



Measures to Curb Polygamy Scams in Malaysia: A Legal Perspective

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Abstract: The law relating to polygamy is practically weak due to the lightly punishment imposed, re-registration in the Court is allowed if the marriage is legal. This makes society more vulnerable and affected to polygamy without permission and unknowingly fall into polygamy scams. Polygamy scams are becoming increasing prevalent in Malaysia even though this phenomenon has existed for a long time. This form of marriage cannot be validated if the courts do not grant permission, procedures are not adhered to or there is an element of manipulation. This scheme occurs due to several factors, including the role of certain individuals, syndicate, and the legislation. Therefore, this qualitative study used the case study approach to explain the concept of polygamy scam and examine proactive measures aimed at curbing polygamy scams from a legal perspective. Data were collected using the content analysis and interview methods. The data were analyzed on a thematic and descriptive method. Findings indicate that a polygamy scam is a matrimonial offense that is liable to prosecution in the Syariah Courts. It was also found that there is a need for standardization, empowerment, and law enforcement at the federal and state levels. Several initiatives were suggested, such as appropriate punishment imposed on the masterminds behind the polygamy scams, complaints should be filed whenever a case arises and increasing the number of awareness programs aimed at curbing or even eradicating polygamy scam activities altogether. The implication of this study is that the governments and stakeholders need to play important role in enforcing laws on polygamous offences without permission including scam activities.

Keywords: Curb, scam, polygamy, legislation, sharia court

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Abstrak: *Hukum yang berkaitan dengan poligami dikatakan lemah kerana kadar hukuman yang dikenakan ringan, pendaftaran semula di Mahkamah dibenarkan sekiranya nikahnya adalah sah. Hal ini menyebabkan masyarakat lebih mudah terdedah dan terpengaruh untuk berpoligami tanpa kebenaran dan tanpa sedar terjerumus dalam scam poligami. Penipuan poligami saat ini marak terjadi di Malaysia dan fenomena ini sudah berlangsung lama. Perkawinan ini tidak hanya berlangsung tanpa izin pengadilan, tetapi juga atas izin pengadilan namun dengan cara yang tidak prosedural atau manipulatif. Hal ini terjadi karena banyak faktor, antara lain individu, sindikat dan perundang-undangan. Oleh karena itu, artikel ini bertujuan untuk menjelaskan konsep scam poligami dan mengkaji langkah-langkah proaktif untuk mengekang penipuan poligami dari perspektif hukum. Penelitian ini bersifat kualitatif dengan pendekatan studi kasus. Pengumpulan data dilakukan melalui analisis isi dan wawancara. Data dianalisis berdasarkan tematik dan diskriptif. Hasil penelitian ini menemukan bahwa penipuan poligami merupakan delik matrimonial di Pengadilan Syariah. Hasil dari penelitian ini adalah perlunya standarisasi, pemberdayaan dan penegakan hukum di tingkat federal dan negara bagian. Selain memberikan hukuman yang setimpal kepada dalang penipuan poligami, perlu adanya program pengaduan dan sosialisasi agar kegiatan penipuan poligami ini dapat diberantas agar tidak terus meluas. Implikasi kajian ini ialah kerajaan dan pihak berkepentingan perlu memainkan peran untuk menguatkuasakan hukum.*

Kata kunci: *pengekangan, scam, poligami, perundangan, mahkamah syariah*

Introduction

A polygamy scam is an act of defying the law by falsifying and/or manipulating information and polygamy application documents by certain parties. It can occur either through fraud or falsification of documents submitted to the courts, such as falsifying the first wife's signature on the receipt of court documents or providing false information regarding the applicant's actual address.¹

Forging of documents and so forth are some of the activities carried out by polygamy syndicates, which is a practice that has most likely existed for a long time, but was not exposed because it involves numerous other parties.² According to Zainul Rijal, some parties involved in polygamy scams provide certain matrimony packages in collaboration with foreign marriage syndicates, such as in

¹Mohd. Husni Mohd. Noor, Lapor Polis, "Penguat Kuasa jika ada Maklumat Scam Poligami", Kosmo, 2 January 2021, <https://www.kosmo.com.my/2021/01/02/lapor-polis-penguat-kuasa-jika-ada-maklumat-scam-poligami/>.

²Rafidah Hanim Mokhtar & Nur Saadah Khair, "Jauhi Sindiket Poligami, Hapuskan Pemalsuan Dokumen Poligami," Malaysia Gazette, 12 January 2021, <https://malaysiagazette.com/2021/01/12/jauhi-sindiket-poligami-hapuskan-pemalsuan-dokumen-poligami/>.

Thailand or Indonesia, for those who wish to perform polygamy marriages.³ The Malaysian Syariah Justice Department (JKSM) does not rule out the possibility that polygamy scams are carried out either by the applicant himself or an agent offering syndicated marriage services. There is also a possibility that it is initiated by a Syarie lawyer or court staff.⁴ Zulqarnain revealed that this syndicate could also be orchestrated by a *lebai*, Ustaz or Imam.⁵

Syndicate marriage is the type of marriage conducted by certain individuals who do not have the authority to solemnize the marriage in accordance with the law. These marriages are usually held in secret, away from parents and guardians whose consent are required to validate the same.⁶ The couples are then issued with fake marriage certificates as evidence of the marriage.⁷ Hence, syndicate is prone to organized scam, while scam polygamy is even more broad due to they include those that are planned or by specific individuals.

Polygamy scams are closely related to unauthorized polygamy, which is one type of polygamy case often reported in the Syariah Courts. The court procedures were introduced basically to preserve the rights and responsibilities of every polygamous couple in accordance with the goals of Syariah. Nevertheless, there are still some parties who prefer taking a shortcut to polygamy by avoiding existing legal provisions.⁸ Consequently, they are deceived by polygamy scams in efforts to rationalize their act of transgressing the law until they eventually get involved with the scam syndicate. This phenomenon is also linked to weaknesses in the legislation, which are in the first place supposed to help eradicate widespread polygamy scams in Malaysia.

