

BETWEEN THEORY AND PRACTICE: UNDERSTANDING THE PRINCIPLE OF *TA'ADDUD AL-ZAWJĀT* (PLURALITY OF WIVES) IN ISLAMIC LAW

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Abstract

Otherwise known as plurality of wives, polygyny not polygamy in the Islamic legal regime, *Ta'addud Al-Zawjāt* denotes the allowance given to a man to marry more than a wife with four as the maximum. This allowance is, however, not automatic. Hence, certain requirements are germane for the allowance to be operative. Nowadays, these requirements, which are conjunctive are being disregarded as men upon satisfying a requirement usually the financial requirement proceeds to marry additional wife. This paper examines the concept of *Ta'addud Al-Zawjāt* (plurality of wives) in Islamic law, focusing on how its nomenclature has been misconstrued in both contemporary discourse and academic literature. With the aid of doctrinal methodology through textual analysis of primary sources including Qur'an and Sunnah, along with classical and contemporary juristic interpretations, this paper argues that the semantic understanding and practical application of *Ta'addud Al-Zawjāt* has deviated meaningfully from its original contextual framework. By re-examining this institution through its proper nomenclature, this paper finds that a number of men jettison the essential requirements to marry more than a wife and rely heavily on the financial requirement. This paper contributes to a sound understanding and grasp of Islamic family law and offers viewpoints on how classical concepts can be properly contextualized in contemporary Islamic legal discourse. It recommends, among others the need for men to have proper understanding of the requirements necessary before activating their right to marry more than a wife as enshrined in Islamic law.

Key words: Islamic Law, Ta'addud Al-Zawjāt, Family Law and Islamic Jurisprudence.

1.1 Introduction

The practice of *Ta'addud Al-Zawjāt* (plurality of wives), erroneously referred to as polygamy is aptly translated to mean polygyny in the English parlance¹. Undoubtedly, it is one of the most debated jurisprudential issues in Islamic family law. The terminology itself, *Ta'addud*

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¹Abdulateef Lanre Abdullah *Polygyny with Mercy* (Ilorin, As-Sudaisy Publication, 2023) p.34.

Al-Zawjāt, carries specific semantic implications in Arabic that are often lost in translation and subsequently in interpretation. This paper argues that the very nomenclature of this marital institution has been misconstrued, leading to distortions in both scholarly analysis and practical application.

This practice, legally sanctioned in both the Qur'an and Sunnah, has been widely debated with divergent interpretations across ages and indeed, in the schools of Islamic jurisprudence. However, the original Arabic terminology and its conceptual framework suggest a more nuanced understanding than what is commonly portrayed in contemporary discourse. As al-Qaradawi noted, "*Ta'addud* is not an imperative in Islamic law but a conditional permission bound by strict ethical and practical considerations²."

This paper examines how the nomenclature of *Ta'addud Al-Zawjāt* informs its proper understanding by analyzing primary sources, classical exegetical works, and juristic commentaries across the major schools of Islamic law. It further explores how misconstructions of this phrase have influenced both academic discourse and practical implementations of this marital practice, particularly, in relation to gender equity, social welfare, and the objectives of Islamic law (*Maqāṣid Al-Sharia*).

1.2 Meaning of Marriage under Islamic Law

Marriage under the Shari'ah simply denotes the agreement of a man and a woman to become husband and wife. It is a religious duty, moral safeguard and social commitment³ and a means to regulate man's passion and facilitates orderly and recognized continuity of man's progeny⁴. Al-Juzairi defines marriage to mean an arrangement or agreement that sanctions the right of enjoyment of sexual intercourse by persons not barred by any legal implements via the legal texts⁵. The institution of marriage in Islam is so important that it occupies a religious status. It is so crucial that *Fuqahā* (s. *Faqīh*) (Jurists) dedicate great part of their works to address it⁶. Through the institution of marriage, human beings find solace and comfort. In the Glorious Qur'an, Allah says: 'And among His Signs is that He created for you wives from among yourselves, that you may find repose in them, and He has put between you affection and mercy. Verily, in that are indeed signs for a people who reflect'⁷.

