# Polygamy in Islamic Perspective: A Research Based Study

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#### **Abstract**

The human society is composed of male and female. The bond of these two is called Nikah in Islamic law. Exercising nikah is a source of physical and spiritual comfort. It has numerous social and financial advantages too. Sometimes aperson necessitates having more than one wife, which is called Polygamy. Every divine religion besides Islam has permitted polygamy. So what is a brief introduction of Polygamy? What is its status in different divine religions? What are the benefits and harms of Polygamy for male and female?

So a critical analysis of Polygamy has been taken in this article according to Islamic teachings.

Keywords: Human society, Divine religions, Nikah, Wife, Polygamy

### Introduction

Islam being a universal religion provides the teachings which are favorable for people of all regions of the world, based on their thoughts, civilization, body structure and economic status. This idea is also applied to family laws as it is applied to belief and worships. Among them Nikah (relation between husband and wife) carry high value. To marry multiple wives is called polygamy. In this regard the Islamic teachings are neutral, which neither give free way to it completely nor prohibit it wholly (as these two extremes are present in some religions of the world) but based on ground realities give conditional permission of polygamy.

Family laws have an important place in Islamic jurisprudence in which the rights, duties and relation of husband and wife have been introduced in detail. The beauty of the World lies in Human's handsand the existence of human race is dependent on the relationship between male and female. If this relation becomes unbalanced peace on the Earth will bleak.

### The Etymology of "Nikah"

The word"نكاح"is derived from "نكح ينكح" of "ضرب،يضرب".It basically means the collection of two things. The Islamic Scholars have defined "Nikah" as: Nikah basically means copulation according to Arabic dictionary¹. When it is used for stranger women, it means a bond of marriage, but if it is used for one's wife it means copulation. The aforesaid is the opinion of Hanafi School of thought. According to shawfi it is the bond of the marriage.

"احْشُرُوا الَّذِينَ ظَلَمُوا "جَهُمْ" (on another occasion, He says "وَأَزْوَاجَهُمْ" then it is forever used for an endless relation between a man and a woman, that's why "zewaj" is called "NIKAH", because it is the reason for legal copulation "It is religious agreement that is done between a man and awoman except there is a religious prohibition. It allows both husband and wife to legitimate their sexual relation.

According to Islamic laws, "Nikah" is such an agreement between a man and a woman that applies civil rights and duties and which approves the sexual relation, legal<sup>5</sup>. Allah Almighty says;"وَلَهُنَّ مِثْلُ الَّذِي عَلَيْنَ بِالْمُعْرُوفِ"

"And women shall have rights similar to the rights against them (men), according to what is equitable"<sup>7</sup>.

It is an approved bond from God, in which a man and a woman can legally satisfy their sexual needs. Nikah is such an Islamic law, which has been started with Adam (A.S) and will remain to paradise, because Allah wants that the man to be an architect of the world, for which he use his mental, physical and intellectual abilities in the right direction. Every power of soul and body is granted by Allah, which should be used according his orders? Sexual power is one of these abilities, which are granted to man for specific purpose. Nikah is a right and legal source for the satisfaction of this ability. Therefore, Islam has emphasized on the importance of Nikah and motivated the humans towardsNikah and condemn those who reject it.

## Nikah according to The Holy Quran

After the creation of Adam (A.S), Allah created Eve to finish his solitude, and then they were fastened in the bond of marriage. Allah Almighty says;

"O people! Be afraid of your cherisher, who made you from a man and created his wife from him"

Allah said them while entering into the paradise,

"And we said: "O Adam! Dwell you and your wife in the paradise and eat both of you freely with pleasure and delight, of things

therein as wherever you will, but not near this tree or you both will be of the wrong doers".

This link continued after Adam (A.S) and each prophet get married except HazratYahya (A.S) and HazratEsa (A.S). Allah says;

"O Muhammad! We sent messengers before you and made for them wives and offspring".

For the prevention from problems and a peaceful married life, "Mahr" and marriage with women on the permission of guardian has been ordered. Allah says;

"Wed them with the permission of their guardian or masters and give them their mahr according to what is reasonable, they should be chaste, not committing illegal sex, nor taking boy friends".

Those who do not marry for the fear of poverty, Allah order them to get married. Allah will make you rich, for this act. Allah says;

"And marry those among you who are single and ( also marry ) the pious of your male slaves and female slaves if they be poor, Allah will enrich them out of his bounty. And Allah is sufficient for his creatures needs, all knowing"

Hence, if needed, two, three and even four marriages are allowed under the condition, if one can deal fairly to all<sup>13</sup>.