³Sinar Harian, "Scam Poligami Jadi Satu Bisnes," 2 January 2021. <https://m.sinarharian.com.my/mobile-article?articleid=140535> ; ISMA, Scam Poligami: Ada Peguam Syarie, Pegawai Mahkamah Sekongkol Dengan 'Ejen'. (Ismaweb, January 2, 2021), <https://ismaweb.net/2021/01/02/scam-poligami-ada-peguam-syarie-pegawai-mahkamah-sekongkol-dengan-ejen/>

⁴Mohd. Husni Mohd. Noor, "Lapor Polis, Penguat Kuasa jika ada Maklumat Scam Poligami," Kosmo, 2 January 2021, <https://www.kosmo.com.my/2021/01/02/lapor-polis-penguat-kuasa-jika-ada-maklumat-scam-poligami/>

⁵Zulqarnain Lukman, "Ustaz dan Imam Dalang Sindiket Scammer Poligami," Next Step Malaysia, 2021, <https://nextstepmalaysia.com/ustaz-dan-imam-mengetuai-sindiket-scammer-poligami/>

⁶ Saidon R., Kamaruddin Z., Adil M. A. M., Arifin M., Ibrahim M. "Review of Illegal Marriages: A Maqasid Al-Sharia Perspective," In *International Conference on Maqasid Al-Shariah In Public Policy & Guidance*, 15th, and 16th June 2015. International Institute of Advanced Islamic studies, (2015).

⁷ Muhamad Helmi Md Said, Grace Emmanuel Kaka, Muhammad Amrullah Bin Drs Nasrul, Tinuk Dwi Cahyani & Tinuk Dwi Cahyani, "Syndicate Marriage or Trafficking? The Travails of Asian Migrant Women," In *Journal of Educational and Social Research*, Vol 12 No 1, p106-118, (2022).

⁸Khairul Azhar Meerangani, "Faktor Poligami Tanpa Kebenaran Analisis Kes di Mahkamah Syariah Muar Johor," *Journal of Islamic Thought and Understanding*, 2021.

Some 2,000 applications seeking permission to practice polygamy were received from 2015 to 2019. There were 1510 registered Application to Practice Polygamy cases in the Syariah Courts across the country from January to November of 2020, comprising 1063 (70.4 percent) processed cases and 447 cases (29.6 percent) still pending proceedings in the courts. In terms of Confirmed Applications and Registered Polygamy Marriages in Syariah Courts throughout the country from January to November 2020, there were 1543 registered cases and 827 (53.6%) completed cases, with 716 cases (46.4 percent) still pending proceedings.⁹

These rise in figures could be due to the introduction of several legal amendments in 1994 and 2006 aimed at facilitating the registration of clandestine polygamy cases. According to Syariah law, a polygamous marriage (marrying a second, third or fourth wife) requires the court's permission and it should not affect the first wife's standard of living. Following the amendments, many men took the opportunity to marry secretly abroad to bypass the Syariah court ruling. This strongly suggests the weakness of Malaysian Syariah law because these men can return to Malaysia to re-register their marriage in the Syariah Courts and they only pay a fine of not more than RM1000 or serve a jail sentence of not more than 6 months or both.¹⁰

Most of the complaints related to polygamy are from wives whose husbands have married again without their knowledge.¹¹ In other words, the wife is involved in a polygamous marriage conducted by a scam. According to Telenisa, 51 (12%) individuals were involved in a polygamous marriage based on the 2021 statistics compared to only 30 (7%) individuals in 2020. The question is whether the court's decision to permit husbands to engage in polygamy without the present wife's knowledge is legal. The issue of consent or permission from the present wife not taken into consideration in polygamy applications is unacceptable to most wives.¹²

It is feared that polygamy scam activities could affect Shariah judicial institutions in Malaysia if it is allowed to continue to spread. These activities continue to flourish due to overwhelming requests from certain quarters who want to take the easy way out to a polygamous marriage regardless of the ethical contradictions and legal aspects. This means that some husbands lack the courage

⁹ Saadiah Ismail, "Fahami Urusan Poligami Demi Perkukuh Institusi Keluarga," *Berita Harian*, Mac 2, 2021. <https://www.bharian.com.my/wanita/keluarga/2021/03/791717/fahami-urusan-poligami-demi-perkukuh-institusi-keluarga>.

¹⁰ Ng Xiang Yi & Ivy Chang Ai Wei, "Kes Poligami Meningkatkan Pada Kadar Tinggi Setiap Tahun," *Malaysia kini*, 2019, <https://www.malaysiakini.com/news/467180>.

¹¹ Ng Xiang Yi & Ivy Chang Ai Wei, "Kes Poligami Meningkatkan Pada Kadar Tinggi Setiap Tahun," *Malaysia kini*, 2019, <https://www.malaysiakini.com/news/467180>.

¹² Ireeny Muzammel & Syafiqah Fikri Abazah, *Telenisa: Statistik & Dapatan 2021*, Selangor Darul Ehsan: Sister in Islam, 2022.

to inform their wives, so they marry without their wife's knowledge using a marriage syndicate.¹³ Thus, it is evident that individuals involved in the scam cunningly abuse the powers (or lack of it) and application procedures to the point that they are able to deceive the courts.¹⁴

The existence of syndicates involving professionals offering polygamy services to corporate figures exacerbates this situation.¹⁵ Scammers earn a living from these scams and are always looking for victims to make a profit. The couples involved are mainly those looking for an easy way to get married due to certain reasons, such as not obtaining the blessings (bride's parents or first wife) or concealing the marriage from the first wife. According to Ahmad Faisal, there are couples who are willing to spend up to RM8,000 to get married using the syndicate.¹⁶

The polygamy scam has indeed existed for a long time in Malaysia because most husbands refuse to follow standard operating procedures (SOP) and polygamy laws.¹⁷ For example, it is estimated that approximately 60 cases related to polygamy scams including marriage scams are reported on average every year in the Kota Setar district. Couples involved in polygamy scams were found to be over 40 years old for men and between 20 and 30 years for women.¹⁸

This polygamy scam is another manifestation of the threat faced by Muslims, which must be overcome by exposing and destroying the roots of evil that have been rooted in Muslim society for a long time.¹⁹ Scam marriages will cause problems for the couple, family and their children in the future. Conversely, legal or authorised polygamy will make it easier for children to obtain an education and qualify them for other benefits or facilities as Malaysian citizens.²⁰

¹³ Mukhriz Mat Husin, "Scam Poligami Berlaku kerana ada Permintaan Penawaran," Sinar Harian, 2021.

¹⁴ Roshila Murni Rosli, "Banyak Kes Scam Poligami Babit Suami Umur 40 Tahun Ke Atas," Sinar Harian, 7 Januari 2021. <https://www.sinarharian.com.my/article/117903/BERITA/Wawancara/Banyak-kes-scam-poligami-babit-suami-umur-40-tahun-ke-atas>.