Textual authorities confirm that Islam encourages the establishment of marriage contract making it a socio-religious phenomenon. Allah says:

And if you fear that you shall not be able to deal justly with the orphan-girls, then marry (other) women of your choice, two, or three, or four; but if you fear that you shall not be able to deal justly (with them), then only one or (the slaves) that your right hands possess. That is nearer to prevent you from doing injustice⁸

² Yusuf Al-Qaradawi, Y. *Fiqh al-Usrah (Jurisprudence of the Family)* (Cairo, Maktabah Wahbah, 2011). p.231.

³ AM Meraj 'The Importance of Marriage in Islam' International Journal of Research (2018) at <<https://doi.org/10.29121/granthaalayah.v6.i11.2018.1082>> retrieved on 17 February, 2025.

⁴ Mutalib A. Ambali, *The Practice of Muslim Family Law in Nigeria* (Lagos, Princeton & Associates Publishing Co. Ltd, Lagos, 2014) p.29.

⁵ Abdulrahman Al-Juzayry *Al-Fiqh 'alā Madhāhib al-arba'* (Egypt, Dar Ibn Haitham, 2009) p.30.

⁶ Fawzan S. *Summary of Islamic Law Jurisprudence* (Riyadh, Al-Maiman Publishing House, 2003).

⁷ Sūrah Al-Rūm, verse 21.

⁸ Sūrah Al-Nisāi, verse 3.

While enjoining Muslims to get married, the Prophet was reported to have said: ‘Marry women who are very prolific and loving, for I shall be outnumbered by you on the Day of Resurrection’.⁹

However, the status of institution of marriage is determinable given the class and status of Muslims. For a person who is mature with financial capacity and cannot control his sexual urge, marriage becomes *wājib* (obligatory) for him. It is *sunnah* or *mandūb* (recommended) for a man who has control of his sexual urge but has the financial means to activate and maintain another marriage. As for an impotent and poor man, marriage becomes *harām* (prohibited). It is *makrūh* (detested) for a person struggling to maintain an existing wife to add to the tally. It is *mubah* (indifferent or neutral) for a man with less than three wives with capacity to maintain an extra wife to contract another marriage.¹⁰

1.3 Essential Elements of a Valid Marriage under Islamic Law

It is instructive to note that a valid marriage in Islamic law is constituted of *Al-ʿāqidān* (parties), *ijāb* and *qabūl* (offer and acceptance), *waliy* (guardian), *Shāhidān ʿādilān* (two just witnesses) and *mahr* (dower). Each shall be briefly explained below:

- i. *Al-ʿāqidān*: parties to a contract of marriage in Islamic law must be two persons of the opposite sex who are legally responsible in the eyes of the law and are free from any legal and medical impediment¹¹. They must also be outside the prohibited degrees of marriage¹²
- ii. *Ijāb and Qabūl*: there must be communication to marry by parties to an Islamic marriage. This involves unequivocal and unambiguous offer by one party and the corresponding response by the other party. Here, the *Waliy* makes the offer while the groom accepts. This can be made verbally or in writing and in the case of a deaf or dumb, this can be done via gesture. Islamic law allows parties to delegate another person to communicate offer or acceptance.
- iii. *Waliy*: marriage guardian must assent to a contract of marriage for it to be valid in Islamic law. Guardian’s approval which can be communicated in proxy is indispensable in a contract of marriage and this can be verbally or in writing. In relation to this, Allah directs:

...and wed them with the permission of their guardians...¹³
- iv. *Shāhidān ʿādilān*: two witnesses of impeccable character in the minimum must witness the contract of marriage. They must have witnessed the couple’s guardians assenting to the marriage¹⁴.
- v. *Mahr*: also known as *sadāq*, *nihlah*, *ajr* which means dower is a very important element of marriage in Islamic law. Without it, marriage cannot be validly contracted. With mutual agreement between parties, it can be paid at the early stage of *nikah* or deferred to a later time¹⁵. This can come in monetary form,

⁹ Ibn Al-Hajar Al-ʿAsqalani *Bulūgh Al-Marām min Ad-Dilālāt Al-Ahkām* (pt2) (Riyadh, Darus-Salam Publishers, 1996) p.321.