## Nikah according to Ahadith

The Prophet (S.A.W) has resolved "Nikah" as a source of protection of one's sights and private parts. As the Prophet (S.A.W) says;

"O youngsters! Those, who have the power of copulation among you, get married, because it protects the sights and private parts. And those who lack this power, he should fast, it will testicle them"

The Holy Prophet (S.A.W) not only orders his followers, to fulfill their sexual needs, but also to choose a best partner for them. As the Holy Prophet (S.A.W) says;

"A woman is married for her piousness, her wealth, her nobility and her beauty, you marry to a pious woman".

He is also agreed upon that a pious wife is the best among the whole goods and necessaries. As He says;

"The world is just the goods and chattel and the best is a noble woman" Therefore, He ordered to accept the proposal of a noble person and predicted destruction in case of rejection. As He says;

"If a person propose you and about his nobility, you are sure, accept it, otherwise there will be destruction on the earth"

The Holy Prophet (SAW) got married many times and approved it as his and others Prophet's Sunnah. As he said;

"Four things are the Sunnahof Prophets; modesty, use of fragrance, maswak and getting married"

The Holy Prophet (SAW) rebuked those who do not marry and forbade them from maidenhood. HazratAnas Bin Malik (RA) says;

"جَاءَ ثَلاَثَةُ رَهْطٍ إِلَى بُيُوتِ أَزْوَاجِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، يَسْأَلُونَ عَنْ عِبَادَةِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَلَمَّا أُخْبِرُوا كَأَثَهُمْ تَقَالُوهَا، فَقَالُوا: وَأَيْنَ نَحْنُ مِنَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ؟ قَدْ غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ وَمَا تَأْخَّرَ، قَالَ أَحَدُهُمْ: أَمَّا أَنَا فَإِنِي أُصَلِّى اللَّيْلَ عَلَيْهِ وَسَلَّمَ؟ قَدْ غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ وَمَا تَأْخَرَ، قَالَ أَحَدُهُمْ: أَمَّا أَنَا فَإِنِي أُصِلِى اللَّيْلَ أَبْدًا، وَقَالَ آخَرُ: أَنَا أَعْتَرِلُ النِسَاءَ فَلاَ أَتَزَوَّجُ أَبَدًا، فَجَاءَ رَسُولُ النَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ إِلَيْهِمْ، فَقَالَ: «أَنْتُمُ الَّذِينَ قُلْتُمْ كَذَا وَكَذَا، أَمَا وَاللَّهِ إِنِي لَأَخْشَاكُمْ لِلَّهِ وَأَتْقَاكُمْ لَهُ، لَكِنِي أَصُومُ وَأُفْطِرُ، وَأَصَلِي وَأَرْقُدُ، وَأَتْزَوَّجُ النِسَاءَ، فَمَنْ رَغِبَ عَنْ سُنَّى فَلَيْسَ مِنَى" وَأَنْ فَلَيْسَ مِنَى اللهُ اللهِ مَنْ عَنْ سُنَّى فَلَيْسَ مِنَى اللهُ اللهُ اللهُ عَلَيْهِ وَالْوَلِي اللهُ عَلْمُ مَنْ اللهُ عَلَيْهِ وَالْتَهِ مَنْ اللهُ عَلَيْ عَنْ سُنَّى فَلَيْسَ مِنَى اللهُ عَلَيْهُ وَالْمُ لَلهُ عَلَيْ مَ فَلُولُ مَا لَهُ عَلَى اللهُ عَلَيْهُ وَالْمُ لَلَهُ عَلَى اللهُ اللهِ عَلَى اللهُ عَلَى اللهُ عَلَى اللهُ عَلَيْهُ وَلَوْ لُولُ اللهُ عَلَى اللهُ عَلَى اللهُ عَلَى اللهُ عَلَى اللهُ عَلَى اللهُ عَلَيْهِ وَاللّهُ عَلَى اللهُ عَلَى اللهُ عَلَى اللهُ عَلَى اللهُ اللهُ اللهُ عَلَى اللهُ عَلَيْهِ وَاللّهُ عَلَى اللهُ اللّهُ عَلَى اللهُ اللّهُ اللهُ اللّهُ اللهُ اللهُ اللهُ اللهُ اللهُ اللللهُ اللهُ الل

"Three men came into the houses of Ummahat almomineen, to ask about the worship of the Prophet (SAW). So, when they were informed, they assumed it insufficient then said what's the comparison of ours with the Prophet (SAW), he has been forgiven for his sins, therefore, one said, I will pray for the whole night forever, the second one said, I will fast for the whole life and will not break it, the third one said, I will not marry and will lead the life in solitude. Meanwhile the Prophet (SAW) came and said. Be watchful, I am the most pious and have the fear of God, but I fast and break it, I sleep and marry to women, those who did not follow my Sunnah, is not from me"

HazratSaad Bin AbiWaqas (R.A) narrates that;

"The Holy Prophet (SAW) forbade HazratUthman Bin Mazoon (R.A) from maidenhood. If the Prophet (SAW) allowed us, we should castrate ourselves."

