

Polygamy

Punishing Honesty
and Rewarding
Deception?!?
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an unfathomable
legal paradox
of our modern world

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Polygamy is an ancient practice found in many human societies and Islam is not adverse to it. Most Western writers however, find fault with the Muslim religion because it is not strictly monogamous, and they will sometimes even describe polygamy as if it were some sort of institution that has been initiated by Islam. But it is no more an institution of Islam than it is of Christianity (i.e., it was the custom in Christendom for centuries after Christ) but still it is an existing human weakness to be reckoned with, and therefore in the interests of both men and women, to be regulated. Islamic law aims for a happy marriage and so allowances have been made for known human tendencies.

Allah has made the allowance of polygamy to man in cases of ardent human nature. The Qur'an does not enjoin it, but only recommends it in certain circumstances where it would be better than leaving women helpless and without consorts. The permission is contained within this verse of the Qur'an:

*"Give unto the orphans their wealth. Exchange not the valuable for the worthless (in your management thereof) nor absorb their wealth in your own wealth. Verily that would be a great sin. And if ye fear that ye will not deal fairly by the orphans, then marry of the women (i.e., their mothers) who seem good to you, **two or three or four; and if ye fear that you cannot do justice (to so many) then one only** or (of the female captive) whom your right hand possess. That is better, that ye stray not from the path of justice." [Qur'an 4:2,3]*

Polygamy is not practised much in the Muslim world today, however the permission remains there, and this shows that marriage was made for both men and

women. Monogamous marriage still remains the ideal of Islam, but it is nonetheless recognized simply as an ideal. After all, in practice, strict monogamy can sometimes be the cause of a great deal unhappiness and can result in some serious social evils.

Social Ills

The Islamic system, when fully practised, will eliminate the dangers of seduction, the problems of prostitution and also extramarital affairs. These problems are far too common in the west these days. The basic principle in Islam is that men are held responsible for their behaviour towards women (just as women are responsible for their behaviour towards men.)

Islam eliminates the romantic notions which have been woven into the act of sexual intercourse by Western writers and also by the entertainment industry. Take, for example, some of the best selling novels and popular movies, you will find that more often than not they depict the idea that the goal of a man's life on earth is to seek the love of a woman (i.e., the man finds the perfect woman after trying more than one). When this woman is discovered, the reader/moviegoer is then led to imagine that somehow a "union of souls" takes place between them. For a Muslim, this is absurd, for this is traceably a product of the teaching of the Christian Church regarding marriage i.e. that the woman is an alluring but forbidden creature, by nature sinful, except when some sort of mystical union takes place due to sexual bonding.

The teaching of Islam is much different because Islam does not believe in the union of two human souls. Each human soul is solitary from the cradle to the grave unless or until it finds its way of approach (*wasilah*) to Allah. It is free and independent of every other human soul. It has its full responsibility and must bear its own burden and find its own "way of

approach" through duties and amid the cares of life. There is no difference between men and women in this respect. In marriage, there is no merging of personalities -- each remains distinct and independent. They have simply entered into a commitment to perform certain duties towards each other, a commitment which is made hallowed and permanent by mutual love and regard. If that love and regard is not forthcoming, then the betrothal should be terminated. Marriage is not a sacrament nor is it a bondage. It is a civil contract between one free servant of Allah and another free servant of Allah.

Allah has ordained mutual love between the husband the the wife, and has clearly defined their rights over each other, and has prescribed certain rules of honour and of decency. The woman retains her own complete personality, her own opinions and initiative, her own property and her own name, both in the case of a polygamous or in the case of a monogamous marriage.

It should be noted that in many Muslim societies today, the practice of polygamy is rare since the gap between the numbers of both sexes is not large. Even so, one could safely say that the number of polygamous marriages in the Muslim world is much less than the number of extramarital affairs in the West. In other words, men in the Muslim world today are far more strictly monogamous than men in the Western world. Even though polygamy is not practised much in the Muslim world today, the permission does remain there should such a situation ever become necessary.

Why is polygamy permissible in Islam?

The answer to this question is simple: there are times and places in which there are compelling social and moral reasons for polygamy. For example, the problem of the unbalanced sex ratios, can become truly problematic during times of war. The WWII war-bride phenomenon is a case in point. After the WWII there were 7,300,000 more women than men in Germany alone (3.3 million of them were widows). There were 100 men aged 20 to 30 for every 167 women in that age group . Many of these women needed a man not only as a companion but also as a provider for the household in a time of unprecedented misery and hardship. The soldiers in the victorious Allied Armies exploited these women's vulnerability. Many young girls and widows had liaisons with members of the occupying forces.