¹⁰ Mutalib A. Ambali, *The Practice of Muslim Family Law in Nigeria* (Lagos, Princeton & Associates Publishing Co. Ltd, Lagos, 2014) p.35.

¹¹ For example, an impotent man is legally impeded from contracting marriage. Medically, a man is impeded from marrying if he is suffering from a chronic or terminal illness.

¹² There are tentative and perpetual prohibited degrees of marriage in Islamic law. Example of the latter is marriage to two sisters at a time and as to the former, an example is marriage to one’s biological sister.

¹³ Sūrah Al-Nisāi, verse 25.

¹⁴ Fawzan S., *A Summary of Islamic Jurisprudence* (Al-Maimam Publishing House, Saudi Arabia, 2005) p.421

¹⁵ Muhammad Bikir Ismail., *Al-Fiqh Al-Wādhīh Min Al-Kitāb Wa As-Sunnah ʿala Al-Madhāhib Al-arbaʿah* (vol.2, Cairo-Egypt, 1997) p.84.

material things (chattel) or labour and in fact, the bride may wave it completely or in part. Legislating on *sadaq* as a crucial element of a valid marriage, Allah commands: ‘And give to the women (whom you marry) their *mahr* (obligatory bridal-money) with a pure heart but if they out their own pleasure remit any part of it, take it and enjoy it without fear of any harm’¹⁶

Islam views marriage as a strong bond¹⁷, a challenging commitment in the fullest sense of the word¹⁸. It is envisaged to be permanent, not tentative but certain elements or factors threaten the span of marriage where not properly addressed and these include departure from the Islamic law rules guiding the institution of marriage.

1.4 Islamic Law and Polygyny

Polygyny linguistically means a marriage of a man to multiple women against polygamy which is the practice of having more than a spouse (this allows a woman to be married to multiple men). Polygyny, a form of polygamy where a man marries multiple wives, is permitted in Islamic law under specific conditions. It is distinct from polyandry, where a woman marries multiple men.

The practice of polygyny is rooted in Islamic texts and historical context. Historically, the practice of polygyny existed prior the advent of Islam and during this period, men marry multiple women without any limit or restriction but after the arrival of Islam, it was outlawed as Islam placed the limit to four wives at a time. The allowance in Islamic law aims to address social issues, such as the protection of widows and orphans in times of conflict. Feminist scholars and activists often criticize polygyny from a gender equality perspective, arguing that it can perpetuate inequalities and negatively impact women's rights. However, polygynous marriage in Islamic law is more of socio-religious empowerment for the women folks considering the statistics of human population today¹⁹. The acceptance of polygyny varies across different Muslim-majority countries. For example, Saudi Arabia and the UAE, polygyny is allowed under certain conditions.²⁰ However, there is total restriction of polygyny in Turkey and Tunisia. The conditional acceptance of polygyny in some Muslim jurisdiction and total prohibition is predicated on the importance of the need to ensure total compliance with religious conditions on polygyny.²¹

Under the Islamic legal regime, marriage is a socio-religious contract involving the union of a man and woman (en). In essence, the institution of marriage in Islam occupies an important position being the main mechanism through which a family evolves and the bedrock upon which a modest society is built²². Where marriage is established, just as other socio-religious contracts, it comes with certain rights and responsibilities accorded to the respective parties²³. To have a valid marriage in Islamic law, certain requirements are fundamental and germane, absence of these requirements makes marriage inoperative.²⁴

¹⁶ Sūrah Al-Nisāi, verse 4.

