
INFORMING THE FIRST WIFE THAT ONE INTENDS TO TAKE A SECOND

Shaykh Muhammad ibn Haadee

Questioner: Is it obligatory to inform the first wife when practicing polygyny?

Shaykh: No, it is not obligatory.

Questioner: And if agreement is sought from the first wife is sought?

Shaykh: Not unless she states this as a condition (before the marriage); if she states this as a condition , that he not marry another while married to her (and he agrees to this) then he must adhere to that until she permits him; Na'am. What is the rest of the question?

Questioner: Is it obligatory to inform the first wife when practicing polygyny and when he is requested to seek the agreement of the first wife?

Shaykh: The first wife is not his guardian, such that she has to agree.

Questioner: With us, in Morocco for example, if you want to practice polygyny you must have the consent of the first wife.

Shaykh: This is Baatil. She is not his guardian, this woman. He is her maintainer and her guardian. He is the one who gives her permission when she wants to travel or go out or go to the house of so and so. As for her giving him permission, this is an error. This is the opposite of the statement of Allaah the Majestic and High:

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ

Men are the protectors and maintainers of women, because Allaah has made one of them to excel the other, and because they spend (to support them) from their means.

(An-Nisa 4:34)

So the affair belongs to the man. He is the one who grants permission, not her. He is the husband and she is his wife. Ay Na'am.

Questioner: May Allaah bless you.

Translated By: Raha ibn Donald Batts

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