Many American and British soldiers paid for their pleasures in cigarettes, chocolate, and bread. Children were overjoyed at the gifts these strangers brought. A 10 year old boy on hearing of such gifts from other children wished from all his heart for an 'Englishman' for his mother so that she need not go hungry any longer.

So we must ask our own conscience at this point: 'What is more honourable to a woman – an accepted and respected second wife, or a secret liaison with a mistress or prostitute?'

The Present Day

Today the world possesses many more weapons of mass destruction than ever before and it is quite conceivable that the European churches might, sooner or later, be obliged to accept polygamy as the only way out. Even a Roman Catholic priest, Father Hillman, has thoughtfully recognized this fact. He said, "It is quite conceivable that these genocidal techniques (nuclear, biological, chemical..) could produce so drastic an imbalance among the sexes that plural marriage would become a necessary means of survival ...Then contrary to previous custom and law, an overriding natural and moral inclination might arise in favour of polygamy. In such situations, theologians and church leaders would quickly produce weighty reasons and biblical texts to justify a new conception of marriage."

In most human societies, females outnumber males. In the U.S. there are, at least, eight million more women than men. (see Notes for more samples.) What should a society do to dispel such unbalanced sex ratios? There are various solutions. Some might suggest celibacy, others might prefer female infanticide (which does happen in some societies in the world today !) Others may think the only outlet is that the society should tolerate all manners of sexual permissiveness, i.e., prostitution, sex out of wedlock, homosexuality, etc.

Even in the present day, polygamy remains a viable solution for some of the social ills of modern societies. For example, In the United States, there is a severe gender crisis in the black community. One out of every twenty young black males may die before reaching the age of 21. For those between 20 and 35 years of age, homicide is the leading cause of death. Many young black males are succumbing to the problems of inner city youth and as a result, one in four black women, at age 40, has never

married, as compared with one in ten white women. Moreover, many young black females become single mothers before the age of 20 and find themselves in need of providers. The end result of these tragic circumstances is that an increasing number of black women are engaged in what is called 'man-sharing'. That is, many of these hapless single black women are involved in affairs with married men. The wives are often unaware of the fact that other women are 'sharing' their husbands with them. Some observers of the crisis of man-sharing in the African American community strongly recommend consensual polygamy as a temporary answer to the shortage of black males until more comprehensive reforms in the American society at large are undertaken. For other societies, like most African societies today, the most honourable outlet is to allow polygamous marriage as a culturally accepted and socially respected institution. The point that is often misunderstood in the West is that women in other cultures do not necessarily look at polygamy as a sign of women's degradation.

In passing it should be noted that polygamy in Islam is a matter of mutual consent. No one can force a woman to marry a married man. Besides, the wife has the right to stipulate that her husband must not marry any other woman as a second wife in her prenuptial contract.

It may be of interest to note that many non-Muslim as well as Muslim countries in the world today have outlawed polygamy. Taking a second wife, even with the free consent of the first wife, is a violation of western law. But on the other hand, **cheating on the wife, without her knowledge or consent, is considered perfectly legitimate as far as the western law is concerned! What is the legal wisdom behind such a contradiction? Is the law designed to reward deception and punish honesty? It is one of the unfathomable paradoxes of our modern 'civilized' world.**

Notes

United Nations Statistics. Alphabetical sample list of sex ratios by country. Compiled by the Population Division of the United Nations Secretariat 1997 :

- Argentina 104 women/100 men
- Barbados 106 women/100 men
- Belgium 104 women/100 men\
- Brazil 102 women/100 men
- Canada 102 women/100 men

- Chile 102 women/100 men
- Finland 104 women/100 men
- Germany 104 women/100 men;
- Ireland 106 women/100 men
- Italy 106 women/100 men
- Japan 104 women/100 men
- Mexico 102 women/100 men
- Russian Federation 114 women/100 men
- U.S.A. 103 women/100 men
- United Kingdom 104 women/100 men

This has been an edited compilation from Marmaduke Pickthall's "*The Relation of the Sexes*" as well as Dr. Sherif Abdel Azeem Mohamed's "*Women in Islam vs Women in the Judaeo-Christian Tradition -- The Myth and The Reality.*"