¹⁷ Mithāq Ghalēz. See Sūrah An-Nisāi, verse 21.

¹⁸ Gurin A.M *An Introduction to Islamic Family Law* (Malthouse Law Books, Lagos 2014) p.13.

¹⁹ <<https://legal-guide.net/understanding-polygamy-in-saudi-http://arabian-family-law-implications-and-considerations/>> accessed 23 April, 2025.

²⁰ Fawzan S., *A Summary of Islamic Jurisprudence* (Al-Maimam Publishing House, Saudi Arabia, 2005) p.412

²¹ AM Gurin, *An Introduction to Islamic Family Law* (NP,ND) p.13.

²² K K. Ibrahim-Eletu *et al* ‘Matrimonial Disputes Resolution Among Muslims in Ilorin: An Examination’(2017) 1(1) *Alhikmah University Journal of Public and International Law* .

²³ <https://explore-islam.com/marriage-in-islam/> accessed 22 December 2023.

²⁴ AbdulRahman Al-Juzayry *Al Fiqh ‘ala Madhāib Al-Arba’* (Dar Ibn Haytham, Cairo, 2003) p.385.

In Islamic law, albeit with some requirements, a man is given the allowance to marry up to four wives at a time. This overview provides a foundational understanding of plurality of wives in Islamic law, emphasizing its textual roots, conditions, and contemporary relevance.²⁵ Islamic law stipulates several conditions that must be met for polygynous marriages to be considered permissible:

1. Justice: The husband must treat all wives equitably in terms of financial support, emotional care, and time. The Quran emphasizes the importance of justice (Quran 4:129).
2. Financial Capability: The husband should have the financial means to support multiple wives.²⁶
3. Mutual Understanding: While it is explicitly required in the Quran, many scholars stress the importance of mutual consent and transparency with all parties involved.²⁷
4. sexual and emotional capacity²⁸

1.5 Legal Basis of Polygyny in Islamic Law

The Arabic term *Ta'addud Al-Zawjāt* consists of two elements: *Ta'addud*, denoting plurality; and *Zawjāt*, the plural form of *zawjah/zawj* (wife), indicating pairing or coupling²⁹. This linguistic construction immediately evokes the notion of rarity rather than normativity, a point often overlooked in contemporary discourse.

As al-Isfahani noted in his seminal lexicon of Qur'anic vocabulary, *Mufradāt Alfāz al-Qur'ān*, the root *zawj* fundamentally conveys the concept of "completion through pairing,"³⁰ suggesting that marriage in its primary conception is a union of two complementary individuals. The addition of *Ta'addud* thus represents a modification of this fundamental concept, not its normative expression.

Ibrahim observes that the very structure of the term *Ta'addud Al-Zawjāt* linguistically positions it as a secondary arrangement, distinguished from the primary concept of marriage (*zawāj*) itself³¹. This linguistic observation is critical for understanding the conceptual position of polygyny within the broader framework of Islamic marital institutions.

The primary source of the law regarding plurality of wives is the Quran. The relevant verse is found in *Surah An-Nisa* where Allah says "And if you fear that you will not be just to the orphans, then marry those that please you of [other] women, two or three or four. But if you fear that you will not be just, then [marry only] one..."³² This verse establishes the allowance for a man to marry up to four wives, provided he can treat them justly in all spheres as provided by the law.

In an Hadith, the Prophet Muhammad was reported to have said "Marry women who are very prolific and loving, for I shall outnumber the Prophets by you on the Day of Resurrection"³³

²⁵ Mutalib A. Ambali, *The Practice of Muslim Family Law in Nigeria* (Lagos, Princeton & Associates Publishing Co. Ltd, Lagos, 2014) p.29.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibn Manzur, M. (1993). *Lisān al-'Arab* (The Arab Tongue). Dar Sadir..

