

## CHAPTER TWO

### Why are men allowed to have four wives (polygamy<sup>1</sup>) and yet women cannot have more than one husband (polyandry<sup>2</sup>)?

A very common accusation we read about and hear is polygamy and Islam. Let us start with understanding this subject and why Islam allows it. Allah mention's in the Quran:

*"...then marry those who seem good to you, two or three of four,..."*

#### **Temptation**

Suppose that a husband is tempted to unfaithfulness so powerfully that he finds himself: either resisting the temptation limiting himself to his wife despite the difficulty this poses for him, or surrenders to the temptation and commits adultery. In view of such a husband's moral and spiritual weakness, what is most likely to happen? Realistically speaking is that he will end up adopting the second course of action, allowing himself to be drawn into sexual misconduct.

It is at this point that the principle of graded priorities comes into play in preserving our human interests and protecting us from sources of harm and corruption. Unlike the western practices of unofficial polygamy or should I say adultery? Islam has laid rules to be followed in order that the woman is not unjustly treated if an affair took place.

#### **Statistics**

According to a Dec. 21, 1998 report in USA Today on a national study by the University of California, San Francisco.

About 24 percent of men and 14 percent of women have had sex outside their marriages; Affairs affect one of every 2.7 couples, according to counsellor Janis Abrahms Spring, author of "After the Affair," as reported by the Washington Post on March 30, 1999.

Ten percent of extramarital affairs last one day,

10 percent last more than one day but less than a month,

50 percent last more than a month but less than a year, but

40 percent last two or more years. Few extramarital affairs last more than four years.

Web site carrying information regarding infidelity statistics said: 'Look at the numbers from a recent issue of Playboy Magazine:

- 2 out of 3 women and 3 out of 4 men admit they have sexual thoughts about co-workers.
- 86% of men and 81% of women admit they routinely flirt with the opposite sex.
- 75% of men and 65% of women admit to having sex with people they work with.

The fact is that human beings are NOT monogamous by nature. That means they cheat.

According to Peggy Vaughan, author of "The Monogamy Myth," first published in 1989 by Newmarket Press (third edition published 2003). Conservative infidelity statistics estimate that "60 percent of men and 40 percent of women will have an extramarital affair. These figures are even more significant when we consider the total number of marriages involved, since it's unlikely that all the men and women having affairs happen to be married to each other. If even half of the women having affairs (or 20 percent) are married to men not included in the 60 percent having affairs, then at least one partner will have an affair in approximately 80 percent of all marriages. With this many marriages affected, it's unreasonable to think affairs are due only to the failures and shortcomings of individual husbands or wives." ii

#### **Guidelines**

Islamic law has established that if there is no avoiding the presence of another woman in a husband's life, given the condition sexual tension from which he is suffering, then let this other woman also be bound by a marriage contract, and let the man shoulder towards her the same responsibilities which he shoulders towards his original wife, including payment of the dowry, financial support and provision of a place to live. In addition, let him commit himself to observing complete fairness between his two wives with respect to nights spent at their houses, provision of financial support, and the manner in which he treats them; let him

<sup>1</sup> The system of having more than one wife at a time.

<sup>2</sup> The system of having more than one husband at a time.

likewise bear the responsibility for caring for the children born to the second wife just as he has done for the children born to his first.<sup>3</sup>

Islamic law stipulates such provisions in view of the inescapable fact that if a husband takes on an additional sex partner without commitment to the types of responsibilities we have mentioned here, in other words, if he opts for adultery, this will be more destructive to human interests than if this added sexual bond is restricted and regulated by the controls and limitations involved in a legally valid marriage contract. The wisdom in this is that the fairness with which the husband treats his wives will look to overcome the feelings of jealousy or envy which might arise between the women involved. In the sense that the wives will be assured that their husband is treating his wives equally and fairly and thus not neglecting one wife over another. This will further lead to the wives directing their energies instead towards creating an atmosphere of happiness in each household. Secondly, these conditions serve to discourage the man from taking another wife unless there is a clear need to do so.

Given considerations such as these, one finds that according to statistics provided by the Arab League, the rate of polygamy in the Arab world between 1987-1996 came to no more than 7 to 10 cases per 1,000 it goes without saying that polygamy involves compliance with the conditions we have outlined above and which are derived from Islamic law.

While Western societies leave the door wide open for the husband to practise "unofficial" polygamy without binding him to any rules or holding him accountable to any standards of justice, Islamic law leaves the door to polygamy only partially open, as it were, by imposing heavy fines on the husband who engages in this practice and holding him accountable to a strict criterion of fairness with respect to nights spent with his respective wives, financial support, the provision of adequate, separate accommodation and personal treatment. Hence, treatment to all wives will be fair and they will not be used just as a toy!