¹⁵ Harian Metro, "Pemalsuan Dokumen Untuk Berpoligami adalah Kesalahan Jenayah," 2021. <https://www.hmetro.com.my/mutakhir/2021/03/689587/pemalsuan-dokumen-untuk-berpoligami-adalah-kesalahan-jenayah> [30 [30 Mac]

¹⁶ Jusmyati Jufri, "Sanggup Bayar RM8,000 untuk Guna Sindiket Poligami," Sinar Harian, Jan 6, 2021, <https://www.capitalpost.com.my/sanggup-bayar-rm8000-untuk-guna-sindiket-poligami/>

¹⁷ Norshahzura Mat Zuki, "Scam Poligami: Suami Ingkar SOP, Undang-undang," Sinar Harian, 02 Jan 2021, <https://m.sinarharian.com.my/mobile-article?articleid=140696>

¹⁸ Roshila Murni Rosli, "Banyak Kes Scam Poligami Babit Suami Umur 40 Tahun Ke Atas," 2021.

¹⁹ Ainul Illia, "Scam Poligami atau Scam Hawa Nafsu?," Web ISMA. January 12, 2021, <https://ismaweb.net/2021/01/12/scam-poligami-atau-scam-hawa-nafsu/>

²⁰ Faez Baderol Hesam, "Scam Poligami Ikut Prosedur yang Ditetapkan Jabatan Agama," al-Hijrah News, 2021.

Polygamy laws in this country are said to be weak because the punishment for transgressions is light since marriages conducted outside the country can be re-registered in the local Syariah Courts if the marriage is found to be valid. This makes the community more susceptible and influenced to engage in unauthorised polygamy and unknowingly become victims of polygamy scams. Hence, Solahuddin suggested that the Syariah Courts should review the punishment imposed on polygamists who had not obtained prior permission from the courts to get married outside the country.²¹

Enforcement is a thorny issue because the Royal Malaysian Police (PDRM) and Malaysian Anti-Corruption Commission (MACC) do not have the authority to investigate these cases due to jurisdictional barriers, while the Islamic religious authorities may also have limited powers for the same reason.²² Therefore, this study aims to examine the loopholes in existing legislation and procedures, while suggesting proactive measures that can be applied by the authorities to curb polygamy scams.

Polygamy is a form of marriage that is permitted in Islam but remains a controversial practice amongst Muslims even though it is common in the Middle East, Africa, Europe and other countries.²³ Malaysia allows the practice of polygamy among its Muslim population, but couples must meet legal requirements so that the practice can be controlled to prevent undesirable consequences if it is allowed to be absolute. Therefore, all states in Malaysia have agreed and established regulations stating that every application for polygamy must obtain written permission from the Syariah Courts.²⁴

State Islamic Family Law specifically states the provisions relating to polygamy for that particular state. For example, in Selangor, Section 23 stipulates that a man who wishes to practice polygamy must make an application in the Syariah Court to obtain permission to do so. The court will consider whether the application is granted based on the criteria stipulated in Section 23 (5). The application is usually deliberated based on the applicant's income status and commitments, such as alimony payments, debts, monthly expenditure and so on.²⁵

²¹Solahuddin Bin Abdul Rahman, "Penyelesaian Kasus Poligami Tanpa Kebenaran Oleh Mahkamah Syariah Kuala Terengganu Malaysia," *Journal of Family Studies*. 3 (01), 2019.

²²Ainul Illia, "Scam poligami atau scam hawa nafsu?," Web ISMA. January 12, 2021, <https://ismaweb.net/2021/01/12/scam-poligami-atau-scam-hawa-nafsu/>

²³Muhammad Ajib Abd Razak, Intan Hashimah Mohd Hashim, & Syazwani Drani, "Kefungsian Sosial Keluarga Berpoligami," *Journal Of Social Sciences & Humanities* 18. No.6 (2021).

²⁴Raihanah Haji Abdullah, "Poligami di Malaysia," *Jurnal Syariah* 5 no 2, p. 167-186 (1997).

²⁵Norain Mohd Shah & Khairul Azhar Meerangani. "Poligami Tanpa Kebenaran: Kajian Terhadap Kes-kes Di Mahkamah Tinggi Syariah Muar, Johor Tahun 2015-2019," *Jurnal 'Ulwan*. Special Issue I: Kolokium Penyelidikan Ijazah Tinggi, 2021, Jilid 6 (Bil.1) 2021: 269-277.

According to Norain & Khairul Azhar, the law and procedures relevant to polygamy require the marriage to be recorded and documented so that the administrative affairs are more systematic and orderly. This procedure is intended to avoid and overcome all weaknesses and irregularities that occur either before or after the marriage.²⁶ According to Mohd Luttfi (2021), the criteria imposed may seem strict or burdensome to men, but they are intended to protect the interests of the wife and (indirectly) the children who are still under their care.²⁷ Thus, if there is no permission from the courts, and the act of polygamy is committed, then it is considered a Shariah criminal offense that is punishable with a fine or imprisonment or both.

However, there are devious parties who perpetuate scams and manipulative actions that sees polygamy being carried out consistently and legally, whether it is carried out for themselves or on behalf of others. Various methods are used to facilitate the practice of polygamy and make it look legal. According to Norshahzura, polygamy scams have long existed in Malaysia because most husbands refuse to follow standard operating procedures (SOP) and polygamy laws.²⁸

According to Mohd Husni, polygamy scams occur either through fraud or falsification of documents submitted to the courts, such as the wife's signature on the receipt of court documents or fraudulent submission of the applicant's real address.²⁹ FNF Malaysia (Friedrich-Naumann-Stiftung for Freedom) stated that a polygamy scam is a marriage that occurs by forging signatures, fraudulent submission of facts or information and abuse of power. It also occurs when a man appoints one party to manage the marriage process instead of going through proper procedures.³⁰

Various suggestions have been made to resolve this issue, both in terms of administration and legislation. Apart from the attitude of individuals and masterminds, polygamy scams involve numerous legal issues as well because it usually occurs by manipulating certain situations and circumstances that are permitted under the law.

²⁶Norain Mohd Shah & Khairul Azhar Meerangani, "Faktor Poligami Tanpa Kebenaran: Analisis Kes Di Mahkamah Syariah Muar, Johor," *E-Journal of Islamic Thought and Understanding*. Volume 01, (2021).