³⁰ Al-Isfahani, R., *Mufradāt Alfāz al-Qur'ān* (Vocabulary of the Qur'an). (2009) Dar al-Qalam.

³¹ Ibrahim, A, "Linguistic Dimensions of Islamic Legal Terminology." *Journal of Islamic Legal Studies*, (2012) 8(2), 76-98.

³² Surah Al-Nisa verse 3.

³³ Ibn Al-Hajar Al-Asqalani *Bulūgh Al-Marām min Ad-Dilat Al-Ahkām* (pt2) (Riyadh, Darus-Salam Publishers, 1996) Hadith no 826, p.342.

1.6 Textual Analysis of *Surah An-Nisa* verse 3

Surah An-Nisa verse 3 sanctions polygyny in Islamic law. The verse reads:

And if you fear that you will not deal justly with the orphans, then marry those that please you of [other] women, two or three or four. But if you fear that you will not be just, then [marry only] one or those your right hands possess. That is more suitable that you may not incline [to injustice]³⁴

Several elements in this verse's construction deserve close attention. First, the permission for polygyny is presented in a conditional format 'if you fear...' not as an unconditional right or recommendation. Second, the verse establishes an explicit link between the care of orphans and polygynous marriage, suggesting a specific socio-historical context rather than a universal recommendation. Third, the verse immediately imposes a numerical limitation (maximum of four wives), contrary to the unrestricted polygyny practiced in pre-Islamic Arabia. Finally, the verse concludes with a preference for monogamy if justice cannot be maintained.³⁵

Muhammad observes in his translation of the Qur'an, "The verse is not, as is often thought, a recommendation of polygyny; it merely permits it in certain circumstances".³⁶

1.7 Justice: *Sine Qua non* to the Principle

Perhaps the most critical element in the proper understanding of *Ta'addud Al-Zawjāt* is the centrality of justice ('*adl*') as its defining parameter. The Qur'anic permission for polygyny is immediately qualified by the condition of justice, and further contextualized in the Quran where Allah says: by *Surah An-Nisa* verse 12 (4:129):

You will never be able to be equal between wives, even if you should strive [to do so]. So do not incline completely [toward one] and leave another hanging. And if you amend [your affairs] and fear Allah then indeed, Allah is ever Forgiving and Merciful³⁷

This verse has generated significant juristic discussion regarding the very possibility of fulfilling the condition of justice in polygynous arrangements. Al-Zamakhshari (d. 1144 CE) in his *Al-Kashshāf* interprets these verses together to suggest that perfect emotional equality is unattainable, but equitable material provision and fair treatment remain obligatory conditions³⁸.

Kamali argues that these two verses, when read together, establish a practically unattainable standard of justice as a prerequisite for polygyny, suggesting a Qur'anic preference for monogamy.³⁹ This perspective reinforces the understanding that the nomenclature of *Ta'addud Al-Zawjāt* intrinsically contains its own limitations.

³⁴ Ibid.

³⁵ *Surah Al-Nisai*, verse 4.

³⁶ Haleem, M. A. *The Qur'an: A New Translation*. (Oxford, University Press, 2005).

³⁷ *Surah Al-Nisa* verse 129.

³⁸ Al-Zamakhshari, M. (1998). *Al-Kashshāf* (The Revealer). Maktabat al-'Abikan.

³⁹ Kamali, M. H, *Qur'anic Principles and Islamic Jurisprudence*. UK: (2008) Islamic Texts Society.

1.8 Quantifiable and Unquantifiable Aspects of Justice

Classical and contemporary juristic discourse distinguishes between quantifiable aspects of justice (material provision, time allocation) and unquantifiable elements (emotional attachment, affection). While jurists generally agree that equitable distribution of quantifiable resources is obligatory, they differ on how to address the unquantifiable dimensions acknowledged in Surah An-Nisa (4:129).