I am sure you know someone who flirts with women and leaves her heart broken just for some personal pleasure. Is there no respect for women? Are the women just a toy? Where is the equality in this I ask? The West are very quick to point fingers, however, they don't realise there are three fingers pointing towards them!

### One night stand

In a one night's stand or should I say an hour's enjoyment, the man has fulfilled his enjoyment, leaving the woman used and thrown like a used rag or even left pregnant, leaving the woman with either two choices: one getting an abortion and killing a life; or secondly, bringing up the child without true upbringing by the father (if she knows who the father is). In Islamic law if a man wants sexual pleasure, then okay go ahead, however, with conditions; i.e. looking after the partner and those already mentioned. Islamic law looks at the respect of women rather than just using them for an hour's enjoyment and leaving them with unwanted and life destroying memories.

Islam has taken into consideration the respect, and equality of women, but it is the West who don't understand it!

### Who's the Daddy?<sup>iii</sup>

Up to three million Britons may be wrong about who their real father is, experts claim. But using DNA paternity tests to discover the truth can cause its own problems.

When Tessa found out she was pregnant after fertility treatment, she felt a mix of delight and doubt. This wasn't simply pre-baby nerves - she suspected that her husband might not be the father. For Tessa had started sleeping with a colleague when the stress of the ongoing treatment became too much. Keen to build a family with her husband, she let him believe the baby was his. But her lover threatened to reveal all if she ended the affair, and Tessa soon fell pregnant again. This time, her lover started to make nuisance calls to her home.

<sup>3</sup> The Messenger of Allah (may Allah bless him and grant him peace) said, "He who has two wives, and does not treat them equally, will appear on the Day of Resurrection with one side of his body sloping." (Tirmidhi and Hakim)

**Rule:** One who has two, three or four wives; it is obligatory on him to treat them fairly, meaning those things that he has choice over keeping in mind all his wives in terms of clothing, food, expenses and a place to live and do not give less in these to any of them. And those things that he has no choice in such as he loves one of them more than the other. Similarly to have intercourse equally with all of them is also not necessary. (Durr-e-Mukhtar, Bahar etc.)

**Rule:** To have intercourse once is necessary (Wajib) and one should keep this in mind to have intercourse frequently although there is no fixed amount, however, enough so that the wife doesn't look towards another man and to have intercourse too often where it becomes a problem for her is not permissible (Durr-e-Mukhtar, Bahar etc.)

**Rule:** If it is the turn to spend time with one wife then the night will be taken into consideration and one is not allowed to go to the other wife without a need. One can go during the day for some reason and if the other wife/wives are not well then one can go to see them at night. And if the illness is serious then he can also stay with her when there is no one to look after her. He can not go to the other wives during the day for intercourse when he has to spend his time with a wife. (Johar etc.)

**Rule:** It is upto the husband that he fixes one day each with the wives, three days or even a week each. (Durr-e-Mukhtar)

Tessa had no choice but to tell her husband. "I said to him, 'I've had an affair and you may not be the father of my children.' So with that, he went up the stairs, got dressed and left. And that was it," Tessa says in *Women Who Live a Lie*, a programme for the BBC's Five Live Report. After a paternity test determined that her husband hadn't fathered either child, he broke off all contact. "I kept this a secret because I thought that my worst nightmare would come true, that the family would be split. Which it has been," Tessa says. Her children, now five and six, never see the man they first knew as "Dad".

### Reasons in favour of polygamy

1) Wars and natural disasters may sometimes cause an appreciable decline in the number of men in society as compared with the number of women, for the reason that men take greater risks on such occasions as soldiers and fighters.<sup>4</sup> Such events may leave countless alone to look after themselves or they may be provided with the security of a home and protection. The Islamic law prefers the latter course. Since it aims at the establishment of a pious, just, and morally strong society, it does not tolerate any woman seeking refuge under the roof of any man unless she is married to him or he is within the prohibited degrees of relationship to her.

In such a situation polygamy seems the only reasonable alternative to meet the needs of women for protection and care. However, there is no compulsion on any woman. If a woman feels that she can secure her peace, comfort, and happiness from others without seeking help or protection, no-one can compel her to marry a man who is already the husband of another woman. Thus polygamy is a sort of remedial law in Islam which a person may use only if they so desire.

2) When the wife is suffering from a serious disease like paralysis or a contagious disease. In these circumstances it would be better if there were another wife to look after the needs of the husband and children. Her presence will also help the sickly wife.

3) When the wife proves barren and after medical examination the experts have given their opinion that she is not capable of bearing a child. The husband then can marry a second wife, without divorcing the present wife with her permission and without hurting her feelings, so that he may have children since a child is one of the joys of this life. If for instance he wanted children and could not marry without divorcing then where would that leave the woman? Who would then marry her because she can not bear children and who will look after her needs? An advantage here is that even if the first wife can not have children, she can assist in looking after them as if the children belong to her.