²⁷Ainul Illia, "Scam poligami atau scam hawa nafsu?," Web ISMA. January 12, 2021 <https://ismaweb.net/2021/01/12/scam-poligami-atau-scam-hawa-nafsu/>

²⁸Norshahzura Mat Zuki, "Scam Poligami: Suami Ingkar SOP, Undang-undang," *Sinar Harian*. 02 Jan 2021, <https://m.sinarharian.com.my/mobile-article?articleid=140696>

²⁹ Mohd Husni Mohd Noor, "Lapor Polis, Penguatkuasa Jika Ada Scam Poligami." *Kosmo*, 2021, <https://www.kosmo.com.my/2021/01/02/lapor-polis-penguat-kuasa-jika-ada-maklumat-scam-poligami/> [2 Jan]

³⁰ FNF Malaysia. "What is Polygamy Scam?," 2021, <https://www.facebook.com/page/75531076333/search/?q=scam>

From an administrative perspective, some of the other measures proposed is cooperation between the Malaysian authorities (government) and the Malaysian Consulate in Southern Thailand to ensure that serial numbers on marriage certificates involving Malaysian couples are recorded.³¹

Another effort to curb polygamy syndicates is for JKSM, which is the coordinating agency of the Syariah Courts in this country, to work collaboratively with all State Syariah Courts, State Islamic Religious Department Enforcement (JAIN) units, the Royal Malaysian Police (PDRM) and Malaysian Anti-Corruption Commission (MACC). This initiative was confirmed by the Minister in the Prime Minister's Department at that time, Senator Datuk Seri Dr Zulkifli Mohamad Al-Bakri.³² Involvement of the Malaysian Anti-Corruption Commission (MACC) could help tackle this polygamy scam issue. Raiham Mohd Sanusi suggested that the MACC should immediately conduct investigations into any polygamy-related fraud or scam case that hinges on corruption allegedly involving legal practitioners or Syariah Court staff.³³

From the legislative aspect, the possibility of proposals to simplify polygamy procedures could curb polygamy scams from occurring in the first place. Asmuni Awi suggested that the Perak state government should amend Section 23 of the Islamic Family Enactment (Perak) 2004 with this proposal in mind. He said that under the existing provision the court is bound to decide even if the first wife does not appear in court to give a deposition; hence, if the first (or subsequent legally married wives) is given the choice to attend, this would facilitate the polygamy process itself.³⁴

Conversely, Saadiah suggested that the government should tighten polygamy procedures and reserve it only for truly qualified men and not recognize runaway marriages that are conducted across the border. This is because Muslim marriages in Thailand can still be registered in Malaysian Syariah Courts after paying a penalty of a fine. However, Singapore does not recognise second or third unregistered marriages.³⁵

³¹Bernama, "Perak Cadang Permudah Urusan Poligami," Oktober 31, 2018, <https://www.astroawani.com/berita-malaysia/perak-cadang-permudah-urusan-poligami-189737>.

³²Mohd Husni Mohd Noor, "Lapor Polis, Penguatkuasa jika Ada Scam Poligami," Kosmo, 2021, <https://www.kosmo.com.my/2021/01/02/lapor-polis-penguat-kuasa-jika-ada-maklumat-scam-poligami/>

³³Raiham Mohd Sanusi, "SPRM Perlu Segera Siasatan Scam Poligami," *Sinar Harian*, 2021, <https://www.sinarharian.com.my/article/118181/KHAS/Wacana/SPRM-perlu-segerakan-siasatan-scam-poligami>.

³⁴Bernama, "Perak Cadang Permudah Urusan Poligami," 31 Oktober 2018, <https://www.astroawani.com/berita-malaysia/perak-cadang-permudah-urusan-poligami-189737>

³⁵Saadiah Ismail, "Fahami Urusan Poligami Demi Perkukuh Institusi Keluarga," *Berita Harian*, 2 Mac, 2021, <https://www.bharian.com.my/wanita/keluarga/2021/03/791717/fahami-urusan-poligami-demi-perkukuh-institusi-keluarga>.

President of the Malaysian Syariah Lawyers Association (PGSM), Musa Awang, stressed that if there is any fraud in the polygamy application process at the Syariah Courts, the wife can report it to the Islamic Religious Department. The Prime Minister's Department (Religious Affairs) has ordered immediate investigations into polygamy syndicates and determine whether these syndicates involve “insiders” attached to the judicial institution itself.³⁶

Among the government's proposed actions to overcome the issue of husbands or ex-husbands not paying alimony or child support is to block the bank accounts of those concerned. Former Minister in the Prime Minister's Department (Religious Affairs), Idris Ahmad said that this initiative will be implemented in the near future. The bank account will be frozen until there is a debtor's judgment on the husband or ex-husband and the individual settles the outstanding alimony or child support debt.³⁷ This is because many husbands in a polygamous marriage refuse or fail to pay child support.

It is evident that there is no specific study that has investigated the causes of polygamy scams or the proactive measures needed to empower polygamy laws so that they are not abused by men who wish to practice polygamy. There are still weaknesses and loopholes in the law to the extent that many still engage in polygamy without the court's permission by seeking the services of polygamy scams to enter into a polygamous marriage. Therefore, this study provides “a wake-up call” for those who wish to practice polygamy out there so that they are more careful and always consider the consequences of practicing polygamy without adhering to procedures stipulated in the State Islamic Family Law Enactment. Mohd Kori Jusoh, Director of the Sharia Coordination, Enforcement and Prosecution Division of the Department of Islamic Development Malaysia (JAKIM), stated that his department is trying to deal with family issues, including unauthorised marriages, and avoiding regulations that require marriages to be certified.³⁸

Undoubtedly there is a need for empowering the legislative machinery in order to overcome the polygamy scam issue in this country. Therefore, this study will examine the proactive measures that can be undertaken by certain parties in combating polygamy syndicates that are becoming increasingly rampant in Malaysia.

³⁶ Ashadiya, “Isteri Boleh Buat Laporan Jika Suami Scam Untuk Poligami,” Isteri boleh buat laporan jika suami scam untuk be (lowyat.net), 2021.

³⁷Media Baharu, “Suami atau Bekas Suami Culas Beri Nafkah, Bakal Berdepan Sekatan Akaun Bank,” Suami atau bekas suami culas beri nafkah, bakal berdepan sekatan akaun bank (rtm.gov.my), 2021.

³⁸Osman Lisut, “70 Peratus Nikah Sindiket Tidak Patuh Syariah,” *Berita Harian*, 2019, <https://www.bharian.com.my/wanita/keluarga/2019/04/552835/70-peratus-nikah-sindiket-tidak-patuh-syariah>

This qualitative study had adopted the case study approach and used the content analysis technique and semi-structured interviews for data collection purposes. Interviews were conducted with three respondents who have in-depth knowledge of polygamy law, namely a Syarie Lawyer (Respondent 1), an Officer from the Family Law Division of the Islamic Religious Office in Hulu Langat District (Respondent 2) and a Legal Expert (Respondent 3).