Al-Ghazali (d. 1111 CE) in his *Iḥyā' 'Ulūm al-Dīn* suggests that the unattainable equality mentioned refers primarily to matters of the heart, which are beyond human control, while Al-Qurtubi maintains that the verse serves as a warning against emotional partiality that manifests in observable behavior.⁴⁰

These nuanced discussions reveal that the concept of *Ta'addud Al-Zawjāt* was understood by classical scholars to exist within a complex ethical framework that significantly constrains its application which is a crucial aspect of its nomenclature often overlooked in contemporary discourse.

1.9 Misconstructions in Contemporary Understanding

Contemporary discourse often reduces the complex juridical concept of *Ta'addud Al-Zawjāt* to simplistic designations like "polygamy" or statements like "Islam permits multiple wives," stripping away the conditional, exceptional, and ethically constrained nature of the original terminology. This terminological simplification has contributed to misunderstandings among both critics and proponents of the practice.

As Wadud notes, "The reduction of this complex ethical arrangement to a simple matter of numerical permission has facilitated its misapplication in many contexts".⁴¹ Similarly, the removal of the qualifying conditions from the terminology itself has enabled practices that violate the very spirit of the Qur'anic constraints⁴².

1.10 Cultural Practices versus Juristic Requirements

A significant source of misconception lies in the conflation of cultural practices with the juristic requirements inherent in the proper understanding of *Ta'addud Al-Zawjāt*. In many contexts, polygynous marriages are conducted without fulfilling the fundamental conditions established in Islamic law, yet claim religious legitimacy.

Sonbol reveals how colonial and post-colonial legal systems often codified selective aspects of Islamic family law while neglecting the intricate ethical constraints that classical jurisprudence placed on polygynous practice⁴³. This selective adoption has perpetuated misconstructions of the original nomenclature.

⁴⁰ Al-Ghazali, A. H., *Iḥyā' 'Ulūm al-Dīn* (Revival of the Religious Sciences), (1993) Dar al-Khayr.

⁴¹ Wadud, A., *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective*. Oxford University Press, (1999).

⁴² Barlas, A., *"Believing Women" in Islam: Unreading Patriarchal Interpretations of the Qur'an*. University of Texas Press (2002).

⁴³ Sonbol, A., "A History of Marriage Contracts in Egypt." In A. Quraishi & F. Vogel (Eds.), *The Islamic Marriage Contract: Case Studies in Islamic Family Law* (pp. 87-122). Harvard University Press, (2008).

Furthermore, Mashhour demonstrates that in several contemporary Muslim-majority countries, men enter polygynous marriages without the financial capacity to support multiple households equitably, directly contravening classical juristic requirements yet claiming religious sanction for their actions.⁴⁴

1.11 Neglect of the Exceptional Nature

Perhaps the most fundamental misconception of *Ta'addud Al-Zawjāt* lies in neglecting its exceptional nature as indicated by its very nomenclature. The term's construction suggests a departure from the normative marital arrangement, yet contemporary discourse often presents it as a standard option or even preferable arrangement.

The exceptional nature of polygyny in Islamic jurisprudence has been deliberately obscured by patriarchal readings that normalize what the Qur'an presents as conditional⁴⁵. Furthermore, Ahmed discusses how the historical practice of polygyny often deviated from its intended application as a social welfare mechanism.⁴⁶

This misconception has significant implications for gender relations, family stability, and social cohesion being the values Islamic law seeks to protect through its detailed regulation of marital institutions.

1.12 Implications for Contemporary Islamic Legal Thought

A proper understanding of the nomenclature of *Ta'addud Al-Zawjāt* has important implications for how contemporary Islamic legal thought approaches this institution. Recognizing the conditional and exceptional nature embedded in the terminology itself supports contextualized approaches to its application in modern societies.

