old age
- ◆ The wife is of bad character and she cannot be reformed
- ◆ During war

**3. The Procedures for Polygamy**

According to the Islamic Family Law Act, when a man makes an application for polygamy, this must be accompanied by a statutory declaration stating the grounds on which the proposed remarriage is just and necessary. In this declaration, the applicant must provide details of his income, his financial obligations, his dependants, such as, those whom he will become responsible for after the proposed remarriage and whether the existing wife has consented to the proposed remarriage. When the judge receives the application, he will summon the husband and his wife or wives to hear the application. Permission to remarry will only be granted after the court is satisfied with the following:

- a) Whether the proposed marriage is just and necessary?
- b) Whether he will be able to support all his wives and dependants?
- c) Whether he will be able to treat them equally?
- d) Whether the marriage will cause darar syarie to the wife or wives?