4) A widow or divorcee whose chances of marriage may be small might prefer to be a second wife rather than face loneliness and struggle on her own for the whole life.

A question may arise here that a single mother can get support from the government so there is no need for polygamy. 'Yes', however, this is only in the West. In third world countries the government does not support single mothers or children, hence, they need someone to provide the basic necessities such as food, clothing and shelter. Islamic law is not only for the West but for mankind and has taken everything into consideration.

<sup>4</sup> **Casualties in Iraq.** The Human Cost of Occupation Edited by Michael Ewens. <http://www.antiwar.com/casualties/>  
American Military Casualties in Iraq

Date	Total
<i>American Deaths</i>	
Since war began (19/03/03):	2156
Since "Mission Accomplished" (1//05/03) ( <a href="#">the list</a> )	2019
Since Capture of Saddam (13/12/03):	1689
Since Handover (29/06/04):	1290
Since Election (31/01/05):	718

5) Man has more sexual desire than a woman by nature. This is quite evident as after a sexual relation, the woman has to pass through different critical stages such as pregnancy, delivery, fostering, etc. in which she does not feel any desire of sex but man is free from all these situations.

6) Nations which do not permit polygamy have an increase rate in adultery, prostitution and illicit relationships. Perhaps this is why Western nations witnessed the increase of illegitimate children and unmarried mothers. Such mothers and children are deprived of love, affection and moral upbringing. More often than not, they then become a burden upon both the society and upon the state's social system.<sup>iv</sup>

In 2002 England had 40% of births which were out of wedlock, in Scotland 43% and in Northern Ireland 34%. The percentage of babies born to unmarried parents has quadrupled in 20 years from just 10% and the surge has triggered both condemnation and demands for immediate action.<sup>v</sup>

7) In today's day and age, there are unfortunately many men whom are homosexual, which is against Islam. For each homosexual man there will be one woman whom will not be able to get married as they will find it increasingly difficult to find a marriage partner due to this increasing practise of indecency. Islam, however, offers a solution to this problem by allowing for polygamy. Thus, ensuring that women will not have to live their entire lives as single un-married women.

### **Views of Non-Muslims on Polygamy**

At this stage it becomes relevant to quote Billy Graham on polygamy: "If Christianity cannot do so, it is to its detriment (disadvantage). Islam has permitted polygamy as a solution to social ills, and has allowed a certain degree of latitude (freedom) to human nature, but only strictly within the framework of the law. Christian countries make a great show of monogamy<sup>5</sup>, but actually they practise polygamy. No one is unaware of the part mistresses' play in society. In this respect, Islam is a fundamentally honest religion and permits a Muslim to marry a second wife if he must, but strictly forbids all clandestine (secret) amatory associations in order to safeguard the moral probity (honour) of the community."<sup>vi</sup>

Dr Annie Besant, an eminent woman scholar, talked about the deception of monogamy in the Western world in the following words: "There is pretended monogamy in the West, but there is really polygamy without responsibility. The 'mistress' is cut off when the man is weary of her and sinks gradually to 'the woman of the street' for the first lover has no responsibility for her future and she is a hundred times worse off than the sheltered wife and mother in the polygamous home. When we see the thousands of miserable women, who crowd the streets of Western towns during the night, we must surely feel that it does not lie in Western mouths to reproach Islam for its polygamy. It is better for a woman, more respectable for a woman, to live in Islamic polygamy with respect, than to be reduced to the cast out on the streets perhaps with an illegitimate child outside the pale of law – unsheltered and uncared for, to become a victim of any passer-by, night after night, rendered incapable of motherhood, despised by all."<sup>vii</sup>

### **No shame**

The wife of former US President John F. Kennedy once mentioned, for example, that her husband had between two to three hundred girlfriends. Indeed, even the most wretched have-nots, not to mention their kings, can steal away the honour of hundreds. It's astonishing that a man can make the rounds among an army of unlawful lovers without suffering the slightest shame or embarrassment; but if he should make the rounds among several wives within a wall of airtight morals, he is thrown into prison. Where is the respect and justice to the women gone now?

### **Why can't women have four husbands (polyandry)?**

The question arises then, if women are equal in Islam then why can't women have four husbands (polyandry)? Equality is not necessarily to have the same, but it takes into consideration a wider picture and the pros and cons into consideration. If the cons are more, then the right of such an act is not considered. So what are the reasons behind the fact that women can not have more than one husband?

1) It could destabilise the entire family structure and make it impossible to determine children's paternity (fatherhood); as a consequence, her children would be rendered helpless to a variety of illnesses and psychological complexes, and there would be confusion in the relationships among the children themselves.