Scholars like Auda employ a maqasid-based (higher objectives of Islamic law) approach to argue that the welfare purposes behind the original permission may be better served through different social institutions in contemporary contexts⁴⁷. Similarly, Kamali suggests that the spirit of the law regarding polygyny must be prioritized over literalist readings that ignore its ethical parameters⁴⁸.

1.13 Legal Reforms and Islamic Authenticity

Several Muslim-majority countries have implemented legal reforms regarding polygyny while claiming fidelity to Islamic principles. These reforms range from requiring judicial permission (Malaysia, Indonesia) to near-prohibition except in exceptional circumstances.

Welchman notes how these legal reforms often draw explicitly on classical interpretations of the conditions embedded in the concept of *Ta'addud Al-Zawjāt* rather than representing wholesale departures from Islamic tradition. This suggests that recovering the proper

⁴⁴ Mashhour, A, "Islamic Law and Gender Equality: Could There Be a Common Ground?" *Human Rights Quarterly*, (2005) 27(2), 562-596.

⁴⁵ Mir-Hosseini, Z. 'The Construction of Gender in Islamic Legal Thought: Strategies for Reform' (2003) 1(1) *HAWWA: Journal of Women of the Middle East and the Islamic World*, 1-28.

⁴⁶ Ahmed, L, *Women and Gender in Islam: Historical Roots of a Modern Debate*. Yale University Press, (1992).

⁴⁷ Auda, J, *Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach*. International Institute of Islamic Thought, (2008).

⁴⁸ Kamali, M. H, *Qur'anic Principles and Islamic Jurisprudence*. UK: Islamic Texts Society, (2008).

nomenclature of this institution can facilitate reforms that maintain Islamic authenticity while addressing contemporary social concerns.⁴⁹

Far from being anti-Islamic, restrictions on polygyny that emphasize its conditional nature and the centrality of justice are more faithful to the Qur'anic spirit than unqualified permissions that ignore these dimensions.⁵⁰

1.14 Recommendations and Conclusion

Flowing from the forgoing discussion, this paper finds that:

1. The misconstruction of *Ta'addud Al-Zawjāt* lies in neglecting its exceptional nature as indicated by its very nomenclature
2. Polygyny is allowed but it is discouraged unless genuine welfare needs exist.
3. The Islamic law Qur'ānic emphasis on fairness makes polygyny a moral burden rather than a privilege. Financial capacity is germane but cannot solely qualify a man to marry more than a wife. Men often neglect the salient condition of 'adl (justice) when taking another wife
4. The practise of polygyny is allowed in some countries, conditionally allowed in some jurisdiction while is it abhorred in some nations

This paper therefore recommends that:

1. Islamic scholars should emphasize the importance of justice, equity and fairness to men who intend to marry more than a wife
2. Women should be educated on their marital rights and the conditions which are sine qua non for *Ta'addud Al-Zawjāt*
3. There is need to encourage dialogue on the social consequences of polygyny to discourage misuse.

This paper has demonstrated that the nomenclature of *Ta'addud Al-Zawjāt* in Islamic law carries significant semantic content that has been misconstrued in contemporary discourse. Through analysis of primary source, classical juristic works, and contemporary scholarship, it is evident that the proper understanding of this term encompasses conditional permissibility rather than unqualified right.

The misconstruction of this nomenclature has facilitated practices that deviate from the original concept and has complicated both academic discourse and practical reforms in Muslim family law. By recovering the proper understanding of *Ta'addud Al-Zawjāt* through its nomenclature, this research contributes to more nuanced approaches to Islamic family law that are both authentic to the tradition and responsive to contemporary social realities.

⁴⁹ Welchman, L, *Women and Muslim Family Laws in Arab States: A Comparative Overview of Textual Development and Advocacy*. Amsterdam University Press, (2015).

⁵⁰ Abou El Fadl, K, *Speaking in God's Name: Islamic Law, Authority and Women*. Oneworld Publications, (2014).