Even the Prophet (SAW) assumed it the completion of Faith. The Prophet (SAW) says;

"Those who give in the name of Allah and those who forbade only in the name of Allah and loved for Allah and married for him, he has completed is faith"-

## What is Polygamy?

Islam is a moderate religion which ordered to keep a single wife in common circumstance but sometimes a single wife cannot fulfill the needs of aperson therefore Islam allows him to have two, three and even four wives. This is called polygamy. Allah says;

"and if you fear that you shall not able deal justly with the orphangirls, then marry (other) women of your choice, two or three or four, but if you fear that you shall notbe able to deal justly (with them), then only one or (the slaves ) that your right hands possess".

When Islam came in the Seventh century, people were extremist about women. Some of them had no bounds on the strength of marriages. There was no limitfor this. There was a sure danger of cruelty on women. Therefore the Holy Prophet (SAW)ordered both Ghailan, who had ten wives when embraced Islam and Qais bin al-Haris, who had Eight wives, to keep four of your wives and divorce the other ones<sup>23</sup>.

Some of the nations had completely restricted on 2nd marriage, while Islam adopted the moderate attitude and allowed four marriages with some conditions also. And it is that if a person is sure about the justice among the wives then he can marry to four. Internal justice (love) is beyond a person's control, because it is an un intentional attitude. As Allahsays:

"You will never be able to do perfect justice between wives if it your ardent desire, so do not incline too much (to one of them by

giving her more of your time and provision) so as to leave (the other) hanging"

It is not in ones control to maintain equality, among wives, in love and affection, because the internal love is not under one's control. Therefore if one loveshisone wife more than other, Allahdoesnot catch hold for this. But in practical behavior one obliged to maintain equality. He should spend the same nights with all the wives, and should pay the expenses to each of his wife .He should not pretend more attention towards any one of them because it would hurt others. <sup>25</sup>

## Historical analysis of Polygamy

History for having multi wives is very old. It was permitted in former societies and religions without any restriction. It was very common in Jews and was not prohibited in Ancient manuscript, although study of 17th century reveals that not only it was permitted but also people were doing it practically<sup>26</sup>.

Wister mark says that in 17<sup>th</sup>century, it was law full to have more than one wife and it was frequent among them. kings of France were too used to have more than one wife<sup>27</sup>.For jews,Christians,Non-muslims,Muslims and Arabs the most respectable person Hadhrat Ibrahim(a.s) were also have three wives. Their names wereSarah, Hajira and Qintoor<sup>28</sup>. Hazrat Yaqoob(a.s) was also have four wives i.eZulfa,Layyah,Raheel and Billa<sup>29</sup>.

From the above description it is cleared that Islam do not forbid to have many wives. Infact multi marriages were common in celestial and non-celestial societies. Islam only restrained marriages for only four times, not more than that and given more responsibilities to those who marry more than one time.at the time of revelation of the Sura Al nisaa Verse<sup>30</sup>Prophet Muhammad (SAW) stood up and addressed. Those who have four wives they should keep them and those who have more than four wives, they should be freed.

Ghailan had four wives. When he embraced Islam Prophet Muhammad (SAW) asked him to keep four wives and divorce the rest. <sup>31</sup>Qais Bin Haris had eight wives and he was given the same order to keep four and divorce the rest. <sup>32</sup>Similarly, Nofil Bin M'aawiya had five wives and he received the same order from the Prophet (SAW) to keep four and divorce the fifth one <sup>33</sup>

#### Polygamy in Islamic Shari'a

Alike previous Sharia's, Prophet Muhammad's Sharia has also allowed man to keep four wives at a time. According to Quran;

### Polygamy has numerous properties therein some are as below

1. Man is different to woman in many aspects physical structure, mental level, priorities, and emotions are all seemed different in them. Woman

passes through duration in every month or after giving birth to a child, in which man can't keep continue his marital obligations. It will naturally a reasonable solution if in this specific time he was provided an alternate wife. It is possible only to have more than one wife in contract.

- 2. Man power is considered the back bone of a nation. Polygamy can easily provide this power in a natural and lawful manner. In the other words, polygamy is an easy way to reproduce a round generation.
- 3. Man seems very dynamic and interested in keeping objects more than one. As he wishes to have many houses, many vehicles, variety in dress, so it will be notbeyond his nature if he wishes to have many wives.

## Why more than one wife is needed?

## 1. Sterility

Sometimes one of the wives is sterile and is untreatable. In this situation second marriage becomesnecessary toproduce children that get his inheritance and help their parents.