The semi-structured interview method involved respondents who were presented with formal questions with the intention of extracting in-depth information and data about polygamy scams and measures to curb it. However, additional questions in response to the respondent's initial answer could be presented as well. Respondents were also given the opportunity to provide further explanations if they thought it was necessary. The main advantage of this kind of interview is that it is flexible and structured, which tends to provide the researcher with sufficient data to complete the study.

Data were analysed using the descriptive analysis method, which is by organizing and summarizing information numerically based on a research variable. The study examined previous studies, brochures and reference books related to polygamy, in general, and provisions in Islamic family law, in particular, to obtain information relevant to this study. Since this polygamy scam issue is something new, there are many reference materials in newspapers and websites, however, this study only relied on an authoritative penal for pertinent and accurate information.

Interviews were analysed using the thematic analysis method based on analytical procedures recommended by Braun and Clarke, which mainly consist of familiarization with the data, generating initial codes, as well as identifying, studying, defining, and renaming the themes.³⁹

Findings of the Study

Participants of this study consisted of three respondents, namely a Syarie Lawyer (Respondent 1), an Officer from the Family Law Division of the Islamic Religious Office in Hulu Langat District (Respondent 2) and a Legal Expert (Respondent 3). The research instrument comprised interview protocol questions that were adopted from several previous studies, which were then modified. Data from the semi-structured interview were recorded and transcribed. It was then analysed by identifying the main themes emerging from the interview and categorized in accordance with the original division of categories in the interview protocol questions.

³⁹Braun, V., & Clarke, V., "Using Thematic Analysis in Psychology". *Qualitative Research in Psychology*, 3 no 2 (2006), p. 77-101.

1. Thematic Analysis

Qualitative findings were based on the result of group interviews with selected respondents that were analysed and explored to obtain information related to the status of polygamy scams from a legal aspect and measures to curb this scam. The main themes successfully identified were the criminal status of a polygamy scam, laws related to polygamy scams, loopholes in the law related to polygamy scams, and measures to curb polygamy scams. These interrelated themes are related to efforts to curb polygamy scams from a legal aspect, whether in terms of empowerment, punishment, form of punishment or prosecution.

2. Polygamy Scams as a Criminal Offense Under Shariah Law

In terms of the status of polygamy scams classified as an offence, all respondents agreed that it is an offence, but the form of the offence committed by the polygamy scammers could involve several interlinked criminal offenses, namely signature fraud, providing false documents to the courts, attempting to defraud the court, and giving false confessions. It involves the management aspects of a marriage that contradict the enactment as well as other matrimonial offenses. Here are some of the statements from the respondents:

Respondent 1	<i>"...whenever a polygamy scam is involved, there are several criminal offenses that can be linked, including trying to falsify court documents, trying to deceive the courts, and giving false confessions. So, the Syariah criminal enactment mentions that document forgery is an offence. Whereas any attempt to falsify court documents or defrauding the court may be punishable by a fine and imprisonment."</i>
Respondent 2	<i>"First, they have conducted a marriage contrary to the enactment because they have helped people to get married by not following the law. That is absolutely wrong. So, in order to take action, it will go to the enforcement unit and then, how they can be prosecuted"</i>
Respondent 3	<i>"This polygamy scam is an offence from a legal point of view, especially Islamic family law. This offense is categorized as a matrimonial offense."</i>

3. Legal provisions related to those who commit polygamy syndicated scams

There are no special legal (Shariah) provisions aimed at curbing polygamy scams and/or offenders because Shariah law focuses more on conspirators involved in these scams, such as witnesses and the *wali* (legal guardian). However, this scam offense can be prosecuted in the Syariah Court if it is perpetrated by a syndicate. Therefore, husbands, first wives (or subsequent legally married wives), legal guardians, witnesses and marriage officiants can be

prosecuted if it occurs in Malaysia but not if it occurs in Thailand or any other country; however, the couple involved can be prosecuted. Here are some of the statements from the respondents:

Respondent 1	<i>"...the Syariah Court has also prosecuted anyone involved in this syndicated marriage, including the husband, the first wife, the second wife, legal guardian, witness, and marriage officiant. But this only involves syndicated marriages that take place in Malaysia because one must understand that the Syariah Court only has jurisdiction to prosecute offenses that occur in Malaysia, but offenses that occur, for example in Thailand, then the marriage officiant and witnesses in Thailand cannot be prosecuted because the crime occurred in Thailand and only the husband or wife involved can be prosecuted. But those involved in syndicated marriages in Malaysia can be prosecuted in the Syariah Court."</i>
Respondent 2	<i>"...the proposed amendment to existing provisions in this enactment are specifically aimed at these syndicates and can be subject to legal action. That one is still in process. The amendment involves creating a provision that specializes in actions to be taken against agents who run this service. Additionally, action can be taken against those who display or advertise this service on social media."</i>
Respondent 3	<i>"So far there is no specific law. The current law focuses more on married couples and complicit parties such as legal guardians and witnesses."</i>

4. Views on the Flaws in the Current Legal Provisions

Based on the statements of the three respondents above, there are some differences in opinion amongst them. R1 stated that there are several loopholes in the existing law, one of which is that the courts do not have the jurisdiction to prosecute Muslim couples who get married in Thailand. This means that the authorities cannot charge the party that solemnized the marriage, or the witnesses involved in Thailand because the marriage took place in Thailand. Second, there is no system to detect whether the couple has been married. Third, there is a loophole in the procedure itself where previously the wife did not have to appear to court as it was sufficient for her to sign a document agreeing to be in a polygamous marriage with her husband. Hence, when such an issue arises, the loophole in the procedure becomes apparent. According to R2, there is no loophole from the legal perspective, but there should be amendments to restrict these loopholes due to the current situation. Meanwhile, R3 opined that existing laws are still applicable, but there is a need for a heavier punishment for the offender. In conclusion, all three respondents have different opinions based on

their experiences. Therefore, there is a need for legislative empowerment to curb unauthorised polygamous marriages because existing laws are unable to prevent couples from entering a polygamous marriage.

