

# Selected Issues in Family Law

Editor  
Nora A. Hak



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EDITED BY

NORA A. HAK



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## CHAPTER 3

### POLYGAMY ISSUES IN MUSLIM COUNTRIES: THE LEGAL PROVISIONS AND PRACTICES

By

Ameera A. Abdul Malek and Nora Abdul Hak

#### Introduction

Marriage is an important social institution in all religious, cultural and ethnic groups of the society. The governing laws of marriage in different ethnic, cultural, religious and tribal groups of society are varied from each other. In secular point of view, marriage is a personal union of individuals which may also be called matrimony, while the ceremony that marks its beginning is usually called a wedding and the status created is sometimes called wedlock. It is also considered as a contract between the husband and the wife. Marriage is an institution in which interpersonal relationships of the parties are acknowledged by the state or religious authorities. The ultimate object of marriage in Islam is to have a healthy family where a man and his wife or wives and children live in peace, love and harmony as is required in the light of a Qur'anic injunction in which Allah says that: "Among His signs is that He created for you mates from among yourselves that you may dwell in tranquility with them, and He has put love and mercy between your hearts".<sup>1</sup> Thus, the man as the father and the woman as the mother of the children dwell together and built up a family unit.<sup>2</sup>

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<sup>1</sup> The Qur'an, (30:21).

<sup>2</sup> Abdul Rahman I. Doi, *Women in Shari'ah (Islamic Law)* (4<sup>th</sup> edn.), London: Taha Publishing Ltd., 1989, at 51-52.

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