Imagine that you are speaking with a group of children and you ask some of them to tell you about their fathers; in response, they take turns introducing you to their fathers, full of assurance and pride. When you

<sup>5</sup> The system of being married to only one person at a time.

ask others, however, they begin to stammer in their attempt to reply, while their faces betray the misery in their hearts, since the only parents they know are their mothers who brought them up. Now, take things one step further and imagine the spread of this occurrence throughout the society and its negative psychological effects on society at large and, in particular, on the relationships among members of the new generation. As you imagine these scenarios, bear in mind that this grim social breakdown would be the result of the wife's perceived need for additional pleasure, a need which is fulfilled by taking more than one husband!

2) It is natural that both the husband and wife cannot tolerate his/her partner sleeping with another person. But the permanent patient and barren woman can tolerate the same for her husband due to disabilities.

3) If a husband becomes bed-bound for a number of months due to an accident, then he will need his wife to look after him day and night. Because of this attention, the other husbands will find that she is not fulfilling their desires during this time. Conversely, if a woman has this kind of accident and her husband is in a polygamous relationship then the co-wives can help the disabled wife and thus relieve the burden of the husband.

4) If the wife gets pregnant she will obviously be devoting all her time and attentions in rearing the child in its early years. The husband who is the father (if you know who the father is!<sup>6</sup>) of the child will be content and will not feel deprived in anyway during this time but how patient will the other husbands be for this long period of time?

5) Women find they cannot sometimes fulfil the sexual desires of their husband, due to monthly periods, pregnancies and so on. If this is the case in a monogamous relationship, then what about in a polyandrous relationship?

6) If the woman was pregnant then how would you determine who the father is? Hence, there is a greater chance if not most certain that the four husbands would fall out and break of family ties which is a great responsibility in Islam.<sup>7</sup>

7) Health risks for women having more than one husband. Dr Alex Comfort writes that "Semen which seems to be the main vehicle of infection. The more partners a person has, the greater the risk of AIDS. Women are more easily infected by men than vice versa: the virus is also passed on by pregnant women to their unborn children."<sup>viii</sup>

8) If a woman would have four husbands then it would be physically very demanding and difficult for her to manage and fulfil the desires of the four husbands.

Again we find that Islam wants to protect not only individuals from illnesses and diseases, but wants to protect them as a community!

These are only some examples of the difficulties it would cause, so we find that Islam has taken everything into consideration and set the laws. Islam is a complete way of life, follow it and you will prosper!

There are women who are in a polygamous marriage who enjoy their "free time" when the husband is with his other family; they use this time to socialise with other sisters, hold or attend study circles, study, read, sew etc.

In an ideal situation, the wives can be friends – then there is an inbuilt support system, help with the kids when one wife is sick etc. There have been a number of accounts written by co-wives describe such close, warm and supportive relationships within plural marriages; other co-wives are described as accepting their situation but choose not to interact so closely with one another.<sup>ix</sup>

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6 Estimates suggest that 5% of the population may have a different father to the one they think they are related to, says Professor John Burn, of the Institute of Human Genetics in Newcastle. He runs one of the UK's few paternity testing services, which carries out about 300 DNA tests a year - a third of results surprise those involved. ([www.bbc.co.uk](http://www.bbc.co.uk). Friday, 16 May, 2003 Who's the Daddy?)

<sup>7</sup> This is a fact and chat shows such as 'Trisha' and 'The Opera Show' etc. have broadcasts such programs were the true partner falls out with the unofficial boyfriend as well as the wife. At times not even the mother knows who the father is!

So to conclude we find that polygamy is in reality equality for women and doesn't take away their rights but gives them respect and looks after them as part of a society. Equality, however, is not necessarily to give men and women the ability to undertake the same practises, as the disadvantages of doing so have been quoted in detail, whilst taking the wider picture into consideration.

May we accept the laws of The Lawgiver who knows what is best for His creation!

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<sup>i</sup> Surah Nisa; Surah No: 4; Verse: 3

<sup>ii</sup> <http://www.manhaters.com/infidelity-statistics.asp>

<sup>iii</sup> [www.BBC.co.uk](http://www.BBC.co.uk). Friday, 16 May, 2003,

<sup>iv</sup> Tafseer Imdad ul Karam. Surah Nisa; Verse: 3

<sup>v</sup> Single-parent capital of UK; May 31 2003; by Robin Turner, The Western Ma

<sup>vi</sup> The position of women in Islam; Kurshid Ahmad.

<sup>vii</sup> *ibid*

<sup>viii</sup> The joy of sex, by Dr Alex Comfort.

<sup>ix</sup> See Islamic Sisters International, Vol. 3 No. 1 (June/July 1994 and Vol. 3 No. 2 (Aug-Oct 1994)