Respondent 1	<i>“...many loopholes in the existing legislation ... First ... the jurisdiction, ... Second .. a system for identifying couples who are married ... as long as he does not register Third ... from a procedural point of view.”</i>
Respondent 2	<i>“In my opinion, it is not a loophole. For me, there may be many provisions that need to be amended based on what is happening now.”</i>
Respondent 3	<i>“Existing laws can still be used. However, from the point of view of punishment if convicted for example, it needs to be more severe in order to teach a lesson ... and deter other parties.”</i>

5. Measures to Curb Polygamy Scams

i- Empowering Legislation Related to Polygamy Scams in Malaysia

R2 also shared the same view as R1 regarding the law, namely the need for empowerment and standardization of laws related to polygamy scams involving relevant enforcement agencies. In contrast, R1 stated that there is a need for amendments to the punishment because the current punishment is insufficient based on current trends in unauthorised polygamy marriages and rampant occurrence of polygamy scams. Hence, there is a need for amendments to the existing Shariah criminal law (punishment) by increasing the prison sentence, for example, from 3 years to 30 years and the fine from RM5000 to RM100,000 or 6 lashes of the whip to 100 lashes. In addition, steps that should be taken in the interest of the family is to be more sensitive to the families, such as determining what is going on in the family.

Respondent 1	<i>“First, from the legal aspect itself, there needs to be standardization because obviously the Syariah Law is different in each state. ... so, every state needs to curb this activity.”</i>
Respondent 2	<i>“Create provisions that can restrict or enforce punishment on the parties who operate it. So far, the existing provision is not strong. At the most, Section 40 (1) requires enforcement authorities to be present at the scene during the execution of the marriage vows. The transgression element needs to be witnessed before any action can be taken. So, in my opinion, if we want to strengthen the law, there needs to be additional provisions that are binding or that we can enforce directly on</i>

	<i>the people who are infringing the law. That is one of the reasons we recommend amendments.”</i>
Respondent 3	<i>“The legal and punishment point of view has already been mentioned...”</i>

ii- Adequate Punishment for Masterminds of Polygamy Scams

Although there is no law on polygamy scams, legal provisions related to those involved in illegal matters and individuals who allow such scams to occur have indeed existed, such as that involving staff or officials (religious departments or courts), and marriage officiants. However, the respondents have different opinions about the status of the legal provisions.

Respondent 1	<i>“...existing allocations, which are fines and prisons terms, are adequate. ... but need stricter enforcement.”</i>
Respondent 2	<i>“If it involves people in government departments, there will indeed be a process or procedure for disciplinary action that can be taken until they can be dismissed. In terms of crime, if the person is involved, he/she can be charged for that crime...”</i>
Respondent 3	<i>“The provisions in question are already in the Islamic family act/enactment of the respective states. Fake marriage officiants for example...there are already existing provisions, and some have been sentenced.”</i>

iii- Type of Punishment

This study is of the view that the punishment imposed on an individual involved in an unauthorized polygamous marriage is not commensurate with the offense committed. The fines are comparatively inadequate and do not act as a deterrent. Therefore, R1 suggested that the punishments and fines against parties who commit polygamy fraud should be increased.

Respondent 1	<i>“Second, involves punishment. As I said earlier, punishment for the unauthorized polygamy offense is a fine not exceeding RM1000 and imprisonment of no more than 6 months. This punishment is inadequate if we look at the current trend of unauthorized polygamy or rampant polygamy scams. So there needs to be an amendment to the existing Syariah criminal code to increase the prison sentence, for example from 3 years to 30 years and the fine from RM 5000 to RM 100,000 or 6 lashes to 100 lashes.”</i>
Respondent 2	
Respondent 3	<i>“The legal and punishment point of view has already been mentioned”</i>

iii- Complains Against Polygamy Scams and Syndicates

Basically, the wife has the right to lodge a police report if she discovers that her husband has entered a polygamous marriage without the permission of the courts. Hence, if the wife makes a police report, the case will be referred to the religious enforcement unit at the Religious Department and then forwarded to the Syariah Court. This is because the police do not have jurisdiction to investigate offenses that come under the jurisdiction of the Syariah Courts but rather, it is the responsibility of the religious enforcement unit. All three respondents in this study stated that the wife can lodge a complaint, either to the police or religious department, and the case would be adjudicated by the courts that have the jurisdiction to do so.

Respondent 1	<i>"...the police do not have authority to investigate offenses that are under the jurisdiction of the Syariah Courts, but offenses under the jurisdiction of the Syariah Court and enforced by the religious enforcement unit. ... there is a legal provision that allows the wife to make a report at the religious enforcement department, which is related to an offense under Section 124 concerning Unauthorised Polygamy"</i>
Respondent 2	<i>"We have to look at the section of the legislation that empowers the police to take action against him. If the police say they cannot do anything, then they will direct those involved to the religious department because this involves Islamic Family Law. If he makes a complaint to us, we must deal with offences and decide whether it is a criminal or marital misconduct offence."</i>
Respondent 3	<i>"You can make a police report but in the end the place to go to is the religious department next to the Syariah court. Yes. any party with information can make a report."</i>

Discussion Of The Findings

1. Polygamy Scams as a Criminal Offense Under Shariah Law

This study found that a polygamy scam is a criminal offense because it is actually composed of several criminal offenses, namely adducing false court documents, deceiving the courts, giving false confessions, and using syndicates or agents in most of these acts. Polygamy scams can also be categorized as a matrimonial offense.

According to Hushim Salleh, a motivational expert and counsellor, this type of scam occurs because the husband takes a shortcut to polygamy by not

adhering to the SOP⁴⁰ and existing laws. According to Syamimi, a Syarie lawyer, this occurs because there are parties involved in this polygamy fraud who abuse their powers as well as the application procedures that have been established in the legal provisions and in the Syariah Courts.⁴¹ Zainul Rijal Abu Bakar added that the various parties involved in polygamy scams provide matrimonial packages in collaboration with foreign marriage syndicates for those who wish to engage in polygamy.⁴² Hence, it is clear that a polygamy scam is a criminal offense. This was confirmed by a lawyer, Muhamad Akmal Arif Shamsul Kahar, who stated that the act of forging a document or signature in a polygamy case is a criminal offense that could lead to prosecution.⁴³

Nevertheless, the Mufti of Perlis, Dr Mohd Asri Zainul Abidin, used the term 'scam' when referring to polygamy because polygamy is a Syariah decree and the right to practice it lies with the husband.⁴⁴ However, the act of committing a scam is wrong even when related to polygamy, which is permitted by Syariah. Opposing a polygamy scam is not tantamount to opposing polygamy.⁴⁵