#### 2. Chronic disease

Sometimes, woman has chronic disease and cannot fulfill the needs of husband. In cases like this, man has two options:

first, to divorce first wife and marry another woman. Here, the first wife is totally at lost. In the second case, the man keeps the first wife in his*nikah* and marries another woman. The man fulfills the daily life needs, including food and treatment, of both the wives. This is to the advantage of both the wives.

#### 3. Excess of genital desires

Sometimes, men have excess of sexual desire, proofs of which is nocturnal ejaculation. When a man has excess of sexual desire, it has two Solutions: One way is to fulfill his lust through unfair means, which pious men are reluctant to do. And also, it is forbidden in Islam. As Allah says:

The second option is getting married again, which according to Islamic *Shariah*, is the most suitable solution.

#### 4. Excess of women

Naturally, the birth ratio of women is more than men. According to modern science, women have strong immunity systems than men because of which women have low death ratio. Some other reasons for the decrease in the number of men are killings of men in wars. As women do not participate in

wars, they have low death ratio. Besides, men are mostly busy in work, for example, work in factories, car driving, etc. Because of accidents in these works, many men die. Due to these reasons, the number of men is decreasing. Solution to this fact is the more number of wives, so that one man may become support to many women. In Almania, when during the Second World War the number of men decreased, the women demanded for an increase in the number of wives. It is nature that the number of female has been more than the number of male in every age. To control over this surplus, three suggestions are presented:

## 1<sup>ST</sup>Suggestion:

The female should remain solitary all the life and avoid exercising marriage. The majority of female as well as their guardians will never accept this as it is against the natural phenomenon of human psychology.

# 2<sup>nd</sup>Suggestion:

The female should free hand to meet the sexual requirements practicing any kind of sexual means. This suggestion has no scope as it violates the entire spiritual and moral system of human creatures. This is the only difference between human being and the animals. Especially Islam emphases on the structure of family system build on moral values. Besides Islam the other societies do not encourage such sort of thinking at all.

## 3<sup>rd</sup>Suggestion:

The Male entertains four marriages at a time. Polygamyis lawful in Islam. It is will prevent the illegal practices and protect the women's rights. Polygamy was practiced in most human societies throughout the world in every age. Islam regulated polygamy by limiting the number of wives and establishing responsibility in its practice. The surplus has been a result of men dying in wars, violence crimes.

After the World War II in Germany women demanded for polygamy as a huge number of male had died in war.

### Harms of prohibiting Polygamy

It is cleared from above description that not permitting polygamy is against the rights of womenand illegal in Islam. Itpermitted a man to have four wives at a time, and nikah is a shar'ai commitment in which the expenditures of wife are over husband, in case of second marriage the expenditures of second wife are also over the husband which don't have any harm to first wife.

A European lady doctor inquired a Muslim doctor of his wife's job? The Muslim doctor answered that she has been a house lady caring her kids and house. The lady doctor again asked: then who supports her in meeting her

requirements? The doctor told that he himself. She asked who affords her treatment expenses. He again said "I" the lady doctor was inspired and said then "she is a queen" you dissolve marriage with her and put me as a wife, or you replace her with me by giving divorce. The doctor said I can keep both of you as my wives but I can't divorce her".

## Some misconceptions

Some rumors are echoing against Islam that this religion has no soft corner with women and they are treated harshly. Put all this due to misconception, it is commonly observed that the Diyat of a female is a half of the male. It is also repeated that in the evidence two women are considered equal to a man. In case of "Diyat" the male takes the half amount if a female has murdered in the real sense male should criticize this decision not female. Exercising polygamy proves favorable for female more than male. In this system female can easily find a supporter to entertain a cheerful life.

Not Only second, third or fourth wife become victim to violence, but these incidents of cruelty are also found in case of one wife. It has been experimentally proven that most of the cases of disputes brought to courts by woman are in case of having just one wife. When it is already known that the cruelties of husbands having one wife are more than those of having two are more wives, then it is undeniable to think about pointing out this problem. There can be no excuse in the eye of law not to care about cruelties done to one wife. Only to think about the prevention and reform of cruelties done to more than a single wives.

To avoid the irregularities and drawbacks faced in polygamy, the rights of wives should be determined and ensured as identified by the Islamic laws provisions. Lake of communication misconception causes this imbalance.<sup>37</sup>.

#### **Conclusions**

It is an historical fact that in polygamy the nations of the past time were in the grip of excessiveness. Some societies had totally rejected itbut others hadgiven free hand in it. Islam being a balanced religion neither encourages the polygamy nor discourages it. It allows polygamy only when there is justice maintained among the wives. Moreover polygamy proves more beneficial for women. The observation regarding the polygamy that it paves the path to cruelty on women is baseless. Islam never permits any kind of cruelty and violence on womenwhether the wife is single or more than one.

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