2. Legal Provisions Affecting Perpetrators of Polygamy Scam Syndicates

Although a polygamy scam is a crime, however, in terms of legal provisions, there are no special legal provisions that apply to individuals who carry out polygamy scam activities. Nevertheless, Syariah law focuses more on the offense of complicity involving witnesses and legal guardians of the bride (*wali nikah*). Thus, if it occurs in Malaysia, this scam can be prosecuted in the Syariah Court, but the courts cannot prosecute those involved in the scam abroad. According to Datuk Mohammad Adib Husain, Selangor State Chief Syarie Judge, polygamy fraud, such as making a false declaration, can be prosecuted either under the Penal Code or the Islamic Family Law (Selangor State) Enactment 2003.⁴⁶

⁴⁰ Norshahzura Mat Zuki, "Scam Poligami: Suami Ingkar SOP, Undang-undang," *Sinar Harian*, 2 January 2021. <https://m.sinarharian.com.my/mobile-article?articleid=140696>

⁴¹ Liza Mokhtar & Zamri Rambli, "Bahana Kegiatan Scam Poligami," *Sinar Harian*, 1 Januari 2021, <https://www.sinarharian.com.my/article/117074/LAPORAN-KHAS/Bahana-kegiatan-scam-poligami>.

⁴² *Sinar Harian*, "Scam Poligami Jadi Satu Bisnes," 2 January 2021, <https://m.sinarharian.com.my/mobile-article?articleid=140535>

⁴³ "Pemalsuan Dokumen Untuk Berpoligami adalah Kesalahan Jenayah," https://ukmedumy-my.sharepoint.com/personal/mnmz_ukm_edu_my/Documents/1-MNMZ-2021/Artikel/New-Artikel/Samarah/Harian-Metro, <https://www.hmetro.com.my/mutakhir/2021/03/689587/pemalsuan-dokumen-untuk-berpoligami-adalah-kesalahan-jenayah>.

⁴⁴ Maza, "Tiada Istilah 'Scam' dalam Poligami," *Malaysia Post*, 2021, <https://malaysiaipost.com.my/2021/01/22/tiada-istilah-scam-dalam-poligami-dr-maza/>

⁴⁵ Abu Mishkat FB, 22 Januari 2021, <https://www.facebook.com/100000071166710/posts/4525602397452088/?d=n>

⁴⁶ "Tiada Kompromi dengan Scam Poligami," *Sinar Harian*, 5 January 2021, p. 10.

According to Musa Awang, President of the Malaysian Syariah Lawyers Association (PGSM), every polygamy application must make a declaration signed before the Court Registrar stating that all the information provided is true but if there is any fraud then individuals involved can be prosecuted according to Section 82 of the State Syariah Criminal Enactment. The act of providing false information is an offense related to providing false testimony and if convicted, the perpetrator(s) can be subjected to a fine not exceeding RM5,000 or imprisonment not exceeding three years or both. The same goes for those who deliberately provide or make false statements, which is considered an offense and shall, upon conviction, lead to a fine not exceeding RM1,000 or imprisonment not exceeding one year or both.⁴⁷ Rafidah Hanim and Nur Saadah stated that parties who get married via a polygamy marriage syndicate can be charged with unauthorised marriage, using an uncertified marriage officiant, an invalid legal guardian (*wali nikah*) or failing to register a marriage.⁴⁸

In terms of the punishment meted out for this type of syndicate, R2, who is an official at the Hulu Langat District Islamic Religious Office (PAIDHL), stated that the Family Law Division has submitted a proposal to amend the existing punishment in relation to this type of activity.

3. Legal Measures to Curb Polygamy Scams

i- Standardization of Laws

There is a need for standardised legislation because Shariah Law is different in each state. Thus, there must be efforts to standardize existing laws so that polygamy scams can be curbed in every state, and not just in one state. This requires every state to play its part to stop this activity.

ii-Empowering Shariah Law

The empowerment of Shariah law and procedures related to curbing the practice of unauthorised polygamy should be implemented by overcoming some of the ambiguities or inadequacies in the law. First, delineate the jurisdiction aimed at prosecuting Malaysian Muslim couples who get married in Thailand even if one of them is not a Malaysian citizen. Second, create a system to detect couples who had got married in Thailand but have not yet registered in Malaysia. Third, amend the procedure so that the first wife is required to appear in court to express her consent to the husband's polygamous marriage. Fourth, create provisions that restrict or enforce punishment against the parties involved in a

⁴⁷ "Isteri Boleh buat Laporan jika Suami Scam untuk Berpoligami," Sinar Harian, 01 Jan 2021. <https://m.sinarharian.com.my/mobile-article?articleid=140538>.

⁴⁸ Rafidah Hanim Mokhtar & Nur Saadah Khair, "Jauhi Sindiket Poligami, Hapuskan Pemalsuan Dokumen Poligami," Malaysia Gazette. 12 January 2021, <https://malaysiagazette.com/2021/01/12/jauhi-sindiket-poligami-hapuskan-pemalsuan-dokumen-poligami/>.

polygamy scam. Fifth, proposed amendments aimed at imposing heavier penalties for offenders according to the current situation.

According to His Honour Muhamad Nazri Basrawi Muhamad Nazri, the polygamy scam issue can be overcome by enforcing existing regulations and laws, but it should be done with utmost integrity and fairness.⁴⁹ Zainul Rijal also suggested that the procedures involved in the authorization or confirmation of polygamous marriages should be tightened and the religious authorities should act against the agents or providers of these marriage packages, including the co-conspirators.⁵⁰

From an enforcement aspect, Syamimi stated that polygamy scams need to be curbed through strict law enforcement in order to maintain the dignity and harmony of the Syariah Courts and avoid negligence to the other wife or wives of the polygamous husband.⁵¹ Zulkifli Al-Bakri suggested that JKSM, as the coordinating agency of the Syariah Courts in this country, should work closely with the State Syariah Courts, the State Islamic Religious Department's (JAIN) Enforcement Unit, the Royal Malaysian Police (PDRM) and Malaysian Anti-Corruption Commission (MACC), in curbing polygamy-related fraud.⁵² Mona Din also requested the Malaysian Anti-Corruption Commission (MACC) to promptly investigate polygamy-related fraud or polygamy scam cases that allegedly involve legal practitioners or Syariah Court staff in this country.⁵³ Meanwhile, Zulqarnain suggested that religious authorities should establish a special squad, in collaboration with PDRM and the Immigration Department to eradicate polygamy scam syndicates.⁵⁴

⁴⁹ "Memartabatkan Undang-Undang Syariah Di Negara Ini," Prebiu, 13 Januari 2021, <https://prebiu.com/2021/01/13/memartabatkan-undang-undang-syariah-di-negara-ini/>.

⁵⁰ "Scam Poligami Jadi Satu Bisnes," Sinar Harian, 2021, <https://m.sinarharian.com.my/mobile-article?articleid=140535>.

⁵¹ Liza Mokhtar & Zamri Rambli, "Bahana Kegiatan Scam Poligami," Sinar Harian, 1 Januari 2021, <https://www.sinarharian.com.my/article/117074/LAPORAN-KHAS/Bahana-kegiatan-scam-poligami>.

⁵² YADIM, "Scam Poligami: Dr Zulkifli mahu Siasatan Dalaman Dilakukan," 3 January, 2021. <https://www.yadim.com.my/v2/scam-poligami-dr-zulkifli-mahu-siasatan-dalaman-dilakukan/>.

⁵³ Raiham Mohd Sanusi. "SPRM Perlu Segerakan Siasatan Scam Poligami," Sinar Harian. 08 Januari 2021. <https://m.sinarharian.com.my/mobile-article?articleid=141871>

⁵⁴ Zulqarnain Lukman, "Ustaz dan Imam Dalang Sindiket Scammer Poligami," Next Step Malaysia, 2021, <https://nextstepmalaysia.com/ustaz-dan-imam-mengetuai-sindiket-scammer-poligami/>

iii- Adequate Penalty for the Mastermind Responsible for the Polygamy Scams

The penalty imposed on the main characters involved in an unauthorized polygamous marriage is not commensurate with the offense committed. Fines are also inadequate, which is affordable to the offender and hence, the offense continues to occur. Therefore, the punishment or fines do not help to educate or deter the community from committing this Syariah offence. The punishment imposed on polygamy offenders is disproportionate and Shariah law should be empowered immediately so that this matter can be curbed.

Amendments to the nature of the punishment is necessary because current punishments are very light compared to the contemporary trend of increasing unauthorized polygamy marriages or polygamy scams. The second respondent proposed an amendment to the existing nature of penalties by increasing the prison sentence, for example, from 3 years to 30 years and raising the fine from RM 5000 to RM 100,000 or increasing the whipping from 6 lashes to 100 lashes.

iv- Need to Make a Complain

The wife has the right to lodge a report to the police or the religious enforcement unit at the Religious Department and then to the Syariah Court if her husband enters an unauthorised polygamous marriage. Zulkifli al-Bakri also suggested that the wife or those involved should make a report to the police, the Enforcement Department of the State Department of Islamic Religion or the Malaysian Anti-Corruption Commission (MACC) if they have any information related to polygamy scams.⁵⁵ Musa Awang, President of the Malaysian Syarie Lawyers Association (PGSM), also stressed that if there is any fraud involved in the polygamy application process in the Syariah Court, the wife can report it to the Islamic Religious Department.⁵⁶ Hence, every individual who is affected by the court's decision has the right to appoint a lawyer of his own choosing to bring the case to a higher court for further adjudication.⁵⁷

v- Awareness Programs

Marrying couples need to be made aware or enlightened through a pre-marriage course regarding the negative consequences of getting involved in an unauthorized polygamy. The immediate families should always check with each

⁵⁵ Mohd. Husni Mohd. Noor, "Lapor Polis, Penguatkuasa jika ada Maklumat Scam Poligami," 2 Januari 2021, Kosmo. <https://www.kosmo.com.my/2021/01/02/lapor-polis-penguatkuasa-jika-ada-maklumat-scam-poligami/>

⁵⁶ Sinar Harian. "Isteri Boleh Buat Laporan jika Suami Scam untuk Berpoligami," 01 Jan 2021, <https://m.sinarharian.com.my/mobile-article?articleid=140538>.

⁵⁷ Azizah Kassim, "Scam-poligami: Henti Propaganda Cemarkan Institusi Kehakiman Syariah," 21 January 2021, <https://www.edisi9.com.my/2021/01/scam-poligami-henti-propaganda-cemarkan-institusi-kehakiman-syariah/>

other's family, especially the wife's side. According to Zainul Rijal, many are unaware of this issue and no action is taken because people might think that the polygamy scam is a legitimate service.⁵⁸

According to Mohd Luttfi Abd Khalid, pre-marriage courses will not be able to prevent polygamy scams from occurring because the dominant thinking and attitude in humans is to always find an easy way out in life.⁵⁹ It is more about the attitude and influence of an individual's inherent natural passion. Therefore, awareness campaigns should target various levels of awareness, and involve various parties. Mohd Luttfi Abd Khalid also suggested that this issue should be seen in a wider context by touching on the social aspects, economy, education, value system and current ideological and political trends that surround the life of the community and Muslims in general today.⁶⁰

Conclusion

The polygamy scam has been in existence for a long time but gained prominence in the beginning of 2021. This could be due to the strict or sometimes burdensome conditions faced by prospective polygamy applicants, so they look for ways consistent with the requirements of Shariah law to fulfil their wish but the means to achieving their wish could be illegal. Legal provisions and SOPs related to polygamy aim to protect the interests of the wife, and indirectly, the children who are still under their care. Therefore, the polygamy scam is indeed a criminal offense according to the study's respondents because it involves fraud against the court which will affect many parties.

There are several suggestions aimed at overwhelming and curbing this scam before it begins to expand beyond control. This study found several measures that could curb this undesired expansion, such as the standardization and empowerment of the current legislation, imposing appropriate punishment on the masterminds in these polygamy scams, filing of complaints by the aggrieved and promoting awareness programs. All these initiatives are important in curbing these syndicates or individuals running polygamy scams. These measures would also involve Syariah judicial institutions in Malaysia.

It is anticipated that these proposals would affect parties that directly or indirectly commit this type of fraud, whether they are individuals, agents or syndicates, government employees (court officials) or Syariah lawyers, and they will receive the appropriate punishment. Meanwhile, these proposals would also help curb this undesired activity (scam). Stakeholders, especially at the Federal and State levels, as well as uniformed bodies (Royal Malaysian Police or PDRM,

⁵⁸Sinar Harian, "Scam Poligami Jadi Satu Bisnes," 2021, <https://m.sinarharian.com.my/mobile-article?articleid=140535>

⁵⁹ Ainul Illia, "Scam Poligami atau Scam Hawa Nafsu?," Web ISMA. 12 January 2021, <https://ismaweb.net/2021/01/12/scam-poligami-atau-scam-hawa-nafsu/>

⁶⁰ Ainul Illia, "Scam Poligami atau Scam Hawa Nafsu?," 12 January 2021.

MACC etc.) need to unite and collaborate in curbing this activity from continuing to spread.

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